LEGISLATIVE COUNCIL

NOTICE PAPER

No. 21

TUESDAY 3 MARCH 2015

The House meets this day at 2.30 pm

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GOVERNMENT BUSINESS—NOTICE OF MOTION

1. Mr Gay to move—
   1. That this House notes that where a return to order under standing order 52 includes a document subject to a claim of privilege:
      (a) standing order 52(6) provides that ‘Any member may, by communication in writing to the Clerk, dispute the validity of the claim of privilege in relation to a particular document or documents. On receipt of such communication, the Clerk is authorised to release the disputed document or documents to an independent legal arbiter, for evaluation and report within seven calendar days as to the validity of the claim.’, and
      (b) implementation of the findings of the independent legal arbiter requires the following steps:
         (i) tabling of the arbiter’s report, in accordance with a resolution of the House,
         (ii) adoption of the arbiter’s findings in accordance with a resolution of the House.

2. That this House further notes that:
   (a) at the conclusion of the current sitting period, the House is not due to sit until after the 2015 periodic Council election, and
   (b) the House is currently due to receive a number of returns to order which may include documents subject to a claim of privilege, and at least one dispute in relation to a claim of privilege is currently being considered.

3. That during the recess at the conclusion of the current sitting period:
   (a) any report of an independent legal arbiter appointed under standing order 52(6) and received by the Clerk stand referred to the Privileges Committee,
   (b) the committee, on behalf of the House, is authorised to:
      (i) make public the arbiter’s report,
      (ii) make public, if it sees fit, any document in relation to which the arbiter finds the privilege claim not to be valid, and
   (c) any document authorised to be made public by the committee under this resolution is deemed to have been presented to the House and published by the authority of the House.

4. That notwithstanding anything to the contrary in the resolution establishing the committee, for the purposes of performing the function provided in this resolution:
   (a) the committee consist of eight members, and
   (b) the additional member be Dr Kaye.

5. That notwithstanding anything in the standing orders or resolutions establishing the committees, a member of the Council who has disputed a claim of privilege shall be notified of a meeting of the committee to consider the report of the independent legal arbiter and shall be entitled to participate in the deliberations of the committee, but may not vote, move any motion or be counted for the purposes of any quorum or division, unless he or she is a member of the committee.

(Notice given 18 November 2014)
GOVERNMENT BUSINESS—ORDERS OF THE DAY

1. **Biosecurity Bill 2014**: second reading—Mr Gay.
   
   (Standing orders suspended for remaining stages, Thursday 6 November 2014)

2. **Local Government Amendment (Red Tape Reduction) Bill 2014**: second reading—Mr Gay.
   
   (Standing orders suspended for remaining stages, Thursday 23 October 2014)

3. **Valuation of Land Amendment Bill 2014**: second reading—Mr Mason-Cox.
   
   (Standing orders suspended for remaining stages, Wednesday 12 November 2014)

4. **Fisheries Management Amendment Bill 2014**: second reading—Mr Gay.
   
   (Standing orders suspended for remaining stages, Wednesday 12 November 2014)

5. **Pesticides Amendment Bill 2014**: second reading—Mr Mason-Cox.
   
   (Standing orders suspended for remaining stages, Wednesday 12 November 2014)

6. **Crimes Amendment (Intoxication) Bill 2014**: consideration of Legislative Assembly’s message of 27 March 2014 in committee of the whole—Mr Gay.
   
   (Restored by resolution, Tuesday 9 September 2014)

7. **Government Sector Employment Legislation Amendment Bill 2013**: second reading—Mr Gay.
   
   (Standing orders suspended for remaining stages, Tuesday 12 November 2013)
   
   (Restored by resolution, Tuesday 9 September 2014)

COMMITTEE REPORTS—ORDERS OF THE DAY

(Debate on committee reports takes precedence after Questions on Tuesdays until 6.30 pm according to sessional order.)

1. **Select Committee on greyhound racing in New South Wales**: First Report entitled “Greyhound racing in New South Wales: First Report”, dated March 2014: resumption of the adjourned debate (18 November 2014) of the question on the motion of Mr Borsak: That the House take note of the report—Ms Voltz speaking. (5 minutes remaining)

   (Restored by resolution, Tuesday 9 September 2014)
2. **Joint Standing Committee on Electoral Matters:** Report No. 4/55 entitled “Inquiry into the 2012 Local Government elections”, dated March 2014: resumption of the adjourned debate (6 May 2014) of the question on the motion of Mr Borsak: That the House take note of the report—Mr Borsak speaking. (15 minutes remaining)

(Restored by resolution, Tuesday 9 September 2014)

3. **Privileges Committee:** Report No. 70 entitled “Recommendations of the ICAC regarding aspects of the Code of Conduct for Members, the interest disclosure regime and a parliamentary investigator”, dated June 2014: resumption of the adjourned debate (17 June 2014) of the question on the motion of Mr Khan: That the House take note of the report—Mr Khan speaking. (12 minutes remaining)

(Restored by resolution, Tuesday 9 September 2014)


(Restored by resolution, Tuesday 9 September 2014)

5. **General Purpose Standing Committee No. 1:** Report No. 40 entitled “Allegations of bullying in WorkCover NSW”, dated June 2014: resumption of the adjourned debate (19 June 2014) of the question on the motion of Revd Mr Nile: That the House take note of the report—Revd Mr Nile speaking. (14 minutes remaining)

(Restored by resolution, Tuesday 9 September 2014)

6. **Select Committee on the sale of the Currawong Property at Pittwater:** Report entitled “Sale of the Currawong Property at Pittwater”, dated June 2014: resumption of the adjourned debate (2 July 2014) of the question on the motion of Mr Brown: That the House take note of the report—Mr Brown speaking. (15 minutes remaining)

(Restored by resolution, Tuesday 9 September 2014)

7. **Standing Committee on Law and Justice:** Report No. 51 entitled “Twelfth review of the exercise of the functions of the Motor Accidents Authority”, dated July 2014: resumption of the adjourned debate (12 August 2014) of the question on the motion of Mr Clarke: That the House take note of the report—Mr Clarke speaking. (15 minutes remaining)

(Restored by resolution, Tuesday 9 September 2014)

8. **Standing Committee on Law and Justice:** Report No. 52 entitled “Fifth review of the exercise of the functions of the Lifetime Care and Support Authority”, dated July 2014: resumption of the adjourned debate (12 August 2014) of the question on the motion of Mr Clarke: That the House take note of the report—Mr Clarke speaking. (15 minutes remaining)

(Restored by resolution, Tuesday 9 September 2014)
9. **Select Committee on the impact of gambling:** Report entitled “The impact of gambling”, dated August 2014: resumption of the adjourned debate (14 August 2014) of the question on the motion of Revd Mr Nile: That the House take note of the report—Revd Mr Nile speaking. (12 minutes remaining)

   (Restored by resolution, Tuesday 9 September 2014)

10. **Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission:** Report No. 8/55 entitled “2014 General Meetings”, dated August 2014: resumption of the adjourned debate (10 September 2014) of the question on the motion of Mrs Mitchell: That the House take note of the report—Mrs Mitchell speaking. (15 minutes remaining)

11. **Standing Committee on Law and Justice:** Report No. 53 entitled “Review of the exercise of the functions of the Workers’ Compensation (Dust Diseases) Board”, dated September 2014: resumption of the adjourned debate (10 September 2014) of the question on the motion of Mr Clarke: That the House take note of the report—Mr Clarke speaking. (15 minutes remaining)

12. **Select Committee on social, public and affordable housing:** Report entitled “Social, public and affordable housing”, dated September 2014: resumption of the adjourned debate (10 September 2014) of the question on the motion of Mr Green: That the House take note of the report—Mr Green speaking. (7 minutes remaining)

13. **Standing Committee on Law and Justice:** Report No. 54 entitled “Review of the exercise of the functions of the WorkCover Authority”, dated September 2014: resumption of the adjourned debate (17 September 2014) of the question on the motion of Mr Clarke: That the House take note of the report—Mr Clarke speaking. (15 minutes remaining)

14. **Joint Select Committee on sentencing of child sexual assault offenders:** Report No. 1/55 entitled “Every sentence tells a story—Report on sentencing of child sexual assault offenders”, dated October 2014: resumption of the adjourned debate (14 October 2014) of the question on the motion of Mrs Pavey: That the House take note of the report—Mrs Pavey speaking. (15 minutes remaining)


16. **Select Committee on greyhound racing in New South Wales:** Second Report entitled “Greyhound Racing in New South Wales: Second Report”, dated October 2014: resumption of the adjourned debate (16 October 2014) of the question on the motion of Mr Borsak: That the House take note of the report—Mr Borsak speaking. (15 minutes remaining)


18. **Standing Committee on State Development:** Report No. 38 entitled “Regional aviation services”, dated October 2014: resumption of the adjourned debate (23 October 2014) of the question on the motion of Mr Colless: That the House take note of the report—Mr Colless speaking. (11 minutes remaining)

20. **Joint Standing Committee on Road Safety (Staysafe):** Report No. 4/55 entitled “Speed zoning and its impact on the demerit points scheme”, dated November 2014: resumption of the adjourned debate (4 November 2014) of the question on the motion of Mr Colless: That the House take note of the report—Mr Colless speaking. (15 minutes remaining)


22. **Privileges Committee:** Report No. 71 entitled “A revised memorandum of understanding with the ICAC relating to the execution of search warrants on members’ premises”, dated November 2014: resumption of the adjourned debate (11 November 2014) of the question on the motion of Mr Khan: That the House take note of the report—Mr Khan speaking. (12 minutes remaining)

23. **Privileges Committee:** Report No. 72 entitled “The Crown Casino VIP Gaming Management Agreement”, dated November 2014: resumption of the adjourned debate (11 November 2014) of the question on the motion of Mr Khan: That the House take note of the report—Mr Khan speaking. (13 minutes remaining)


25. **Joint Standing Committee on Electoral Matters:** Report No. 5/55 entitled “Preparations for the 2015 NSW State Election”, dated November 2014: resumption of the adjourned debate (12 November 2014) of the question on the motion of Mr Borsak: That the House take note of the report—Mr Borsak speaking. (15 minutes remaining)


29. **General Purpose Standing Committee No. 4:** Report No. 29 entitled “Budget Estimates 2014-2015”, dated November 2014: resumption of the adjourned debate (20 November 2014) of the question on the motion of Mrs Mitchell: That the House take note of the report—Mrs Mitchell speaking. (15 minutes remaining)

30. **Committee on the Health Care Complaints Commission:** Report No. 5/55 entitled “The promotion of false and misleading health-related information and practices”, dated November 2014: resumption of the adjourned debate (20 November 2014) of the question on the motion of Mr Green: That the House take note of the report—Mr Green speaking. (15 minutes remaining)

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**BUDGET ESTIMATES—TAKE NOTE DEBATE**

(Debate on Budget Estimates takes precedence after debate on committee reports on Tuesdays until 7.00 pm according to sessional order)

1. **Budget Estimates 2014-2015:** resumption of interrupted debate (12 August 2014) of the question on the motion of Mr Gay: That the House take note of the Budget Estimates and related papers for the financial year 2014-2015—Mr Pearce speaking. (8 minutes remaining)

   (Restored by resolution, Tuesday 9 September 2014)

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**PRIVATE MEMBERS’ BUSINESS**

**ITEMS IN THE ORDER OF PRECEDENCE**

*1. **Firearms Legislation Amendment Bill 2011:** resumption of the adjourned debate (14 August 2014) of the question on the motion of Mr Borsak: That this bill be now read a second time—Revd Mr Nile speaking. (11 minutes remaining)

   (Item no. 34)

   (Third postponement 6 March 2014)

   (Restored by resolution, Tuesday 9 September 2014)

*2. **National Park Estate (South-Western Cypress Reservations) Amendment Bill 2012:** resumption of the adjourned debate (14 August 2014) of the question on the motion of Mr Brown: That this bill be now read a second time—Dr Phelps speaking. (11 minutes remaining)

   (Item no. 53)

   (Fifth postponement 20 March 2014)

   (Restored by resolution, Tuesday 9 September 2014)
*3. National Parks and Wildlife Amendment (Illegal Forestry Operations) Bill 2012: resumption of the adjourned debate (14 August 2014) of the question on the motion of Mr Foley: That this bill be now read a second time—Ms Voltz. (20 minutes)

(Item no. 622)

(Thirteenth postponement 23 October 2014)

(Restored by resolution, Tuesday 9 September 2014)

*4. Alcoholic Beverages Advertising Prohibition Bill 2012: resumption of the adjourned debate (14 August 2014) of the question on the motion of Revd Mr Nile: That this bill be now read a second time—Mr Clarke speaking. (18 minutes remaining)

(Item no. 9)

(Tenth postponement 6 November 2014)

(Restored by resolution, Tuesday 9 September 2014)

*5. Graffiti Control Amendment (Racist Graffiti) Bill 2012: resumption of the adjourned debate (22 August 2013) of the question on the motion of Mr Secord: That this bill be now read a second time—Ms Fazio speaking. (19 minutes remaining)

(Item no. 847)

(Fourth postponement 18 September 2014)

(Restored by resolution, Tuesday 9 September 2014)

*6. Transforming NSW Energy Sector (Towards 100 percent Renewables) Bill 2014: resumption of the adjourned debate (16 October 2014) of the question on the motion of Dr Kaye: That this bill be now read a second time—Ms Cotsis. (20 minutes)

(Item no. 1504—substituted 19 September 2013)

(Sixth postponement 8 May 2014)

(Restored by resolution, Tuesday 9 September 2014)

7. Mr Khan to move—

That leave be given to bring in a bill for an Act to provide for marriage equality by allowing for same-sex marriage between two adults regardless of their sex.

(State Marriage Equality Bill)

(Notice given 20 November 2012—item no. 1016)

(Ninth postponement 23 October 2014)

(Restored by resolution, Tuesday 9 September 2014)
8. **Responsible Mining (Protecting Land, Water and Communities) Bill 2014**: resumption of the adjourned debate (23 October 2014) of the question on the motion of Mr Buckingham: That this bill be now read a second time (5 calendar days from 23 October 2014)—Dr Phelps. (20 minutes)

(Item no. 753)

(Third postponement 16 October 2014)

(Restored by resolution, Tuesday 9 September 2014)

9. **Senator Lee Rhiannon**: resumption of the adjourned debate (18 September 2014) of the question on the motion of Dr Phelps: That this House calls on Senator Lee Rhiannon to:

(a) fully disclose all her interactions with officials of the Embassy for the Soviet Union in Australia,

(b) fully disclose her activities while studying in Moscow,

(c) fully answer the questions regarding her behaviour, raised by Mark Aarons, during her membership of the Communist Party of Australia and the Socialist Party of Australia,

(d) fulfill her promise to address all aspects of controversy raised following the publication of her ASIO file, and

(e) notes that Greens protestations of openness and disclosure may have a modicum more of credibility if their elected officials practiced what they preached—Ms Voltz. (15 minutes)

Debate: 37 minutes remaining

(Item no. 1794)

(First Postponement 16 October 2014)

(Restored by resolution, Tuesday 9 September 2014)

* Council bill

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**ITEMS OUTSIDE THE ORDER OF PRECEDENCE**

8. **Evidence Amendment (Protection of Journalists’ Sources) Bill 2011**: resumption of the adjourned debate (6 May 2011) of the question on the motion of Mr Shoebridge: That this bill be now read a second time (5 calendar days from 6 May 2011)—Ms Fazio. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)
11. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to amend the Liquor Act 2007 to raise the minimum drinking age from 18 years to 21 years.

(Liquor Amendment (Drinking Age) Bill)

(Notice given 4 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

12. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to amend the Liquor Act 2007 to require packaged liquor to contain a health warning about the danger of drinking when pregnant.

(Liquor Amendment (Health Warning for Pregnant Women) Bill)

(Notice given 4 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

16. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to prohibit the advertising of gambling and related trademarks, brand names and logos; and for other purposes.

(Gambling Advertising Prohibition Bill)

(Notice given 4 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

*18. **Drug and Alcohol Treatment Amendment (Rehabilitation of Persons with Severe Substance Dependence) Bill 2012:** resumption of the adjourned debate (25 October 2012) of the question on the motion of Revd Mr Nile: That this bill be now read a second time (5 calendar days from 25 October 2012)—Ms Voltz. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)

*20. **State Senate Bill 2012:** resumption of the adjourned debate (16 August 2012) of the question on the motion of Revd Mr Nile: That this bill be now read a second time (5 calendar days from 16 August 2012)—Mr Ajaka. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)
22. **Rev Mr Nile to move**—

That leave be given to bring in a bill for an Act to prohibit the advertising of sex services; and for other purposes.

(Sex Services Advertising Prohibition Bill)

(Notice given 4 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

25. **Rev Mr Nile to move**—

That leave be given to bring in a bill for an Act to provide for the establishment of the Family Impact Commission to study the moral, social and economic effects on the family unit of certain laws and proposed laws and Government expenditure; and for related purposes.

(Family Impact Commission Bill)

(Notice given 4 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

* 28. **Summary Offences Amendment (Full-face Coverings Prohibition) Bill 2014**: resumption of the adjourned debate (11 September 2014) of the question on the motion of Rev Mr Nile: That this bill be now read a second time (5 calendar days from 11 September 2014)—Dr Phelps. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)

30. **Rev Mr Nile to move**—

That leave be given to bring in a bill for an Act to amend the Adoption Act 2000 to repeal the amendments made by the Adoption Amendment (Same Sex Couples) Act 2010 that enable couples of the same sex to adopt children; and for other purposes.

(Adoption Amendment (Same Sex Couples Repeal) Bill)

(Notice given 4 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

31. **Rev Mr Nile to move**—

That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 to prohibit a person soliciting another for sexual gratification for payment.

(Crimes Amendment (Soliciting Sex for Payment) Bill)

(Notice given 4 May 2011)

(Restored by resolution, Tuesday 9 September 2014)
32. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 to make it an offence to publish material that incites or promotes terrorism or other violence.

(Crimes Amendment (Incitement or Promotion of Terrorism and Violence) Bill)

(Notice given 4 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

44. **Dr Kaye to move—**

That leave be given to bring in a bill for an Act to prohibit the impoundment of water for irrigation or reticulation, or for commercial, industrial or residential uses, upstream from Seaham Weir on the Williams River without the approval of both Houses of Parliament.

(Tillegra Dam Prohibition Bill)

(Notice given 5 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

87. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to require the public to be notified of the identity and residential address of convicted child sex offenders; and for other purposes.

(Child Protection (Nicole’s Law) Bill)

(Notice given 26 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

91. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to amend the Classification (Publications, Films and Computer Games) Enforcement Act 1995 to prohibit the possession of restricted X rated films.

(Classification (Publications, Films and Computer Games) Enforcement Amendment (Banning Restricted X Rated Films) Bill)

(Notice given 26 May 2011)

(Restored by resolution, Tuesday 9 September 2014)

94. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to require women who are considering terminating a viable pregnancy to undergo counselling and to view an ultrasound of their unborn child.

(Pregnancy Termination (Mandatory Counselling) Bill)

(Notice given 26 May 2011)

(Restored by resolution, Tuesday 9 September 2014)
95. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 to prohibit the destruction of any child in utero with a detectable heartbeat.

*(Crimes Amendment (Pre-natal Termination) Bill)*

*(Notice given 27 May 2011)*

*(Restored by resolution, Tuesday 9 September 2014)*

177. **Revd Mr Nile to move—**

That leave be given to bring in a bill for an Act to amend the Drug Misuse and Trafficking Act 1985 to repeal provisions relating to the licensing and operation of the medically supervised injecting centre at Kings Cross.

*(Drug Misuse and Trafficking Amendment (Injecting Centre Repeal) Bill)*

*(Notice given 5 August 2011)*

*(Restored by resolution, Tuesday 9 September 2014)*

188. **Marrickville Council:** resumption of the interrupted debate (12 August 2011) of the question on the motion of Ms Sharpe:

1. That this House notes that:
   
   (a) Marrickville Council has a proud tradition of supporting day labour for its garbage, recycling and green waste services,

   (b) Marrickville Council is currently proposing to tender out its green waste services,

   (c) Marrickville Council staff affected by this decision recently held a stop work meeting to protest against proposed tendering out of green waste services and related loss of workers entitlements and job losses,

   (d) Marrickville Council staff elected to take industrial action and withdraw their labour for a 24 hour period and, in response to this action, Marrickville Council immediately brought in prearranged contract labour to carry out Council’s resource and waste recovery services, and

   (e) this action to use contracted labour was sanctioned by the Greens Mayor of Marrickville Council.

2. That this House condemns the use of contract labour to undermine the rights of workers.

Upon which Mr Borsak has moved: That the question be amended by omitting paragraph 2 and inserting instead:

“2. That this House condemns Marrickville Council Greens Mayor Fiona Byrne for undermining the rights of workers.

3. That this House calls on the New South Wales Greens to support the rights of workers in all industries throughout the State.”

Upon which Dr Kaye has moved: That the question be amended as follows:
No. 1 Omit paragraph 1 (a) and insert instead:

“(a) Marrickville Council has a proud tradition of supporting day labour for its garbage and recycling services.”.

No. 2. In paragraph 1 (b), insert “the General Manager of” before “Marrickville Council”.

No. 3 In paragraph 1 (b), omit “is currently proposing” and insert instead “proposed”.

No. 4 In paragraph 1 (d), omit all words after “in response to this action,” and insert instead “the General Manager of Marrickville Council immediately brought in long term casual labour”.

No. 5 In paragraph 1 (e), insert “not” before “sanctioned”.

No. 6 Insert at the end:

“3. That this House calls on all parties to condemn the continued existence of the Australian Building and Construction Commission.”—Ms Sharpe speaking in reply.

Debate: Mover in reply—5 minutes

(Restored by resolution, Tuesday 9 September 2014)

204. Mr Brown to move—

That leave be given to bring in a bill for an Act to amend the Fisheries Management Act 1994 to make further provision with respect to the management and regulation of recreational fishing; to establish a Recreational Fishing Council; and for other purposes.

(Fisheries Management Amendment (Recreational Fishing) Bill)

(Notice given 12 August 2011)

(Restored by resolution, Tuesday 9 September 2014)

* 205. Firearms Amendment (Gun Safety) Bill 2012: resumption of the adjourned debate (18 October 2012) of the question on the motion of Mr Shoebridge: That this bill be now read a second time (5 calendar days from 18 October 2012)—Ms Fazio. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)

* 283. Roman Catholic Church Trust Property Amendment (Justice for Victims) Bill 2014: resumption of the adjourned debate (27 March 2014) of the question on the motion of Mr Shoebridge: That this bill be now read a second time (5 calendar days from 27 March 2014)—Ms Voltz. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)
333. **Mr Foley to move**—

That leave be given to bring in a bill for an Act to prevent the sale, lease or disposal of the assets of an energy utility, or of its subsidiaries, without the approval of both Houses of Parliament.

(Energy Utilities Protection Bill)

(Notice given 19 October 2011)

(Restored by resolution, Tuesday 9 September 2014)

415. **Mr Shoebridge to move**—

That leave be given to bring in a bill for an Act to amend certain legislation to make further provision with respect to damages recoverable by the relatives or estate of deceased persons.

(Compensation to Relatives Legislation Amendment Bill)

(Notice given 24 November 2011)

(Restored by resolution, Tuesday 9 September 2014)

416. **Mr Buckingham to move**—

That leave be given to bring in a bill for an Act to amend the Gene Technology (GM Crop Moratorium) Act 2003 to establish a scheme to compensate farmers for losses associated with contamination from genetically modified crops; and for other purposes.

(Gene Technology (GM Crop Moratorium) Amendment (Farmer Protection) Bill)

(Notice given 24 November 2011)

(Restored by resolution, Tuesday 9 September 2014)

426. **Mr Brown to move**—

That leave be given to bring in a bill for an Act to amend the Forestry Act 1916 to prohibit the disruption of lawful forestry operations and related activities.

(Forestry Amendment (Unlawful Disruption of Forestry Operations) Bill)

(Notice given 14 February 2012)

(Restored by resolution, Tuesday 9 September 2014)

*432. **Crimes Amendment (Possession or Discharge of Firearms in Commission of Offences) Bill 2012**: resumption of the adjourned debate (15 March 2012) of the question on the motion of Mr Borsak: That this bill be now read a second time (5 calendar days from 15 March 2012)—Dr Phelps. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)
468. Dr Kaye to move—

That leave be given to bring in a bill for an Act to amend the Education Act 1990 to restore equity and fairness in relation to school funding by restricting the provision of financial assistance to non-government schools.

(Education Amendment (Equity and Fairness in School Funding) Bill)
(Notice given 14 February 2012)
(Restored by resolution, Tuesday 9 September 2014)

583. Mr Borsak to move—

That leave be given to bring in a bill for an Act to amend the Prevention of Cruelty to Animals Act 1979 to repeal prohibitions on the use and operation of game parks.

(Prevention of Cruelty to Animals Amendment (Repeal of Game Park Prohibitions) Bill)
(Notice given 27 March 2012)
(Restored by resolution, Tuesday 9 September 2014)

*626. Road Transport (Safety and Traffic Management) Amendment (Child Safety on School Buses) Bill 2012: resumption of the adjourned debate (22 November 2012) of the question on the motion of Ms Faehrmann: That this bill be now read a second time (5 calendar days from 22 November 2012)—Mr Ajaka. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)

642. Mr Searle to move—

That leave be given to bring in a bill for an Act to amend certain legislation to give effect to the recommendations of the NSW Law Reform Commission in its Report 131 Compensation to Relatives.

(Compensation to Relatives Legislation (Dust Diseases) Amendment Bill)
(Notice given 4 April 2012)
(Restored by resolution, Tuesday 9 September 2014)

694. Dr Kaye to move—

That leave be given to bring in a bill for an Act to stop the expansion of the coal-fired electricity industry in NSW.

(No New Coal Power Bill)
(Notice given 8 May 2012)
(Restored by resolution, Tuesday 9 September 2014)
743. Ms Fazio to move—

That leave be given to bring in a bill for an Act to amend the Parliamentary Contributory Superannuation Act 1971 to include a death benefit of 2 months’ salary for members of parliament elected after the 2007 General Election who die in office.

(Parliamentary Contributory Superannuation Amendment Bill)

(Notice given 30 May 2012)

(Restored by resolution, Tuesday 9 September 2014)

755. Crimes Amendment (Zoe’s Law) Bill 2013: resumption of the adjourned debate (27 June 2013) of the question on the motion of Revd Mr Nile: That this bill be now read a second time—Ms Ficarra speaking. (15 minutes remaining)

(Restored by resolution, Tuesday 9 September 2014)

785. Dr Kaye to move—

That leave be given to bring in a bill for an Act to amend the Strata Schemes Management Act 1996 in relation to the obligations of owners corporations, executive committees and owners and occupiers of lots, procedures for meetings and the finances of strata schemes; and for other purposes.

(Strata Legislation Amendment Bill)

(Notice given 19 June 2012)

(Restored by resolution, Tuesday 9 September 2014)

815. Mr Borsak to move—

That leave be given to bring in a bill for an Act to repeal the Native Vegetation Act 2003.

(Native Vegetation Repeal Bill)

(Notice given 14 August 2012)

(Restored by resolution, Tuesday 9 September 2014)

*841. Workers Compensation Legislation Amendment (Costs) Bill 2012: resumption of the adjourned debate (13 September 2012) of the question on the motion of Mr Shoebridge: That this bill be now read a second time (5 calendar days from 13 September 2012)—Mr Pearce. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)
916. Mr Brown to move—

That leave be given to bring in a bill for an Act to amend the Wilderness Act 1987 and the National Parks and Wildlife Act 1974 with respect to the management of wilderness areas.

(Wilderness and National Parks and Wildlife Legislation Amendment (Management) Bill)

(Notice given 18 September 2012)

(Restored by resolution, Tuesday 9 September 2014)

1017. Ms Sharpe to move—

That leave be given to bring in a bill for an Act to provide for marriage equality by allowing for same-sex marriage between two adults regardless of their sex.

(State Marriage Equality Bill)

(Notice given 20 November 2012)

(Restored by resolution, Tuesday 9 September 2014)

1065. Mr Secord to move—

That leave be given to bring in a bill for an Act to amend the Government Information (Public Access) Act 2009 to remove the requirement to pay a fee when making an application or other request for government information under that Act, and to provide that a processing charge is not payable for the first hour of dealing with any such application.

(Government Information (Public Access) Amendment (Removal of Application Fee) Bill)

(Notice given 19 February 2013)

(Restored by resolution, Tuesday 9 September 2014)

1068. Mr Shoebridge to move—

That leave be given to bring in a bill for an Act to amend the Human Tissue Act 1983 to make further provision with respect to the commercial or non-consensual trading of human organs and other human tissue; and for related purposes.

(Human Tissue Amendment (Trafficking in Human Organs) Bill)

(Notice given 19 February 2013)

(Restored by resolution, Tuesday 9 September 2014)
1073. Revd Mr Nile to move—

That leave be given to bring in a bill for an Act to require women seeking an abortion to be informed that the procedure may cause pain to the child in utero.

(Pregnancy Termination (Information About Pain to Child in Utero) Bill)

(Notice given 20 February 2013)

(Restored by resolution, Tuesday 9 September 2014)

1075. Revd Mr Nile to move—

That leave be given to bring in a bill for an Act to require the reporting of pregnancy terminations and prohibit the termination of any pregnancy on grounds of sex or racial makeup of an embryo or foetus; and for other purposes.

(Pregnancy Termination (Reporting and Reasons for Termination) Bill)

(Notice given 20 February 2013)

(Restored by resolution, Tuesday 9 September 2014)

1137. Mr Buckingham to move—

That leave be given to bring in a bill for an Act to amend the Independent Commission Against Corruption Act 1988 with respect to the waiver of parliamentary privilege in relation to the call for papers relating to the Mount Penny exploration licence to allow ICAC to inquire into and report on the matter.

(Independent Commission Against Corruption Amendment (Mount Penny Exploration Licence—Call for Papers) Bill)

(Notice given 14 March 2013)

(Restored by resolution, Tuesday 9 September 2014)

1184. Dr Kaye to move—

That leave be given to bring in a bill for an Act to require the NSW government to take steps towards replacing the State’s coal-fired power stations with renewable energy and energy efficiency, starting with the construction of large scale concentrated solar thermal power stations so as to allow for the closure of generating units at Wallerawang Power station; and for other purposes.

(Transforming NSW Energy Sector (Towards 100 percent Renewables) Bill)

(Notice given 20 March 2013)

(Fourth postponement 12 September 2013)

(Restored by resolution, Tuesday 9 September 2014)
1291. **Ms Voltz to move**—

That leave be given to bring in a bill for an Act to prevent the sale or disposal of certain land set aside for the Charlestown East Bypass in the vicinity of the Fernleigh Track Conservation Area without the approval of both Houses of Parliament.

(Fernleigh Track Conservation Area Protection Bill)

(Notice given 8 May 2013)

(Restored by resolution, Tuesday 9 September 2014)

1345. **Mr Buckingham to move**—

That leave be given to bring in a bill for an Act to amend the Mining Act 1992 and the Petroleum (Onshore) Act 1991 to ensure that landholders can refuse to allow the holders of exploration licences, assessment leases and special prospecting authorities to carry out prospecting operations on their land; and for other purposes.

(Mining Legislation Amendment (Right of Landholders to Refuse Access) Bill)

(Notice given 28 May 2013)

(Restored by resolution, Tuesday 9 September 2014)

1387. **Standing Committee on Law and Justice reference**: resumption of the adjourned debate (17 October 2013) of the question on the motion of Mr Primrose:

1. That the Standing Committee on Law and Justice inquire into and report on the operation of section 44 of the Crimes Act 1900, and in particular:
   
   (a) the efficacy of section 44 of the Crimes Act 1900 in preventing the abuse of the elderly, and

   (b) the alternative legislative measures in place in other jurisdictions to deal with elder abuse.

2. That the Committee report by the last sitting day prior to the winter long adjournment in 2014—Mr Primrose speaking. (Time concluded)

Debate: 1 hour 40 minutes remaining.

(Restored by resolution, Tuesday 9 September 2014)

*1405. **Wellbeing Indicators Bill 2014**: resumption of the adjourned debate (20 November 2014) of the question on the motion of Ms Barham: That this bill be now read a second time (5 calendar days from 20 November 2012)—Dr Phelps. (20 minutes)

1420. **Amendments to the Mining State Environmental Planning Policy**: resumption of the adjourned debate (24 October 2013) of the question on the motion of Mr Buckingham:

1. That this House notes:

   (a) that the Government announced amendments to the Mining SEPP on 19 February that, if gazetted, would prohibit coal seam gas mining on horse studs and wineries and within 2km of some residential areas,
(a) that until gazetted, provides no protections to residents in Western Sydney, the Southern Highlands, Gloucester, the Hunter Valley, the Northern Rivers or any other area covered by exploration licences,

(b) that the Premier said that these amendments would be in place within 6 weeks, and it is now 6 months since this announcement, and

(c) that the community wants certainty in ensuring protection from coal seam gas mining, and wants the SEPP exclusion zones extended to prohibit coal seam gas mining on agricultural land, water catchments and sensitive environmental places.

2. That this House calls on the Government to:

(a) Gazette these amendments to the Mining SEPP with provisions that:
   (i) extend the SEPP to include other unconventional gas exploration, such as shale and tight sands,
   (ii) impose 2km exclusion zones around all residences in NSW, not just urban areas,
   (iii) prohibit unconventional gas mining on agricultural land, water catchments and sensitive environmental places,
   (iv) remove loopholes that allow councils to opt-out of its provisions, and

(b) initiate a Royal Commission to investigate the grant and operation of petroleum titles as well as the regulation of the coal seam gas industry under the Petroleum (Onshore) Act—Ms Voltz. (15 minutes)

Debate: 1 hour 40 minutes remaining

(Restored by resolution, Tuesday 9 September 2014)

1451. Mr Brown to move—

That leave be given to bring in a bill for an Act to repeal the National Park Estate (Riverina Red Gum Reservations) Act 2010 and to reverse the land transfers to the national park estate effected by that Act.

(National Park Estate (Riverina Red Gum Reservations) Repeal Bill)

(Notice given 28 August 2013)

(Restored by resolution, Tuesday 9 September 2014)

1530. New South Wales economy: resumption of the adjourned debate (24 October 2013) of the question on the motion of Ms Ficarra:

1. That this House notes that:

(a) on Wednesday 4 September 2013, the Honourable Mike Baird MP, Treasurer, announced strong performance figures from the New South Wales economy for the past year,

(b) for the 2012–13 period, New South Wales has recorded the second-highest growth rate among the states of Australia, with the New South Wales State Final Demand growing 1.3 per cent over the last year, and 0.5 per cent over the last quarter,

(c) solid New South Wales economic growth places the state in a strong position relative to the other states of Australia, and

(d) New South Wales’ low levels of unemployment, strong consumer confidence, the growing level of housing construction, and the Government’s large-scale infrastructure program have all contributed to the maintenance of strong economic growth.
2. That this House acknowledges the Honourable Mike Baird MP, Treasurer, and the O'Farrell Government for their efforts in promoting solid economic growth in New South Wales—Ms Fazio. (15 minutes)

Debate: 1 hour 40 minutes remaining

(Restored by resolution, Tuesday 9 September 2014)

1534. Dr Faruqi to move—

That leave be given to bring in a bill for an Act to amend the Food Act 2003 to require recording of operations including the movement, holding and slaughter of animals at an abattoir or knackery.

(Food Amendment (Recording of Abattoir Operations) Bill)

(Notice given 16 October 2013)

(Restored by resolution, Tuesday 9 September 2014)

1537. Ms Barham to move—

That leave be given to bring in a bill for an Act to amend the Children and Young Persons (Care and Protection) Act 1998 to introduce specific reporting requirements to Parliament on child protection and community services to improve transparency and accountability in those areas.

(Children and Young Persons (Care and Protection) Amendment (Reporting Requirements) Bill)

(Notice given 16 October 2013)

(Restored by resolution, Tuesday 9 September 2014)

1540. Dr Faruqi to move—

That leave be given to bring in a bill for an Act to establish a beverage container deposit scheme to ensure the recovery, reuse and recycling of empty beverage containers.

(Waste Avoidance (Beverage Containers) Bill)

(Notice given 16 October 2013)

(Restored by resolution, Tuesday 9 September 2014)

1651. Crimes Amendment (Zoe’s Law) Bill (No 2) 2013: second reading—Ms Ficarra.

(Standing orders suspended for remaining stages, Tuesday 26 November 2013)

(Restored by resolution, Tuesday 9 September 2014)

1676. Paid parking at Tweed Hospital: resumption of the interrupted debate (6 March 2014) of the question on the motion of Mr Secord:

1. That this House notes the strong community opposition to the introduction of paid parking at Tweed Hospital.
2. That this House condemns the Member for Tweed for linking the proposed upgrade and increase in the number of hospital beds to the introduction of paid parking at Tweed Hospital—Mr Colless speaking. (14 minutes remaining)

Debate: 1 hour 33 minutes remaining

(Restored by resolution, Tuesday 9 September 2014)

* 1681. **Births, Deaths and Marriages Registration Amendment (Change of Sex) Bill 2014:** resumption of the adjourned debate (16 October 2014) of the question on the motion of Dr Faruqi: That this bill be now read a second time (5 calendar days from 16 October 2014)—Ms Voltz. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)

* 1683. **Central Coast Water Catchments Protection Bill 2014:** resumption of the adjourned debate (6 March 2014) of the question on the motion of Mr Buckingham: That this bill be now read a second time (5 calendar days from 6 March 2014)—Mr Donnelly. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)

1689. **Dr Kaye to move—**

That leave be given to bring in a bill for an Act to reduce corruption risk by prohibiting political donations from the mining industry and persons contracting with the NSW government.

(Mining and Contracting with Government (Corruption Risk Reduction) Bill)

(Notice given 4 March 2014)

(Restored by resolution, Tuesday 9 September 2014)

1715. **Dr Kaye to move—**

That leave be given to bring in a bill for an Act to amend the Poisons and Therapeutic Goods Act 1966 to provide for the use of cannabis for medical purposes and to make a consequential amendment of the Drug Misuse and Trafficking Act 1985.

(Drug Legislation Amendment (Use of Cannabis for Medical Purposes) Bill)

(Notice given 18 March 2014)

(Restored by resolution, Tuesday 9 September 2014)

1770. **Mr Foley to move—**

That leave be given to bring in a bill for an Act to prohibit the granting, renewal or modification of authorisations that permit mineral or petroleum exploration and mining on land at Wyong that is the site of the Wallarah 2 coal mine project; and for other purposes.

(Wyong Special Area (Protection) Bill)

(Notice given 27 March 2014)

(Restored by resolution, Tuesday 9 September 2014)
*1786. Limitation Amendment (Child Abuse) Bill 2014: resumption of the adjourned debate (13 November 2014) of the question on the motion of Mr Shoebridge: That this bill be now read a second time (5 calendar days from 13 November 2014)—Ms Voltz. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)

1804. Dr Kaye to move—

That leave be given to bring in a bill for an Act to amend the Election, Funding, Expenditure and Disclosures Act 1981 to make further provision with respect to political donations.

(Election Funding, Expenditure and Disclosures Amendment (Restrictions on Political Donations) Bill)

(Notice given 6 May 2014)

(Restored by resolution, Tuesday 9 September 2014)

1925. Dr Faruqi to move—

That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 to remove offences relating to abortion.

(Crimes Amendment (Decriminalisation of Abortion) Bill)

(Notice given 19 June 2014)

(Restored by resolution, Tuesday 9 September 2014)

1931. Ms Barham to move—

That leave be given to bring in a bill for an Act to amend the Residential (Land Lease) Communities Act 2013 to make further provision with respect to the protection of home owners’ and residents’ financial security and wellbeing.

(Residential (Land Lease) Communities Amendment (Protection of Home Owners and Residents) Bill)

(Notice given 19 June 2014)

(Restored by resolution, Tuesday 9 September 2014)

1932. Dr Kaye to move—

That leave be given to bring in a bill for an Act to enable persons to give advance directions about the medical care and treatment they receive towards the end of their lives or when they become terminally ill and to provide protection for medical practitioners and health care workers who comply with those directions.

(Medical Care (Advanced Consent for End of Life Treatment) Bill)

(Notice given 19 June 2014)

(Restored by resolution, Tuesday 9 September 2014)
1935. **Ms Barham to move**—

That leave be given to bring in a bill for an Act to provide a framework for action on climate change mitigation and adaptation in the State; to set targets for the reduction of greenhouse gas emissions; and to provide for monitoring and reporting of the impacts of climate change on people, communities and ecosystems in the State.

(Climate Change Bill)

(Notice given 19 June 2014)

(Restored by resolution, Tuesday 9 September 2014)

1951. **Dr Faruqi to move**—

That leave be given to bring in a bill for an Act to amend the Food Act 2003 to ban the commercial preparation of shark fins and shark fin derivatives for the purposes of consumption.

(Food Amendment (Shark Fin Prohibition) Bill)

(Notice given 12 August 2014)

(Restored by resolution, Tuesday 9 September 2014)

1959. **Ms Sharpe to move**—

That leave be given to bring in a bill for an Act to amend the Land Acquisition (Just Terms Compensation) Act 1991 in relation to the calculation of the special value of land to a landowner and the administrative review of valuations and of the rejection of claims for compensation; and for other purposes.

(Land Acquisition (Just Terms Compensation) Amendment (Administrative Review of Valuations) Bill)

(Notice given by Mr Secord on behalf of Ms Sharpe 13 August 2014)

(Restored by resolution, Tuesday 9 September 2014)

* 1964. **Fernleigh Track Conservation Area Protection Bill 2014:** resumption of the adjourned debate (18 September 2014) of the question on the motion of Ms Voltz: That this bill be now read a second time (5 calendar days from 18 September 2012)—Dr Phelps. (20 minutes)

(Restored by resolution, Tuesday 9 September 2014)

1987. **Mr Secord to move**—

That, under standing order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 January 2014 in the possession, custody or control of the Minister for Roads and Freight, Roads and Maritime Services, the Department of Premier and Cabinet, and the Public Service Commission:

(a) all documents, including but not limited to ministerial briefing notes, email correspondence, financial documents, memos, file notes, meeting papers and meeting minutes relating to the creation and appointment of the position of CEO of the WestConnex Delivery Authority,
all documents, including but not limited to ministerial briefing notes, email correspondence, financial documents, memos, file notes, meeting papers and meeting minutes relating to the total remuneration package including salary of the position of CEO of the WestConnex Delivery Authority, and

any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 10 September 2014—expires Notice Paper No. 21)

1992. Mr Buckingham to move—

1. That this House acknowledges that:

   (a) on 18 August 2014 the Strategic Regional Land Use Policy died, to be replaced by unspecified ‘Regional Growth Plans’ sometime in the future,

   (b) the Strategic Regional Land Use Policy was the centrepiece of the Coalition’s election platform to deal with land use conflict, in which it said: “The NSW Liberals and Nationals believe that agricultural land and other sensitive areas exist in New South Wales where mining and coal seam gas extraction should not occur… Strategic land use plans will set the framework within which future development will be assessed.”,

   (c) despite the Strategic Regional Land Use Plan being in place for the New England North West area, the Chinese government owned Shenhua Watermark coal mine has been recommended for approval in the heart of the Liverpool Plains, and

   (d) NSW Farmers President Fiona Simson said the Strategic Regional Land Use Policy “failed to protect even one square centimetre of land in New South Wales from mining and left farmers, communities, and industry with no certainty about the future”.

2. That this House calls on the Government to implement a policy with the strength to actually prevent mining and gas extraction threatening the best agricultural land in New South Wales.

(Notice given 10 September 2014—expires Notice Paper No. 21)

1994. Mr MacDonald to move—

1. That this House notes the comments of the Mayor of Cessnock as reported in the Cessnock Advertiser on the 14 May 2014 in relation to the Lease of the Port of Newcastle.

2. That the House notes that the positive comments included:

   (a) “Meanwhile, Cessnock City Council has welcomed the leasing of the Hunter port terminal, and Mayor Pynsent has stressed the importance that the funding will be used locally”, and

   (b) Mayor Bob Pynsent said “The privatisation of the Port of Newcastle means the Hunter will be able to use this funding for Hunter projects.”

3. That this House acknowledges that these comments are an example of the strong community support for the lease of the Port of Newcastle and reinvestment back into the Hunter region by the Liberal National Government.

(Notice given 10 September 2014—expires Notice Paper No. 21)
1999. Ms Sharpe to move—

1. That General Purpose Standing Committee No. 3 inquire into and report on the development and progress of the North West Rail Link (NWRL) including:

   (a) the integration of the NWRL with the rest of the Sydney rail network,

   (b) the impact and timeframe for the modification of the Epping to Chatswood line,

   (c) the impact of the NWRL on the rest of the Sydney rail network, in particular, changes to stopping patterns, service frequencies, service routes and passenger journey times,

   (d) the customer service experience for those using either the NWRL or other services that will need to be amended to accommodate the functioning of the NWRL,

   (e) the interchange impacts at Chatswood Station for commuters on the NWRL and on the rest of the Sydney rail network, and

   (f) any other relevant matters.

2. That the committee report within four months of the date of passing of this resolution.
(Notice given 11 September 2014—expires Notice Paper No. 22)

2002. Dr Kaye to move—

1. That this House notes that:

   (a) footage on the website of the University of Sydney student newspaper ‘Honi Soit’ shows David Mortimer AO, Fellow of the Senate of the University of Sydney, involved in an altercation with a female protestor, identified in the accompanying article (‘Student protesters clash with Senate Fellow David Mortimer’, 10 September 2014) as Students Representative Council Education Officer Eleanor Morley,

   (b) the footage clearly shows Mr Mortimer:
       (i) pointing his finger in a series of two jabbing actions directed at, and ending very close to, the face of Ms Morely,
       (ii) subsequently throwing two feigned, closed fist punches directed to, but not contacting, the face of Ms Morley,

   (c) none of the finger pointing actions or feigned punches made physical contact with Ms Morley but both were terminated close enough to her face to create the apprehension that she was in imminent danger of physical violence,

   (d) Mr Mortimer is a man of substantial physical presence, and

   (e) Mr Mortimer was a director of Ascham Schools Ltd from 1989 to 1997.

2. That this House condemns all acts of violence and threatened violence against women.

3. That this House rejects any attempt to trivialise the significance of any act of violence against a woman, including statements attributed to Mr Morley in ‘Honi Soit’ that “I find it quite ludicrous and quite funny that they are alleging I assaulted anyone. As [Morley] told me, I am an ‘old man’ – I am in no position to assault anyone.”
4. That this House calls on the Minister for Education, the Hon Adrian Piccoli MP, to review his appointment of Mr Mortimer to the Senate of the University of Sydney in light of his inappropriate behaviour towards a young woman.

(Notice given 11 September 2014—expires Notice Paper No. 22)

2022. Ms Barham to move—

1. That this House calls on:

   (a) the Minister responsible for housing to ensure that the Sirius Apartment building is protected and preserved due to its architectural significance and sustainable design principles, including social wellbeing and the intentional commitment to provide low maintenance, low cost, high density housing within an established community, and

   (b) the Government to provide further social housing nearby and elsewhere based on the Sirius model.

2. That this House notes that:

   (a) the Sirius apartment buildings were designed by the architect Tao Gofers in 1978-79 as a complex of 79 apartments ranging from 1 to 4 bedrooms and designed to house some 200 people,

   (b) the green bans of the 1970s to prevent destruction of heritage buildings in The Rocks were specifically lifted at this site to allow construction of this project so that displaced local residents could be rehoused,

   (c) the Sirius building was designed and built by the Housing Commission of New South Wales for the Sydney Cove Redevelopment Authority, now known as the Sydney Harbour Foreshore Authority, under a leasing arrangement between these two bodies,

   (d) this lease runs to 2030 and there is provision for an extension of this lease,

   (e) this building featured in the Architecture Bulletin of the New South Wales Chapter of the Australian Institute of Architects in March-April 2012 as a fine example of the Sydney School of Australian Brutalism, a form of Modernist Architecture,

   (f) this style of architecture represents a “shift in architectural thinking towards re-evaluating social concerns with urban social responsibility” and “combine[s] new ethical concerns with aesthetic formalism”,

   (g) the industry body, Cement, Concrete and Aggregates Australia describes the building as a bold and exceptional experiment in low-income public housing which was built to relocate public housing tenants and to serve as a better housing model,

   (h) the building’s construction was simple using many prefabricated elements and was combined with roof gardens, courtyards and balconies, and was specifically designed to be low maintenance, and

   (i) Sirius is currently under consideration for listing on the Australian Institute of Architects’ Register of Significant Architecture in New South Wales and once assessment has been completed the Heritage Committee will then determine if the building should be nominated to the State Heritage Register as a significant work of 20th century architecture.

3. That this House notes that:

   (a) the building is less than 35 years old with an estimated life span of at least 100 years,
(b) the extensive use of concrete, steel and other materials in the building means that it has substantial embodied energy which would be wasted if the building were to be demolished, making yet another contribution to climate change if a replacement is created, and

(c) the building has a significant visual impact in the iconic capital city harbour location and was designed purposefully to preserve views of the Sydney Opera House from the Sydney Harbour Bridge and, therefore, the current scale, density and height should not be exceeded on that site due to these significant iconic design principles.

(Notice given 17 September 2014—expires Notice Paper No. 24)

2024. Mr Secord to move—

That leave be given to bring in a bill for an Act to amend the Road Transport Act 2013 to require signs indicating the applicable speed limit to be displayed in connection with the use of fixed or mobile speed cameras.

(Road Transport Amendment (Speed Cameras) Bill)

(Notice given 17 September 2014)

2025. Mr Buckingham to move—

1. That this House notes that:

   (a) the Chinese Government is to limit the use of imported coal with more than 16 per cent ash and 3 per cent sulphur from 1 January 2015 in a bid to improve air quality,

   (b) the Chinese Government is moving to force power utilities to slash coal import volumes,

   (c) the ban could affect more than half of Australia’s thermal coal exports to China, with Hunter Valley coal mines hardest hit,

   (d) that many mining operations are operating at a loss due to the low price of coal and take or pay contracts,

   (e) that burning coal is the number one cause of climate change, and

   (f) that coal is in rapid structural decline.

2. That this House calls on the Government to:

   (a) implement policies to transition New South Wales away from coal mining and into clean renewable technologies, and

   (b) develop a plan for the workers and communities of the Hunter Valley and Illawarra who will be affected by the decline in coal.

3. That this House expresses its condolences to those supporters of coal such as Greg Combet, Mr Scot MacDonald, The Hon Steve Whan, Prime Minister Tony Abbott, Ian Macfarlane, Greg Hunt, Nathan Tinkler, Eddie Obeid OAM, Ian Macdonald, Chris Hartcher, Mark Vaile and the National Party.

(Notice given 17 September 2014—expires Notice Paper No. 24)
2029. Dr Faruqi to move—

1. That this House notes that:

(a) on National Threatened Species Day, 7 September 2014, a ‘No Shark Cull’ rally was held at Manly Beach to protest against culling of sharks,

(b) sharks are a critical part of the marine ecosystem and are vital for maintaining the health of the ocean,

(c) sharks are under incredible pressure due to overfishing, shark finning practices, habitat destruction and culling by drum lines and shark nets, and shark populations are in decline across the world,

(d) shark nets indiscriminately kill targeted and non-targeted marine life,

(e) death or injury to marine species following capture in shark control programs on ocean beaches is listed as a key threatening process by the NSW Scientific Committee, and

(f) shark culls and shark meshing are ineffective deterrents for shark attacks and better non-lethal alternatives that genuinely keep people and marine life safe must be implemented.

(Notice given 18 September 2014—expires Notice Paper No. 25)

2030. Ms Barham to move—

1. That this House notes that:

(a) as of 31 July 2014, the Australian Government ceased funding for the Dementia and Severe Behaviours Supplement, a scheme that was intended to provide support for aged care providers by delivering $16 per day to support the care needs of each eligible client,

(b) the termination of the supplement was attributed to a budget blowout due to oversubscription, as a result of the policy not being developed with appropriate targeting and monitoring, and

(c) the announcement of the termination of the program was made with little warning or consultation, and without a replacement scheme in place to address the support needs of the population the supplement had been intended to support.

2. That this House notes that advocacy organisations on dementia and ageing issues, including Alzheimer’s Australia and the Council on the Ageing, have:

(a) emphasised the importance of appropriate supports for people with severe behavioural and psychological symptoms of dementia,

(b) expressed their willingness to take part in consultations with the Minister for Social Services, and

(c) stated that it is vital that a new scheme to address the original objective of the supplement is implemented as soon as possible.

3. That this House calls on the Australian Government to urgently work with aged care and advocacy organisations to ensure an appropriate, targeted program to support people with severe behavioural and psychological symptoms of dementia is developed and implemented as soon as possible, including the monitoring of the use of restraints and antipsychotic medication.

(Notice given 18 September 2014—expires Notice Paper No. 25)
2033. **Mr Shoebridge to move**—

That leave be given to bring in a bill for an Act to amend the Public Interest Disclosures Act 1994 to provide for the reinstatement or re-employment of public officials who have been dismissed for making public interest disclosures.

(Public Interest Disclosures Amendment (Reinstatement of Whistleblowers) Bill)

(Notice given 18 September 2014)

2038. **Mr Borsak to move**—

That leave be given to bring in a bill for an Act to amend the Firearms Act 1996 to repeal the amendments made by the Firearms Amendment (Ammunition Control) Act 2012.

(Firearms Amendment (Ammunition Control Repeal) Bill)

(Notice given 14 October 2014)

2041. **Dr Faruqi to move**—

1. That this House notes that:

   (a) 28 September 2014 was the Global Day for Safe and Legal Abortion which aims to build an international movement to promote universal access to safe, legal abortion as a women’s health and human rights issue,

   (b) according to the World Health Organisation, 21.6 million women experience unsafe abortions worldwide each year, mostly as a result of regressive abortion laws and lack of access to health facilities,

   (c) 47,000 women die as a result of unsafe abortions each year and these deaths could be avoided, and

   (d) in New South Wales, a woman’s right to choose is undermined by the presence of abortion in the Crimes Act 1900.

2. That this House calls on:

   (a) the New South Wales Government to repeal abortion offences in the Crimes Act 1900, and

   (b) the Federal Government to increase funding to reproductive health and safe abortion services through the Australian aid program.

(Notice given 14 October 2014—expires Notice Paper No. 26)

*2045. **Drug Legislation Amendment (Cannabis for Medical Purposes) Bill 2014**: resumption of the adjourned debate (20 November 2014) of the question on the motion of Dr Kaye: That this bill be now read a second time (5 calendar days from 20 November 2012)—Mr Ajaka. (20 minutes)*
2052. Mr Secord to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since 1 January 2012 in the possession, custody or control of the Minister for Health, the Minister for Finance and Services, the Department of Premier and Cabinet, the Department of Health, the Office of Finance and Services, Government Property NSW, and the Murrumbidgee Local Health District:

(a) all documents, including but not limited to ministerial briefing notes, emails, correspondence, financial documents, memos, file notes, meeting papers and meeting minutes, and building reports relating to the sale of land and buildings referred to as the former Gundagai Hospital, and

(b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 15 October 2014—expires Notice Paper No. 27)

2058. Mr Buckingham to move—

That this House:

(a) acknowledges the decision of the Honourable Anthony Roberts, MP, Minister for Resources and Energy to cancel the three Petroleum Exploration Licences held by Leichhardt Resources near Belatta in the Bylong Valley and in the Southern Highlands/Shoalhaven areas,

(b) congratulates Penny Blachford and the other members of the Belatta Gurley Action Group Against Gas for their continued advocacy and campaigning to raise awareness in their community of the risks coal seam gas presents to their agricultural community,

(c) acknowledges the role of Penny Blatchford and Peter and Kim Martin from the Southern Highlands Coal Action Group for their diligent analysis of the licence breaches of Leichhardt Resources and their persistence over many years in dealing with a number of Ministers to have these licences cancelled, and

(d) calls on the Government to rule out re-issuing new licences over these areas.

(Notice given 15 October 2014—expires Notice Paper No. 27)

2060. Ms Barham to move—

1. That this House notes that:

   (a) ageing is the most noteworthy population change that will occur in Australia over the next 50 years,

   (b) by 2050, 26 per cent of the population of New South Wales and most other states is projected to be 65 years old or over,

   (c) 41 per cent of people aged 65 to 69 and 92 per cent of people over 90 have a disability,

   (d) older people often find themselves providing care for another person,

   (e) 12 per cent of the total population of older people aged 65 to 74 years came to Australia from culturally and linguistically diverse backgrounds, and

   (f) older people can and do play a valuable role in society, including as volunteers and in providing unpaid care for grandchildren and older relatives.
2. That this House acknowledges that older people deserve a dedicated advocate to whom they can turn to for help with legal, housing, community welfare, consumer affairs and a plethora of other associated issues that may arise as they age.

3. That this House calls on the Government to consider appointing an Advocate or Commissioner for Older People to ensure that older persons’ interests and rights are taken into account, including:

(a) the right to liveable, affordable homes in the community,
(b) the continuing right to work if they wish to do so,
(c) the right to equitable access to services, facilities and programs,
(d) the continuing delivery of in-home care in partnership with service providers and key non-government organisations, and
(e) respect for the diversity of their experiences and cultural background.

(Notice given 16 October 2014—expires Notice Paper No. 28)

2062. Ms Cotsis to move—

That, under standing order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 1 April 2011 in the possession, custody or control of the Premier, and the Department of Premier and Cabinet, the Minister for Local Government and the Office of Local Government relating to the report entitled “Revitalising Local Government: the Final Report of the NSW Independent Local Government Review Panel” and the subsequent “Fit for the Future” program:

(a) any correspondence with local councils prior to and following the release of the Revitalising Local Government Report and any ministerial advice or briefing notes relating to such correspondence,
(b) any reports, correspondence, or ministerial briefings regarding the work of the Independent Local Government Review Panel, the NSW Treasury Corporation’s assessment of the financial stability of local councils and the audit of local government infrastructure needs,
(c) any documents evidencing the accuracy of projected savings resulting from the “Fit for the Future” program,
(d) any correspondence with communities and councils of Far Western New South Wales and any ministerial advice or briefing notes relating to such correspondence,
(e) all documents, including but not limited to negotiations and funding agreements relating to the engagement of specific skilled facilitators and technical experts intended to assist in exploration of voluntary merger options, proposal preparation and transition efforts by councils,
(f) all documents relating to the appointment of an Independent Expert Panel to assess “Fit for the Future” submissions from councils,
(g) any documents, including but not limited to reports and ministerial briefings, pertaining to potential parameters for the use of funding provided to councils,
(h) any legal or other advice regarding the planning and drafting of reforms to the Local Government Act and any other proposed legislative changes,
(i) any reports, correspondence or ministerial briefings detailing changes to planning powers as part of the “Fit for the Future” program,

(j) the economic modelling regarding any council mergers, including costings projections and breakdowns of projected costs associated with amalgamations of councils, and

(k) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 16 October 2014—expires Notice Paper No. 28)

2063. Ms Barham to move—

That the Standing Committee on Social Issues inquire into and report on reparations for the Stolen Generations in New South Wales, and in particular:

(a) potential legislative and policy frameworks to make reparations to members of the Stolen Generations and their descendants,

(b) the 1997 National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children and their Families’ “Bringing Them Home” report and the subsequent response to its recommendations regarding reparations and compensation,

(c) legislation and policy frameworks relating to reparations that have been implemented or proposed in other jurisdictions, including:
   (i) the framework established by the Stolen Generations of Aboriginal Children Act 2006 (Tasmania),
   (ii) bills that have been introduced and inquiries that have been conducted in the Commonwealth and South Australian Parliaments, and

(d) any other related matter.

(Notice given 16 October 2014—expires Notice Paper No. 28)

2067. Mr MacDonald to move—

That this House note:

(a) the Ratings Agency, Standards & Poors, has reaffirmed the Triple A credit rating for New South Wales, and has upgraded the State’s outlook from negative watch to stable, and

(b) Standards & Poors stated:

   “The outlook revision reflects NSW’s stronger financial management over recent years, which we reassessed to be very strong from strong. This improved financial management, along with higher revenue growth, has boosted the state’s financial performance.

   The ratings on NSW continue to reflect the extremely predictable and supportive institutional framework underpinning intergovernmental relations in Australia, NSW’s wealthy and diversified economy, and the state’s exceptional liquidity.”

(Notice given 21 October 2014—expires Notice Paper No. 29)
2079. Ms Ficarra to move—

1. That this House notes that:
   (a) official figures from the Australian Bureau of Statistics show that housing approvals in New South Wales are at their highest levels since the 12 month period ending May 2000,
   (b) there were more than 52,000 housing approvals in the 12 months to August 2014, approving around 1,000 new homes per week,
   (c) the New South Wales Government has already started work on delivering the homes the State will need in the future, delivering more than 4,200 dwelling approvals in August 2014,
   (d) boosting the supply of homes will help improve housing affordability, and
   (e) the New South Wales Government has:
      (i) paved the way for construction of more than 100,000 homes in less than three years,
      (ii) announced the release of land for an additional 8,100 homes in Western Sydney,
      (iii) increased the threshold for the First Homebuyers Grant to $750,000,
      (iv) announced three Urban Activation Precincts along the North West Rail Line aimed at creating 19,000 jobs and 12,000 new homes.

2. That this House acknowledges the New South Wales Liberal Nationals Government for its efforts to bring growth to the housing industry in New South Wales.

(Notice given 22 October 2014—expires Notice Paper No. 30)

2082. Dr Kaye to move—

1. That this House notes that:
   (a) on 23 October 2014 from 3:30-5:00 pm the 2014 inter-faith celebration of Special Religious Education will be held at Parliament House,
   (b) according to the invitation distributed to all MPs by the Catholic Diocese of Wollongong on behalf of the Inter Church Commission of Religious Educators in Schools (ICCOREIS), this annual event will be attended and addressed by both Education Minister Adrian Piccoli and Shadow Minister Ryan Park,
   (c) according to the invitation the event will be “an opportunity during children’s week to recognise the contribution that SRE teachers make to Public Education by forming young people in the faith of their families in our multicultural society”, and that further, “a number of awards will be given to SRE teachers for creativity and innovation in the development of curriculum, lesson materials, and training programs for SRE teachers”,
   (d) the attendance of the Minister and Shadow Minister at this event is an insult to those parents who send their child to New South Wales public schools to receive a secular education,
   (e) many parents and teachers are frustrated by the misuse of time to accommodate SRE that could otherwise be used to alleviate the overcrowding of the curriculum, and
   (f) the attendance of the Minister and Shadow Minister at this time is particularly concerning because SRE is in a state of turmoil with the Minister and the NSW Department of Education and Communities having lost control of the management of the SRE implementation process, including not being able to provide school by school enrolment details for SRE.
2. That this House calls on Education Minister Adrian Piccoli and Shadow Minister Ryan Park to make clear that they support the wishes of those parents who do not wish their child to be involved in SRE and who would prefer their children to be spending their time usefully engaged in learning activities.

(Notice given 23 October 2014—expires Notice Paper No. 31)

2085. Dr Faruqi to move—

1. That a select committee be established to inquire into and report on the proposed NorthConnex motorway project, and in particular:

   (a) the potential effect of the emissions from ventilation stacks on the community, and the methods and technology available to mitigate them,

   (b) the evidence underpinning the need for NorthConnex, including consideration of alternative options, traffic forecasts and its relationship and integration with other existing road systems and public transport systems,

   (c) the processes by which an unsolicited proposal was presented to the government and led to the development of NorthConnex,

   (d) the consultation processes with the local community around NorthConnex,

   (e) the cost-benefit analysis and business case for NorthConnex,

   (f) any relationship between NorthConnex and land use planning, such as Urban Activation Precincts,

   (g) any other social, health, economic and environmental impacts of the construction and subsequent operation of NorthConnex on the community, and

   (h) any other related matter.

2. That, notwithstanding anything to the contrary in the standing orders, the committee consist of six members comprising:

   (a) two Government members,

   (b) two Opposition members, and

   (c) Dr Faruqi and one other member of the cross-bench.

3. That the Chair of the committee be chosen by the committee.

4. That, notwithstanding anything to the contrary in the standing orders, at any meeting of the committee, any three members of the committee will constitute a quorum.

5. That a committee member who is unable to attend a deliberative meeting in person may participate by electronic communication and may move any motion and be counted for the purpose of any quorum or division, provided that:

   (a) the Chair is present in the meeting room,

   (b) all members are able to speak and hear each other at all times, and
(c) members may not participate by electronic communication in a meeting to consider a draft report.

6. That the committee report within six months of the date of passing of this resolution.

(Notice given 4 November 2014—expires Notice Paper No. 32)

2091. Mr Buckingham to move—

1. That this House notes that:

(a) on 28 October 2014, AGL security guards appeared to have assaulted numerous members of the public peacefully protesting outside the Waukivory coal seam gas hydraulic-fracturing operations near Gloucester,

(b) these members of the public included neighbouring beef farmers Ed and Tina Robinson,

(c) the members of the public were on public lands and public roads when approached by AGL security guards, and

(d) members of the public told the AGL security guards not to touch them.

2. That this House calls on:

(a) the Minister for Police and Emergency Services to ensure this matter is investigated, and

(b) AGL to instruct its employees to respect the right to protest and not to assault members of the public.

(Notice given 4 November 2014—expires Notice Paper No. 32)

2094. Dr Faruqi to move—

1. That this House notes that:

(a) the Ben Bullen State Forest and nearby public forests have significant ecological value, including spectacular stone pagodas, which are currently unprotected,

(b) the Gardens of Stone is a complex of escarpments, narrow canyons, upland swamps, rock arches and pagodas that provides habitat for many plants and wildlife, including two nationally listed threatened species: the Regent Honeyeater and Bathurst Copper Butterfly as well as a state-listed species: the Powerful Owl,

(c) the NSW Planning Assessment Commission Review of the Coalpac Consolidation Project found in October 2014 that “the pagoda landform should be afforded special significance status and the highest possible level of protection”.

(d) the NSW Planning Assessment Commission Determination Report on the Invincible Colliery and Cullen Valley Mine Expansion Modifications of 17 October 2014 recommended that “the site has significant conservation value and is not suitable for the proposed mining, the highest and best use of the area is for conservation”,

(e) the Office of Environment of Heritage has identified the area as being of suitable high conservation value for future reservation under the National Parks and Wildlife Act 1974,
(f) the reservation of the 41,500 hectare Gardens of Stone Stage Two reserve proposal would greatly enhance the conservation of a stunning landscape, which contains unique botanical, recreational and scenic assets that are not part of the existing Blue Mountains reserve system, and

(g) the area will continue to be vulnerable to mining impacts until permanent protection is granted.

2. That the House call on the New South Wales Government to safeguard the Gardens of Stone by taking the necessary steps to reserve the areas identified in the Gardens of Stone Stage Two reserve proposal including Ben Bullen State Forest, Wolgan State Forest and Newnes Plateau under the National Parks and Wildlife Act.

(Notice given 4 November 2014—expires Notice Paper No. 32)

2096. Health and hospital funding cuts: resumption of the adjourned debate (6 November 2014) of the question on the motion of Mr Secord: That this House:

(a) opposes the $15 billion in Commonwealth health and hospital funding cuts and the Abbott Government’s $7 GP medicare co-payment,

(b) notes with concern that NSW Health’s modelling projects an extra 507,000 patients will go to emergency departments as they will be unable to afford the co-payment,

(c) calls on the Baird Government to voice its opposition to the Abbot Government’s $7 GP co-payment and the Federal Government’s health cuts, and

(d) expresses alarm at the Baird Government’s privatisation push within NSW Health, particularly a range of hospitals and services including the Northern Beaches Hospital, Byron Central Hospital, Kempsey Hospital and the new Maitland-Lower Hunter Hospital—Dr Phelps. (15 minutes)

Debate: 1 hour 24 minutes remaining

2097. Dr Faruqi to move—

1. That a Select Committee be established to inquire into and report on the proposed WestConnex motorway project, and in particular:

(a) the evidence underpinning the need for WestConnex, including consideration of alternative options, traffic forecasts and its relationship and integration with other existing road systems and public transport systems,

(b) the cost-benefit analysis for WestConnex,

(c) the business case for WestConnex

(d) any social, health, economic and environmental impacts of the construction and subsequent operation of the motorway on the community,

(e) the proposed financing strategy for the project, including the viability of completing all three stages as well as the proposal to re-toll the M4,

(f) the fairness and appropriateness of the property acquisition program, including compensation rates and the necessity of property acquisitions,
2. That, notwithstanding anything to the contrary in the standing orders, the committee consist of six members comprising:
   (a) two Government members,
   (b) two Opposition members, and
   (c) Dr Faruqi and one other member of the cross-bench.

3. That the Chair of the committee be chosen by the committee.

4. That, notwithstanding anything to the contrary in the standing orders, at any meeting of the committee, any three members of the committee will constitute a quorum.

5. That a committee member who is unable to attend a deliberative meeting in person may participate by electronic communication and may move any motion and be counted for the purpose of any quorum or division, provided that:
   (a) the Chair is present in the meeting room,
   (b) all members are able to speak and hear each other at all times, and
   (c) members may not participate by electronic communication in a meeting to consider a draft report.

6. That the committee report within six months of the date of passing of this resolution.

(Notice given 4 November 2014—expires Notice Paper No. 32)

2101. Dr Kaye to move—

1. That this House notes that:
   (a) on Tuesday 4 November 2014 the Melbourne Cup race will be held at Flemington Racecourse in Victoria, and
   (b) the Melbourne Cup is widely recognised as a day of celebration earmarked by social gatherings, workplace events and participation in minor and largely harmless forms of wagering.

2. That this House recognises that:
   (a) only thirty per cent of the 18,000 thoroughbred foals born in Australia each year will end up racing,
   (b) significant numbers of failed and injured racehorses are sent to knackeries to be slaughtered, primarily for pet food,
   (c) a 2012 exposé of a Victorian knackery showed horses being beaten, shot in front of one another, dragged across gravel and having their throats and tails cut while still conscious,
   (d) from the period of 1 August 2013 to 31 July 2014, approximately 125 horses were killed on tracks across Australia, with New South Wales recording the highest number of deaths at 41, the most common cause being catastrophic limb injury,
(e) many horses in the racing industry suffer from serious health problems due to their diet and training regimes, including gastric ulcers, musculoskeletal injuries and bleeding in the lungs and windpipe,

(f) whipping of thoroughbred race horses, including incidences that breach the industry’s own animal welfare rules, remains widespread despite a University of Sydney study demonstrating that horses run faster when not being whipped, and

(g) wagering on horse racing in New South Wales contributes to incidences of problem gambling and associated social harms, with higher participation rates among young people.

3. That this House congratulates:

(a) the Victorian based organisation Coalition for the Protection of Racehorses for their ongoing efforts to expose the high wastage rates and poor treatment of many horses in the racing industry, and

(b) organisations and individuals involved in the rescue, rehabilitation and retirement of ex-racehorses.

4. That this House calls on the Honourable Troy Grant MP, Minister for Hospitality, Gaming and Racing to:

(a) investigate the thoroughbred racing industry to determine and resolve:
   (i) the systematic over-breeding and wastage rates,
   (ii) the failure of the industry to institute meaningful programs to rehabilitate and rehome horses that are no longer wanted for racing, and

(b) establish an independent review of Racing NSW with regards to:
   (i) its effectiveness in setting, monitoring and enforcing animal welfare standards,
   (ii) the potential conflict of interest that arises because one body both regulates and promotes thoroughbred horse racing in New South Wales.

(Notice given 4 November 2014—expires Notice Paper No. 32)

2104. Mr Shoebridge to move—

1. That this House notes that:

(a) the 10/50 code continues to operate across New South Wales, leading to the loss of a large numbers of trees in urban and regional areas,

(b) there are already a large number of documented instances of land owners cynically clearing trees from their land, not to reduce bushfire risk, but merely to increase development potential, and

(c) local councils and local communities are currently unable to stop the loss of trees under the code.

2. That this House notes with concern that:

(a) on 3 November 2014 on the Mid North Coast in the North Arrawarra caravan park, felling under the 10/50 code resulted in the loss of approximately ten large mature swamp mahogany, redgum and paperbark trees, with a further 40 trees of a similar species mix and size marked for felling,
(b) the area in which these trees are being felled is part of a swamp mahogany endangered ecological community, mapped secondary koala habitat and part of a Council recognised coastal wildlife corridor,

(c) furthermore the area is a recorded habitat, nesting and feeding ground for species including koalas, squirrel gliders, black cockatoos, powerful owls and hoary wattled bats, and

(d) tree removals in the Tweed Shire area have also raised concern with the destruction of significant littoral rainforest.

3. That this House call on the NSW Government to:

(a) immediately halt the operation of the 10/50 code pending an independent and comprehensive review,

(b) immediately give local communities the opportunity to opt-out from the code and become 10/50 free zones, and

(c) restore environmental and heritage protections under the scheme.

(Notice given 5 November 2014—expires Notice Paper No. 33)

2109. Dr Kaye to move—

That leave be given to bring in a bill for an Act to secure the public provision of vocational education and training.

(Vocational Education and Training Funding (TAFE Guarantee) Bill)

(Notice given 5 November 2014)

2110. Dr Kaye to move—

That, under standing order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 January 2013, in the possession, custody or control of the Minister for Finance and Services and the Department of Finance and Services, Service NSW, NSW Treasury, the Treasurer and WorkCover NSW:

(a) any documents referring to any analysis of the cost and effectiveness of the Service NSW model and any plans to change the delivery mode or the structure of Service NSW, including:
   (i) the nature of delivery at sites,
   (ii) the number and location of sites,
   (iii) the number of employees in each location and any proposed changes to staff full time equivalent numbers,
   (iv) the number and cost of proposed redundancies,
   (v) regional impact statements,
   (vi) the timetable for the opening of new service centres,
   (vii) opening hours,

(b) any documents referring to any plans, as consequence of the opening of Service NSW centres, to close any or all of:
   (i) Fair Trading sites,
   (ii) NSW Registry of Births, Deaths and Marriages sites,
   (iii) Roads & Maritime Services service centres,
   (iv) any other NSW Government service site,
any documents referring to the timetable for the closure of sites,

(d) any documents referring to expenditure on consultants and the services provided, and

(e) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 5 November 2014—expires Notice Paper No. 33)

2113. Mr Shoebridge to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents, created since 1 December 2010, in the possession, custody or control of the Minister for Planning, the Department of Planning and Environment, the Department of Trade and Investment, Regional Infrastructure and Services relating to:

(a) King Edward Park, Newcastle, its listing on the NSW State Heritage Register and Schedule 1 of the Newcastle Local Environment Plan 2012,

(b) all emails, diary notes, disclosures and any other records of meetings, contacts or communications with Tim Owen, Keith Stronach and representatives from Newcastle City Council concerning King Edward Park and Schedule 1 of the Newcastle Local Environment Plan 2012, and

(c) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 6 November 2014—expires Notice Paper No. 34)

2118. Dr Faruqi to move—

That leave be given to bring in a bill for an Act to amend the Prevention of Cruelty to Animals Act 1979 to require pig keepers to provide appropriate accommodation for pigs.

(Prevention of Cruelty to Animals Amendment (Restrictions on Pig Keeping) Bill)

(Notice given 11 November 2014)

2128. Mr Shoebridge to move—

1. That this House notes that the 10/50 code continues to operate across New South Wales, leading to the loss of a large numbers of trees in urban and regional areas.

2. That this House notes with concern:

(a) reports from across New South Wales of the creation of companies seeking to cash in on the tree-clearing bonanza created by the operation of the 10/50 code of practice,

(b) that the entry of large numbers of new operators into the marketplace is a concern for residents as well as existing tree removal companies and arborists with serious implications for training and safety of operators as well as the reputation of the industry,

(c) that the unregulated and lucrative opportunities provided by the 10/50 code are encouraging rogue operators in the industry with little or no oversight of their credentials or operations, and
(d) that by encouraging and facilitating rogue operators to engage in the highly dangerous practice of lopping large mature trees in urban areas, the Government is recklessly exposing citizens across New South Wales to serious harm and injury.

3. That this House call on the Government to:
   (a) immediately halt the operation of the 10/50 code pending an independent and comprehensive review,
   (b) immediately give local communities the opportunity to opt-out from the code and become 10/50 free zones, and
   (c) restore environmental and heritage protections under the scheme.

(Notice given 11 November 2014—expires Notice Paper No. 35)

2134. Ms Barham to move—

1. That this House calls on the Government to resolve the legal issues of properties that are used by tourists or visitors secured via internet sites such as Airbnb and Stayz, which constitute a non-compliant use with state planning and/or local council regulations, as considered by the Legislative Council Inquiry into Tourism in Local Communities, especially under Term of Reference 3.

2. That this House notes that:
   (a) the use of internet sites such as Airbnb to locate properties for short term stays by tourists or visitors has been increasing since 2008 when such sites first began,
   (b) the use of this form of booking via internet sites results in the true number of tourists or visitors to an area being under-estimated which can mean that government is unable to plan properly for service provision,
   (c) most properties listed on such websites are not approved by local government for tourism purposes and are non-compliant with the standards set in the Building Code of Australia for tourist accommodation,
   (d) due to the lack of approval these properties may not be covered by insurance while being used by tourists,
   (e) fire, safety and other standards of these properties may be inadequate for temporary holiday accommodation,
   (f) this type of tourist or visitor accommodation may have negative impacts on neighbours due to issues such as noise, rubbish, parking and anti-social behaviour, and
   (g) properties secured via the internet and used by tourists or visitors for short term stays may be competing unfairly with legitimate, approved tourist or visitor accommodation due to lack of:
      (i) application approvals and fees,
      (ii) compliance with regulation,
      (iii) higher cost of commercial property purchase and
      (iv) payment of local government commercial rates,
(h) strata managers and strata committees are seeking clarification about the legal issues surrounding the use of residential properties for short term letting.

3. That this House notes that when residential zoned approved dwellings are used for commercial or tourism purposes it diminishes the supply and affordability of housing and therefore contributes to housing affordability pressures.

(Notice given 11 November 2014—expires Notice Paper No. 35)

*2136. State Energy and Water Utilities Protection (Referendum) Bill 2014: resumption of the adjourned debate (13 November 2014) of the question on the motion of Mr Searle: That this bill be now read a second time—Ms Voltz. (20 minutes)

(Standing orders suspended for remaining stages, Thursday 13 November 2014)

2137. Ms Barham to move—

That, under standing order 52, there be laid upon the table of the House within 21 days of the date of the passing of this resolution the following documents created since 1 January 2014 in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Minister for Planning, the Minister for the Environment and Assistant Minister for Planning, and the Department of Planning and Environment:

(a) all documents, including but not limited to ministerial briefing notes, assessment reports and correspondence, relating to the following aspects of the West Byron Urban Release Area proposal:
   (i) justification for the proposal as being of state or regional planning significance,
   (ii) the impact of the proposal on the Belongil Estuary,
   (iii) expert advice on the proposal site’s acid sulfate soils or compliance with the Department of Planning and Environment’s policies and planning guidelines related to acid sulfate soils,
   (iv) assessment of the exhibited traffic reports and their consistency with the Roads and Maritime Services’ Guide to Traffic Generating Developments,
   (v) identification of core koala habitat on the proposal site and the preparation of a koala plan of management, and

(b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 12 November 2014—expires Notice Paper No. 36)

2139. Mr Buckingham to move—

1. That this House expresses its concern that the water supply for almost 20,000 people in and around Broken Hill in far Western New South Wales has been directly threatened by the mismanagement of the Menindee Lakes system.

2. That this House congratulates the diverse, active and passionate community movement in Broken Hill, Wilcannia, Louth, Tilpa, Menindee and Pooncarie and other communities in far Western NSW, including almost 10,000 members of the “Broken Hill, Menindee Lakes: WE WANT ACTION” Facebook group, which has come together to debate and raise awareness of this important issue.

3. That this House calls on the Government to:
   (a) guarantee that any emergency water bores will not become a permanent water supply for Broken Hill,
(b) assure the Broken Hill community that it will not downgrade a key purpose of the Menindee Lakes system which is to provide an assured water supply for Broken Hill, and

(c) respect Indigenous cultural heritage in any decisions around drilling bores near Menindee Lakes.

(Notice given 12 November 2014—expires Notice Paper No. 36)

2141. Mr Wong to move—

That this House:

(a) congratulates the Special Children Services Centre (SCSC) on a very successful fundraising concert on 9 November 2014 featuring not only local entertainers, but also a group of intellectually disabled children who danced and played various musical instruments,

(b) notes that the SCSC is the first and, up until now, only tax deductible charitable organisation that was initially established in 2008 to cater to the needs of the Chinese community, but has since extended its service to the Korean and Vietnamese arms of the community,

(c) recognise the invaluable and tireless efforts of the SCSC Management Committee, which saw the need for greater support and programs for children with intellectual disabilities, with challenging behaviour that caused acute stress for their families and loved ones and it set about providing a supportive structure for parent and carers to socialise, gain and share information and provide respite from the demanding challenges of everyday life,

(d) commends the program teachers, the service providers, community groups, volunteers, financial supporters, carers and families who through their contributions enable children with special needs to improve their learning ability through educational programs, activities, practical experiences, social interaction, and workshops and assist with integration programs into mainstream society, and

(e) congratulate everyone involved with the service of the centre, which has seen a significant expansion across New South Wales by catering for other ethnic groups including Chinese, Korean and Vietnamese.

(Notice given 12 November 2014—expires Notice Paper No. 36)

2142. Mr Buckingham to move—

That this House:

(a) calls on the NSW Government to fund the construction of an indoor multi-purpose sports and events centre for Ballina,

(b) recognises that Ballina is the only town of its size in New South Wales that does not have a multi-court indoor sporting facility,

(c) recognises the potential for a modern, world-class indoor sports facility in Ballina to support the 2018 Commonwealth Games on the Gold Coast and boost the regional economy,
(d) recognises the work of the Ballina Community and in particular the Ballina Basketball Association, Ballina Regional Indoor Sporting Association, Southern Cross School, Basketball NSW, and the Ballina Shire Council in supporting this project, and

(e) condemns The Nationals for failing to gain funding for this important project, despite it being over five years since the indoor sport and events centre was approved by the Ballina local council.

(Notice given 12 November 2014—expires Notice Paper No. 36)

2144. Dr Faruqi to move—

1. That this House notes that:

   (a) on 23 October 2014, this House ordered the production of documents relating to planning in Newcastle and the Hunter,

   (b) on 6 November 2014, the House received a return to order which did not include a number of documents regarding Wickham Interchange, heavy rail and light rail in the Newcastle CBD,

   (c) the letter of certification from the Secretary of Transport for NSW accompanying the return to order stated: ‘Transport for NSW has reviewed its relevant files for the purposes of determining whether it holds any documents, other than Cabinet documents, that fall within the terms of the resolution. I note that all agencies are obliged to protect the confidentiality of Cabinet documents and not produce or refer to any such documents in complying with the resolution.’, and

   (d) on 12 November 2014, the Clerk tabled further correspondence from the Deputy General Counsel of the Department of Premier and Cabinet advising that Transport for NSW had reviewed its files to determine whether it held any documents, other than Cabinet documents, that fell within the terms of the order and confirmed that it had nothing further to provide.

2. That this House notes the following judgements by Chief Justice Spigelman and Justices Meagher and Priestley in the Court of Appeal in Egan v Chadwick (1999) concerning cabinet documents:

   (a) Spigelman CJ held that it is not reasonably necessary for the proper exercise of the functions of the Council to call for documents the production of which would conflict with the doctrine of collective ministerial responsibility by revealing the ‘actual deliberations of Cabinet’; that a distinction must be made between documents which disclose the actual deliberations within cabinet and those which are described as “Cabinet documents”, but which are in the nature of reports or submissions prepared for the assistance of cabinet; and that the production of documents prepared outside cabinet for submission to cabinet may, or may not, depending on their content, be inconsistent with the doctrine of collective ministerial responsibility to cabinet,

   (b) Meagher JA took the view that the immunity of cabinet documents from production was ‘complete’, arguing that the Legislative Council could not compel their production without subverting the doctrine of responsible government, but without exploring the distinction between different types of cabinet documents drawn by Spigelman CJ, and
(c) Priestley JA took a different view, noting that a court has ‘the power to compel production to itself even of Cabinet documents’ and that the ‘function and status of the Council in the system of government in New South Wales require and justify the same degree of trust being reposed in the Council’, and that ‘notwithstanding the great respect that must be paid to such incidents of responsible government as cabinet confidentiality and collective responsibility, no legal right to absolute secrecy is given to any group of men and women in government’.

3. That this House further notes that in evaluating a disputed claim of privilege on documents returned to an order of the House in 2005, the Hon Terrence Cole AO, RFD, QC, stated that: ‘In assessing a claim for public interest immunity in relation to “Cabinet documents”, a distinction is to be drawn between: (a) true Cabinet documents, that is, those documents which disclose the actual deliberations of Cabinet; and (b) Cabinet documents, that is, reports or submissions prepared for the assistance of Cabinet. A claim for privilege for true Cabinet documents will always be upheld. … When privilege is claimed for other Cabinet documents, a judgement process is required to weigh the competing public interests.’

4. That this House further notes that in its October 2009 report entitled ‘The Mt Penny return to order’, the Privileges Committee:

(a) stated that ‘… the Committee does not necessarily accept that Egan v Chadwick is the final word on this matter, and that the Council does not have the power to order cabinet documents. The three Justices in Egan v Chadwick, Spigelman, Meagher and Priestly, took significantly different approaches to this issue. The Committee believes that the dissenting judgment of Justice Priestly is instructive’, and

(b) specifically rejected the definition of ‘cabinet information’ in the Government Information (Public Access) Act 2009 as an appropriate definition of cabinet documents for the purposes of responding to orders for papers made by the Legislative Council under standing order 52.

5. That under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents, created since 1 January 2012, in the possession, custody or control of Transport for NSW regarding Wickham Interchange, heavy rail and light rail in the Newcastle CBD:

(a) URS Australia Pty Ltd (URS), 2014a Preliminary Environmental Review, Newcastle Urban Renewal & Transport Program prepared for Transport for NSW April 2014,

(b) URS, 2014b Newcastle Urban Renewal & Transport Program, Newcastle Heavy Rail Scoping Report, Prepared for Transport for NSW, May 2014,

(c) URS, 2014c, Newcastle Urban Renewal & Transport Program, Newcastle Heavy Rail Truncation Definition Report, Prepared for Transport for NSW, July 2014,

(d) URS Australia Pty Ltd 2014d, Report Heavy Rail Truncation, Preliminary Environmental Site Assessment, Prepared for Transport for NSW, May 2014,

(e) any cost benefit analysis, traffic study and patronage loss study for the Wickham Interchange project,

(f) Newcastle Urban Renewal & Transport Program- Stage1 Final Business Case and the 18 appendices to this document,

(g) GHD 2014 Newcastle Light Rail – Options Identification and Initial Feasibility Assessment Study, Transport for NSW,

(h) GHD 2014 Newcastle Light Rail- City Centre Traffic Modelling Services – Light Rail Alignment Options Assessment, Transport for NSW,
(i) GHD 2014 Newcastle Light Rail – City Centre Traffic Modelling Services-Microsimulation Model Calibration and Validation Report, Transport for NSW,

(j) any cost benefit analysis for the light rail project, and

(k) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

6. That in the event that any documents are not provided to the House in response to this order on the basis of a claim of cabinet confidentiality, the return identify how the provision of those documents to the House would breach the immunity attaching to cabinet documents as variously articulated in Egan v Chadwick.

7. That this House regards failure to comply fully with an order of this House for the production of documents as an unacceptable interference with the capacity of this House to fulfil its constitutional roles.

(Notice given 13 November 2014—expires Notice Paper No. 37)

2145. Mr Shoebridge to move—

That, under standing order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents, created since 1 January 2013, in the possession, custody or control of the Minister for the Environment and Heritage or the Department of Premier and Cabinet or the Department of Planning and Environment relating to the development or implementation of a new model for Aboriginal culture and heritage:

(a) all documents, including but not limited to ministerial briefing notes, email correspondence, memos, file notes, and meeting minutes,

(b) all documents relating to an analysis of submissions received,

(c) copies of advice, reports, meeting minutes, correspondence including emails, briefing notes, or memos relating to economic modelling of a new heritage model, and

(d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 13 November 2014—expires Notice Paper No. 37)

2147. Ms Voltz to move—

1. That this House notes the G20 Leaders Communique includes paragraph 19 which states that:

“We support strong and effective action to address climate change. Consistent with the United Nations Framework Convention on Climate Change (UNFCCC) and its agreed outcomes, our actions will support sustainable development, economic growth, and certainty for business and investment. We will work together to adopt successfully a protocol, another legal instrument or an agreed outcome with legal force under the UNFCCC that is applicable to all parties at the 21st Conference of the Parties (COP21) in Paris in 2015. We encourage parties that are ready to communicate their intended nationally determined contributions well in advance of COP21 (by the first quarter of 2015 for those parties ready to do so). We reaffirm our support for mobilising finance for adaptation and mitigation, such as the Green Climate Fund”.

2. That this House calls on the New South Wales Premier Mike Baird to lobby the Prime Minister Tony Abbott to affirm his Government’s support for mobilising finance for adaption and mitigation, and to immediately make a monetary commitment for the Green Climate Fund in line with the G20 Leaders Communiqué.

(Notice given 18 November 2014—expires Notice Paper No. 38)

2148. Mr Buckingham to move—

1. That this House notes that:

(a) life expectancy of males in Wilcannia, New South Wales is 37.5 years, and for women is 42 years of age,

(b) this is a matter of deep shame for our entire community, state and nation,

(c) the worst life expectancy of any nation on earth is Sierra Leone at 42 years of age,

(d) an assured and high quality water supply for the people of Wilcannia and for the Barkintji people is essential to their health, economic, social, environmental, cultural and personal wellbeing,

(e) the Darling River adjacent to Wilcannia is an integral part of recreation and fishing activities for that community,

(f) the town of Wilcannia is now on water restriction and sourcing its water from emergency water bores, and that this water is intermittent and of very poor quality,

(g) the Wilcannia community has been calling for the construction of a new weir for nearly 40 years,

(h) that the current weir is in a poor condition and located upstream from the town, meaning that in dry conditions the Darling River is a dry ditch running through the town,

(i) the construction of a new weir, downstream from the town is supported by the Murdi Paaki Regional Enterprise Corporation, Wilcannia Community Working Party and the Central Darling Regional Council, and

(j) that a new weir downstream of the town will create a weir pool running through the town for recreation, drinking, fishing and cultural activities.

2. That this House calls on the Government to:

(a) immediately begin the process of planning and constructing a new weir in Wilcannia,

(b) immediately consult with the Wilcannia community on the construction of a new weir and delivery of an assured and quality water supply, and

(c) commit funding for the construction of a new downstream weir to commence as soon as engineering plans are finalised.

(Notice given 18 November 2014—expires Notice Paper No. 38)
2157. Mr Secord to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since 1 April 2011 in the possession, custody or control of the Minister for Health, NSW Health Infrastructure, the NSW Ministry of Health, NSW Treasury, the Treasurer, the Premier, the Department of Premier and Cabinet:

(a) all documents, including but not limited to ministerial briefing notes, email correspondence, financial documents, memos, file notes, meeting papers and meeting minutes relating to NSW Health Infrastructure and its examination and scoping of private-public partnerships, privatisations, market soundings and the private provision of health and hospital services for the Goulburn Base Hospital Redevelopment,

(b) all correspondence, including attached documents, to and from the Member for Goulburn relating to the Goulburn Base Hospital Redevelopment, and

(c) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 18 November 2014—expires Notice Paper No. 38)

2158. Mr Buckingham to move—

1. That this House notes:

   (a) the Federal Government cuts, to the ABC of $59 million, which equates to around 9 per cent of the public broadcaster’s budget,

   (b) that on 6 September 2013 Prime Minister Tony Abbott promised on SBS TV that there would be ‘No cuts to the ABC or SBS’,

   (c) that one of the programs to be cut is the state-based 7.30 programs, including 7.30 NSW,

   (d) that 7.30 NSW is an important program for airing and debating state-based issues important to the people of New South Wales, and

   (e) that ABC 7.30 host Quentin Dempster is a experienced and respected journalist with a long history of covering New South Wales politics and issues.

2. That this House calls on:

   (a) the Federal Government to revise its decision to cut the ABC’s budget, and

   (b) ABC management and Board to keep the state-based 7.30 programs, including 7.30 NSW.

(Notice given 18 November 2014—expires Notice Paper No. 38)
2163. Mr Secord to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since 1 April 2011 in the possession, custody or control of the Minister for Health, NSW Health Infrastructure, the NSW Ministry of Health, NSW Treasury, the Treasurer, the Premier and the Department of Premier and Cabinet:

(a) all documents, including but not limited to ministerial briefing notes, email correspondence, financial documents, memos, modelling, file notes, meeting papers and meeting minutes relating to Federal Government cuts and closures of preventive health programs including the Australian National Preventive Health Agency, the National Partnership Agreement on Preventive Health and the foetal alcohol spectrum disorders action plan and their impact on New South Wales health and hospital systems particularly New South Wales patients, young people, pregnant women, indigenous people and the elderly, and

(b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 18 November 2014—expires Notice Paper No. 38)

2168. Dr Faruqi to move—

1. That this House notes that:

(a) on 4 March 2014, this House ordered the production of documents relating to the WestConnex Business Case, including “all drafts and the final version of the Business Case and any related materials prepared by Sydney Motorways Project Office, Roads and Maritime Services or consultants engaged by Roads and Maritime Services”,

(b) on 25 March 2014, the House received a return to order which did not include any drafts or the final version of the Business Case,

(c) the covering letter to the return to order from the Acting Secretary of the Department of Premier and Cabinet stated that “I note that Cabinet documents are not produced in response to resolutions under Standing Order 52”.

2. That this House notes the following judgements by Chief Justice Spigelman and Justices Meagher and Priestley in the Court of Appeal in Egan v Chadwick (1999) concerning cabinet documents:

(a) Spigelman CJ held that it is not reasonably necessary for the proper exercise of the functions of the Council to call for documents the production of which would conflict with the doctrine of collective ministerial responsibility by revealing the ‘actual deliberations of Cabinet’; that a distinction must be made between documents which disclose the actual deliberations within cabinet and those which are described as “Cabinet documents”, but which are in the nature of reports or submissions prepared for the assistance of cabinet; and that the production of documents prepared outside cabinet for submission to cabinet may, or may not, depending on their content, be inconsistent with the doctrine of collective ministerial responsibility to cabinet,

(b) Meagher JA took the view that the immunity of cabinet documents from production was ‘complete’, arguing that the Legislative Council could not compel their production without subverting the doctrine of responsible government, but without exploring the distinction between different types of cabinet documents drawn by Spigelman CJ, and
Priestley JA took a different view, noting that a court has ‘the power to compel production to itself even of Cabinet documents’ and that the ‘function and status of the Council in the system of government in New South Wales require and justify the same degree of trust being reposed in the Council’, and that ‘notwithstanding the great respect that must be paid to such incidents of responsible government as cabinet confidentiality and collective responsibility, no legal right to absolute secrecy is given to any group of men and women in government’.

3. That this House further notes that in evaluating a disputed claim of privilege on documents returned to an order of the House in 2005, the Hon Terrence Cole AO, RFD, QC, stated that: “In assessing a claim for public interest immunity in relation to “Cabinet documents”, a distinction is to be drawn between: (a) true Cabinet documents, that is, those documents which disclose the actual deliberations of Cabinet; and (b) Cabinet documents, that is, reports or submissions prepared for the assistance of Cabinet. A claim for privilege for true Cabinet documents will always be upheld. … When privilege is claimed for other Cabinet documents, a judgement process is required to weigh the competing public interests”.

4. That this House further notes that in its October 2009 report entitled ‘The 2009 Mt Penny return to order’, the Privileges Committee:

(a) stated that ‘… the Committee does not necessarily accept that Egan v Chadwick is the final word on this matter, and that the Council does not have the power to order cabinet documents. The three Justices in Egan v Chadwick, Spigelman, Meagher and Priestly, took significantly different approaches to this issue. The Committee believes that the dissenting judgment of Justice Priestley is instructive’, and

(b) specifically rejected the definition of ‘cabinet information’ in the Government Information (Public Access) Act 2009 as an appropriate definition of cabinet documents for the purposes of responding to orders for papers made by the Legislative Council under standing order 52.

5. That under standing order 52, there be laid upon the table of the House within 7 days of the date of passing of this resolution the following documents created since 1 April 2011 in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Minister for Planning, the Department of Planning and Infrastructure, the Minister for Roads and Ports, Roads and Maritime Services or the Treasurer relating to the Business Case for the WestConnex Project:

(a) all drafts and the final version of the Business Case prepared by Sydney Motorways Project Office, Roads and Maritime Services or consultants engaged by Roads and Maritime Services, and

(b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

6. That in the event that any documents are not provided to the House in response to this order on the basis of a claim of cabinet confidentiality, the return identify how the provision of those documents to the House would breach the immunity attaching to cabinet documents as variously articulated in Egan v Chadwick.

7. That this House regards failure to comply fully with an order of this House for the production of documents as an unacceptable interference with the capacity of this House to fulfil its constitutional roles.

(Notice given 18 November 2014—expires Notice Paper No. 38)
2171. Dr Faruqi to move—

That leave be given to bring in a bill for an Act to amend the Prevention of Cruelty to Animals Act 1979 to prohibit the use of cages for laying fowl and the practice of trimming or removing the beaks of fowl.

(Prevention of Cruelty to Animals Amendment (Restrictions on Fowl Keeping) Bill)

(Notice given 18 November 2014)

2179. Ms Fazio to move—

1. That this House:

   (a) notes the debate in the Legislative Assembly on 11 November 2014 on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014 (No 2),

   (b) notes that the vast majority of the contribution by the Member for Orange comprised of childish remarks that were not relevant to, and trivialised the bill, and

   (c) considers that such important legislation for the electorate of Orange deserved to be dealt with in a serious and mature manner by the Member for Orange.

2. That this House calls on:

   (a) the Member for Orange to apologise for his trivialisation of this important issue, and

   (b) the voters of the electorate of Orange to show their displeasure with the appalling performance of the Member for Orange at the State Election in March 2015.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2182. Mr Searle to move—

1. That a select committee be established to inquire into and report on the impact of privatising State owned electricity assets, and in particular the impact on:

   (a) household electricity bills,

   (b) service standards and reliability,

   (c) the State Budget,

   (d) the reduction of environmental impacts,

   (e) the adoption of new energy technologies,

   (f) recurrent funding of government services, and

   (g) any other related matter.

2. That, notwithstanding anything to the contrary in the standing orders, the committee consist of seven members comprising:

   (a) three Government members,

   (b) two Opposition members,
(c) two crossbench members, being Mr Green and Dr Kaye.

3. That the Chair of the committee be Mr Green and the Deputy Chair be Dr Kaye.

4. That, notwithstanding anything to the contrary in the standing orders, at any meeting of the committee, any four members of the committee will constitute a quorum.

5. That a committee member who is unable to attend a deliberative meeting in person may participate by electronic communication and may move any motion and be counted for the purpose of any quorum or division, provided that:

   (a) the Chair is present in the meeting room,

   (b) all members are able to speak and hear each other at all times, and

   (c) members may not participate by electronic communication in a meeting to consider a draft report.

6. That the committee report by 5 March 2015.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2183. Mr Buckingham to move—

1. That this House congratulates the Honourable Marie Ficarra on placing the most number of motions on the Legislative Council notice paper this term of government, with a monumental 283 notices of motion. These include my favourite: “the Miranda Musical Society’s Performance of The Phantom of the Opera”.

2. That this House gives an honourable mention to the Honourable Shoquette Mossleman who managed to place a substantial 141 notices of motion on the notice paper, finishing an impressive second, and hopes he will lift his game in the next Parliament.

3. That this House commiserates with the Honourable David Clarke for finishing a narrow third, with only 134 notices of motion.

4. That this House recognises the tremendous work ethic of these honourable members in their roles serving the citizens of New South Wales.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2185. Ms Barham to move—

1. That this House notes that:

   (a) legislation and court decisions define the distinction between the use of residential dwellings for the purpose of permanent occupation and short term tourism uses such as holiday let and serviced apartments, and

   (b) court decisions have determined that the use of approved dwellings or dwelling houses for the purpose of tourism use is an unlawful purpose and contrary to the zone objectives and therefore prohibited.
2. That this House notes that many court cases have addressed the use of residential-zoned buildings and land for uses other than residential dwellings, including the following:

(a) in the judgement of Reynolds JA in South Sydney Council v James (1979) 35 LGRA 432 the critical element of reasoning was that some level of permanence is required in that a dwelling requires “at the very least, a significant degree of permanence or habitation or occupation”;

(b) in the Land and Environment Court case of the Sydney Council and the Waldorf Apartments in March 2008, Paine J’s judgment focussed on the question of whether the use of the rooms “is for the purpose of ‘residential accommodation’ or for other purpose, namely short term accommodation” and ruled that consent to use the building for serviced apartments had not been given,

(c) in the Waldorf Apartments case, Paine J noted the similarities with the case in North Sydney regarding the use of Blues Point Towers where, in the Court of Appeal, Mahoney JA (with the agreement of Handley JA and Priestly JA) held that the use of flats as serviced apartments was unauthorised on the grounds that they did not have “the necessary degree of permanence”;

(d) in the 2005 case relating to the York Apartments in York St Sydney, it was noted that the term ‘serviced apartments’ “was first introduced into the City of Sydney Local Environment Plan in 1996 and described inter alia as ‘used to provide short term accommodation’”, and that Lord J, ruling in the appeal to change usage of the York building to incorporate serviced apartments, found against the appeal on the grounds that “the description of a flat as a ‘dwelling’ or ‘domicile’ carried with it the notion of a degree of permanency of habitation or occupancy” and that the owner must comply with the original consent for use as a ‘residential flat building’;

(e) in the more recent case in the Land and Environment Court, Paine J ruled that a unit in Sutherland Shire had a 1960 development consent for use only as a ‘residential flat building’, and quoted the above Mahoney J Court of Appeal decision, noting that a dwelling or residence carries with it the notion of permanency and ruled that the unit in question was, on the balance of probabilities, being used for holiday letting, as indicated by its advertisement for such in the NRMA Open Road magazine,

(f) in a Byron Shire case in the Land and Environment Court involving the appeal against Council’s refusal to permit a proposed development to be re-categorised as ‘holiday cabins’, Lloyd J considered that by definition, a holiday cabin is a tourist facility and therefore is prohibited in that particular zone of the Council’s LEP, and

(g) in the Land and Environment Court in April/May 2013, hearing a matter involving Gosford City Council brought by the neighbours of a six bedroom holiday let with a history of late night parties, loud music and other disturbances, Pepper J found that holiday letting of this property was prohibited on the grounds that the use was not sufficiently “permanent to comprise a ‘dwelling house’ for the purposes of the relevant zoning” and further Pepper J noted that, unlike other Councils like Byron Shire, this Council had not amended its LEP to resolve any ambiguity regarding holiday letting.

3. That this House notes that there is considerable confusion in the community regarding the rights of property owners to use buildings and land for short-term letting or tourism purposes when the original consent has been for residential use, and in particular that in the Gosford judgment Pepper J stated that, “Whether a building is a dwelling house is a question of fact and degree,” and further that Councils expecting the courts to rule on these matters “amounts to an effective abrogation by the council of its fundamental duties and responsibilities.”

4. That this House notes that while in April 2012 the then Minister for Planning and Infrastructure the Hon. Brad Hazzard MP announced a Code of Conduct for Holiday Letting, this amounted to the industry essentially regulating the industry and little recourse for either the councils or the residents who may be suffering the negative effects of holiday letting in their towns or suburbs.
5. That this House notes that:

(a) due to the legal interpretations of the permissible use of a dwelling house and the determinations that short term letting is a prohibited use, there are concerns regarding liability and insurance protection, and

(b) the use of dwellings for an unapproved use such as short term letting and tourism purposes results in a lack of safeguards for the occupants.

6. That this House notes that the current Standard Instrument LEP definition of a residential accommodation:

(a) means a building or place used predominantly as a place of residence, and includes any of the following:
   (i) attached dwellings,
   (ii) boarding houses,
   (iii) dual occupancies,
   (iv) dwelling houses,
   (v) group homes,
   (vi) hostels,
   (vii) multi dwelling housing,
   (viii) residential flat buildings,
   (ix) rural workers’ dwellings,
   (x) secondary dwellings,
   (xi) semi-detached dwellings,
   (xii) seniors housing,
   (xiii) shop top housing, but

(b) does not include tourist and visitor accommodation or caravan parks, and therefore identifies that tourism use of a dwelling is a prohibited use.

7. That this House notes that the use of approved dwellings for short term letting and tourism purposes reduces the available permanent housing stock in a locality and can result in a housing supply shortage, and therefore places availability and affordability stresses on a locality and is contrary to strategic planning objectives to define the potential housing stock and meet permanent population targets.

8. That this House calls on the Government to clarify the legal and planning requirements relating to the use of dwellings for short term letting and tourism purposes and note the impacts and consequences.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2189. Dr Faruqi to move—

1. That this House notes that:

(a) animals, wild and otherwise, are currently being used in some circus acts in New South Wales,

(b) the current guidelines for the keeping of animals in circuses in Australia are totally inadequate to protect their welfare and far below what is generally required for the same species kept in zoos, and

(c) performing circus animals are kept in close confinement, in artificial social groups and are continually transported between circus venues for the duration of their performing lives which leads to a life of stress, boredom and often results in abnormal behaviour such as repetitive pacing or swaying.
2. That this House:

(a) congratulates the increasing number of New South Wales councils who are acknowledging that the use of animals in entertainment is cruel and inhumane, and are taking an ethical stance by adopting a ban on exotic animal circuses on council land, and

(b) calls on the Government to ban the use of exotic animals in circuses and abolish the inhumane use of animals for entertainment.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2191. Mr Shoebridge to move—

1. That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution:

(a) the following documents created since 1 January 2011, in the possession, custody or control of the Minister for Planning, Minister for Transport, the Department of Planning and Environment, or the Hunter Development Corporation mentioned, but not provided in the return to order for papers regarding planning in Newcastle and the Hunter received on Thursday 6 November 2014:

(i) the ‘City master plan presentation’ by GPT mentioned in item (b) (2) of the index of the 6 November 2014 return on the call for papers provided by the Hunter Development Corporation,

(ii) the ‘document outlining the current principal initiatives of the Coordination and Delivery Group (CDG)’ as mentioned in item (b) (6) of the index of the 6 November 2014 provided by the Hunter Development Corporation,

(iii) the ‘illustration “Rebirth of Newcastle, The States Second City”’ described as being attached to the ‘CBD Master Plan – The Services’, page 6, provided as item (b) (7) of the index of the 6 November 2014 by the Hunter Development Corporation,

(iv) the document/s attached to the emails sent on 31 July 2013 in item (b) (8) of the index of the 6 November 2014 provided by the Hunter Development Corporation,

(v) agendas, attachments, meeting notes and minutes for all Newcastle City Master Plan Group meetings since the establishment of the group,

(vi) Hunter Valley Research Foundation Data Analysis report entitled ‘Origin, Destination and Mode’ noted on page 1 of the ‘Newcastle Urban Renewal Strategy and Light Rail’ Status Report as being attached as Appendix A and provided as item (b) (13) of the index of the 6 November 2014 by the Hunter Development Corporation,

(vii) the completed Transport for NSW commuter surveys discussed on pages 1 and 2 of the ‘Newcastle Urban Renewal Strategy and Light Rail’ Status Report and provided as item (b) (13) of the index of the 6 November 2014 by the Hunter Development Corporation,

(viii) the briefing note prepared by the Hunter Development Corporation which recommends the NSW Government endorse the position to terminate the rail line west of Stewart Avenue, Newcastle mentioned in item (b) (15) of the index of the 6 November 2014 provided by the Hunter Development Corporation,

(x) the ‘Objective folder’, listed in the index as being attached to the ‘Letter from Jeff McCloy to Minister Hazzard’, item 1 (a) (1) (b) of the index of the 6 November 2014 provided by the Hunter Development Corporation, and

(xi) the draft letter to be prepared by Julie Rich, Development Director, UrbanGrowth NSW, mentioned in an email dated 26 June 2013, provided as item (b) (3) of the index of the 6 November 2014 by UrbanGrowth NSW.
the following documents created since 1 January 2011, in the possession, custody or control of the Minister for Planning, Minister for Transport, the Department of Planning and Environment, or the Hunter Development Corporation:

(i) minutes of all the Board meetings of the Hunter Development Corporation, and

(ii) all documents evidencing Mr Bob Hawe’s declaration of a conflict of interest by reason of ownership of property or properties in Wickham, Newcastle.

(c) the following documents created since 1 January 2013 in the possession, custody or control of the Minister for Planning, the Department of Planning and Environment, UrbanGrowth NSW, the Premier and the Department of Premier and Cabinet, mentioned, but not provided in the return to order for papers regarding the proposed Newcastle East End development project received on Thursday 6 November 2014:

(i) all drafts and the final version of the ‘Urban Renewal Concept Plan’ referred to in the ministerial briefing note ‘Newcastle Urban Renewal and Transport Program’, by Urban Growth NSW, dated 6 August 2014 and provided as item (a) 8 by the Minister for Planning, and

(ii) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(d) Any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2192. Dr Phelps to move—

1. That this House notes that:

(a) Dr John Kaye has, on multiple occasions in this House, sought to justify the actions of Dr Paul Barach following his dismissal from the University of NSW, including making serious allegations of impropriety against Professor Fred Hilmer, Professor Richard Henry, and Dr Andrew Mcintosh,

(b) Dr Barach initiated, but was unsuccessful in, a defamation action against these individuals,

(c) Dr Barach conceded that he “made assertions within the pursuit of my claims and publicly including to journalists and [sic] Mr John Kaye MP, that I now know to be not true”;

(d) Dr Barach also conceded “that Professor Hilmer and Professor Henry and all other relevant UNSW staff have acted with propriety at all times” and stated he would “unreservedly withdraw my allegations and apologise for any offence they caused”,

(e) despite having knowledge of these facts, Dr Kaye continued to attack the reputations of Professor Hilmer and Dr Mcintosh, using written record which he purportedly had in his possession,

(f) in support of Dr Barach, Dr Kaye has, on multiple occasions, quoted from a document dated 11 December 2005, and purportedly written by Professor Steven G. Ulhnann from the Miller School of Medicine at the University of Miami,

(g) the Government Whip in the Legislative Council sought assurance from the University of Miami as to the authenticity of the purported document quoted by Dr Kaye in the Chamber in support of Dr Barach,
(h) the Government Whip received a letter from the University of Miami, dated 28 October 2014, which states, among other things:

“Thank you for your recent correspondence in which you ask the University of Miami to review a letter purportedly written by University of Miami Professor Steven G. Ullman in 2005. The University has now completed its review of the letter and, as a result of such a review, has a serious concern as to its authenticity. The University’s concern is based on the following primary facts: the letterhead and logo are not correct; the letter has spelling mistakes and erroneous dates; the letter is not signed; and the University does not have a copy of the letter in its records. Please note that the University has no opinion and offers no conjecture as to who wrote this letter, for what purpose it may have been written, and who may have received a copy of the letter.”

(i) the fraudulent nature of this document calls into serious doubt both the authenticity of every other document used by Dr Kaye to support his defence of Dr Barach, and the assertions of purported fact that Dr Barach made to Dr Kaye, and·

(j) the failure, by Dr Kaye, to do even a basic check on the authenticity of this key document, before launching into an attack on three respected members of the academic community, represents a gross abuse of the rights of this House by Dr Kaye.

2. That this House unreservedly apologises to Professor Hilmer, Professor Henry and Dr McIntosh for the reckless behaviour of Dr John Kaye, and for the outrageous allegations levelled against them, by Dr Kaye, under the cover of Parliamentary Privilege.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2193. Ms Barham to move—

1. That this House notes that in his second reading speech on 21 October 2014, the Minister for Natural Resources, Lands and Water, the Honourable Kevin Humphries MP, said that the issue prompting the introduction of the Crown Lands Amendment (Public Ownership of Beaches and Coastal Lands) Bill 2014 was “the recent granting of a beach, in freehold, by the courts to a New South Wales Aboriginal Land Council”.

2. That this House notes that the Land and Environment Court’s decision in the case the Minister referred to, Coffs Harbour and District Local Aboriginal Land Council v Minister Administering the Crown Lands Act [2013] included statements that:

   (a) “The claimed land does not include the area described as the ‘foreshore’, being the area between the high and low water marks”,

   (b) “the Land Council has conceded that so much of the claimed land as comprises ‘beach’ is not claimable Crown land on the basis that it was, at the date of claim, likely to be needed for the essential public purpose of public access”,

   (c) “I am satisfied that the ‘beach’ and necessary access to it is not claimable Crown land because it is needed for the essential public purpose of access to that beach and intertidal zone”, and

   (d) “the capacity to resort to and gain access to the ocean below mean high water mark by the provision of an ambulatory easement for public access landward of the mean high water mark would adequately secure the State’s interests in maintaining public access to the beach.”
3. That this House censures the Minister for Natural Resources, Land and Water, the Honourable Kevin Humphries MP, for misleading the Parliament as to the impact of land claims under the Aboriginal Land Rights Act 1983 on public ownership of, access to and enjoyment of beaches and calls on him to correct the public record in this regard.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2198. Dr Kaye to move—

1. That this House notes that:

(a) on September 2014 Health Infrastructure announced an expression of interest process for the sale or long term, 99 year lease of the southern campus at Royal North Shore Hospital (RNSH) to a private developer,

(b) the call for expressions of interest (EOI) sought private developers and service providers to provide office space for NSW Health and operate the support services listed in the hospital redevelopment’s master plan including childcare and accommodation for patients, relatives and staff,

(c) the hospital’s Medical Staff Council was not informed of the expression of interest process,

(d) land divestment was not discussed with doctors during the development of the masterplan,

(e) the Local Health District Board was not informed of the timing of the EOI process, according to a Sydney Morning Herald article dated 5 September 2014,

(f) the Honourable Jillian Skinner MP, Minister for Health has indicated that:
   (i) the NSW Government is seeking $97 million from RNSH to recoup some of the cost of the hospital’s redevelopment,
   (ii) the plan to sell or provide a 99-year lease for the hospitals’ southern campus was approved in 2006 under the former Labor Government,

(g) this is the not the first time that the Medical Staff Council at RNSH has been sidelined by a State government intent on privatising a part of the site for short-term financial gain,

(h) in 2011, RNSH staff, patients and relatives marched on the Parliament of New South Wales and delivered a petition to the current Liberal Government with 14,962 signatures requesting that there be no sale of land at RNSH,

(i) the Minister responded to the 2011 petition by announcing a “freeze on land sale until a campus plan at Royal North Shore Hospital had been developed”,

(j) the Medical Staff Council at RNSH has objected to the latest proposed divestment and is calling for the EOI process to be stopped in order to keep all of the RNSH site in public hands now and into the future,

(k) in less than one month the Medical Staff Council at RNSH has collected over 12,000 signatures on a petition against the new land divestment proposal, and

(l) NSW Treasury’s requirement that the RNSH redevelopment be paid for by selling off or divesting a portion of the site to a private developer appears to be unique to RNSH and other upgrades to public teaching and referring hospitals including Westmead and Liverpool have not been subject to the same demand.
2. That this House expresses its opposition to the proposed divestment because:

(a) the proposal hands over a significant portion of public hospital land and vital support services to the private sector,

(b) the proposal will block any future expansion of the delivery of health services on this section of the site,

(c) the NSW Government has refused to listen to the community’s wishes that no land divestment take place at RNSH as expressed by the 14,962 signatures tabled in the Parliament in 2011 and over 12,000 signatures collected in the past month, and

(d) medical and other staff at RNSH have not been consulted about the EOI process.

3. That this House calls on the Honourable Jillian Skinner MP, Minister for Health, to provide the opportunity for the community to be involved in the decision-making about the future of the provision of health services at RNSH by immediately halting all processes to sell or lease the southern campus.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2199. Dr Kaye to move—

That, under standing order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 January 2014, in the possession, custody or control of the Minister for Health, NSW Health, the Treasurer and NSW Treasury:

(b) any documents referring to the expression of interest process for the sale or long term lease of the southern campus at Royal North Shore Hospital including the delivery on this part of the site of childcare and accommodation for patients, relatives and staff and the housing of NSW Health offices, and

(b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

(Notice given 19 November 2014—expires Notice Paper No. 39)

2200. Dr Kaye to move—

1. That this House notes that:

(a) section 32 of the Education Act 1990 relating to the provision of Special Religious Education in NSW public schools states that “time is to be allowed for the religious education of children in any religious persuasion”,

(b) religious organisations can apply to the Department of Education and Communities to become an approved provider of Special Religious Education in New South Wales public schools,

(c) in July 2014, the Church of the Flying Spaghetti Monster submitted the Department of Education and Communities a comprehensive application to become an approved provider that they believe to be compliant in every way, and

(d) the Department of Education and Communities has, to date, failed to process or approve their application.
2. That this House expresses its concerns that:

(a) the Church of the Flying Spaghetti Monster’s application to become an approved provider of Special Religious Education has not been taken seriously by the Department of Education and Communities which flies in the face of this State’s multi-faith society and is contrary to the Education Act, which does not mandate which religions are eligible or ineligible to be taught during the weekly Special Religious Education allocated time, and

(b) the Department of Education and Communities has failed to approve this seemingly reasonable application at the same time that they are presiding over a Special Religious Education model of delivery in which:

(i) it cannot identify exactly who is teaching what to whom during Special Religious Education in New South Wales public schools,
(ii) parents are becoming increasingly concerned about their child’s inadvertent exposure to extreme religious views, despite making the deliberate choice to send their child to a secular public school and to opt-out of Special Religious Education,
(iii) it has accepted the application of one current provider of Special Religious Education that, on its website, states: “A SRE Teacher is not just a teacher, but a government-endorsed evangelist!”

(Notice given 19 November 2014—expires Notice Paper No. 39)

2201. Mr Green to move—

1. That this House notes that:

(a) the modern state of Israel was founded on 14 May 1948,

(b) to date, Israel has been able to repel negative advances against them, thus maintaining its independence, and

(c) on 14 May 2014, Israel celebrated its 66th Independence Day.

2. That this House congratulates the State of Israel during this time of celebration.

(Notice given 20 November 2014—expires Notice Paper No. 40)

* Council bill

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BILLS REFERRED TO SELECT OR STANDING COMMITTEES

* 1. Education Amendment (Ethics Classes Repeal) Bill 2011

Referred to General Purpose Standing Committee No. 2 on 11 November 2011 for inquiry and report.

(Restored by resolution, Tuesday 9 September 2014)
2 Fair Trading Amendment (Ticket Reselling) Bill 2014:

(Restored by resolution, Tuesday 9 September 2014)

Referred to General Purpose Standing Committee No. 4 on 10 September 2014 for inquiry and report.

* Council bill

CONTINGENT NOTICES OF MOTIONS

1. **TAKE NOTE OF PAPER**

   Contingent on the President, a Minister, any member or the Clerk tabling any report or document, member to move after notices of motions: That standing and sessional orders be suspended to allow the moving of a motion forthwith “That the House take note of the paper (to be stated).”

2. **INSTRUCTION TO COMMITTEE OF THE WHOLE**

   Contingent on a motion being agreed to for the second reading of any bill: That standing orders be suspended to allow the moving of a motion forthwith for an instruction to the committee of the whole in relation to the bill.

3. **PRECEDENCE OF ITEM OF BUSINESS**

   Contingent on the President calling on any notice of motion or the Clerk being called upon to read any order of the day: That standing and sessional orders be suspended to allow the moving of a motion forthwith that a particular order of the day or motion on the Notice Paper be called on forthwith.

4. **PASSING OF BILL THROUGH ALL STAGES**

   Contingent on any bill being presented by the Legislative Assembly to the Legislative Council for its concurrence and having been read by the Council for the first time: That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

5. **CONDUCT OF BUSINESS OF THE HOUSE**

   Contingent on the House on any day concluding its consideration of any item of business and prior to the House proceeding to the consideration of another item of business: That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of the business of the House.

6. **PRECEDENCE OF BUSINESS AFTER PRAYERS**

   Contingent on the President having read the prayers: That standing and sessional orders be suspended to allow the moving of a motion forthwith that a particular order of the day or motion on the Notice Paper be called on forthwith.

Given by:

Ms Fazio  Mr Gallacher  Dr Kaye
Mr Foley  Mr Gay  Mr Pearce

(Notice given 4 May 2011)
Mr Ajaka          Ms Ficarra          Mr Primrose
Mr Borsak         Mr Lynn            Ms Sharpe
Mr Brown          Mr Mason-Cox       Mr Shoebridge
Mr Buckingham     Mr Moselmane       Mr Veitch
Mr Colless        Revd Mr Nile       Ms Voltz
Ms Cotsis         Mrs Pavey          Ms Westwood
Mr Donnelly       Dr Phelps

(Notice given 5 May 2011)

Ms Barham

(Notice given 24 May 2011)

Mr Searle         Mr Secord

(Notice given 14 June 2011)

Mr Whan

(Notice given 2 August 2011)

Mr Green

(Notice given 5 August 2011)

Mr Clarke

(Notice given 9 September 2011)

Mr Wong

(Notice given 18 June 2013)

Dr Faruqi

(Notice given 26 June 2013)

Mr Blair          Mr Khan           Mrs Mitchell
Ms Cusack         Mr MacDonald      Mrs Maclaren-Jones
Miss Gardiner     Mrs Pavey

(Notice given 15 May 2014)

(Restored by resolution, Tuesday 9 September 2014)

7. PRECEDENCE OF GOVERNMENT BUSINESS

Contingent on the President calling on any notice of motion or the Clerk being called upon to read any order of the day: That standing and sessional orders be suspended to allow the moving of a motion forthwith that a particular order of the day on the Notice Paper of government business be called on forthwith.

8. CENSURE OF MINISTER

Contingent on any Minister failing to table documents in accordance with an order of the House: That standing and sessional orders be suspended to allow a motion to be moved forthwith for censure of the Minister.
9. CONTEMPT OF HOUSE

Contingent on any Minister failing to table documents in accordance with an order of the House: That standing and sessional orders be suspended to allow a motion to be moved forthwith adjudging the Minister guilty of a contempt of the House for failure to comply with that order.

Given by:

Ms Fazio                     Mr Foley                      Dr Kaye

(Notice given 4 May 2011)

Mr Borsak                    Mr Moselmae                   Mr Veitch
Mr Brown                     Revd Mr Nile                  Ms Voltz
Mr Buckingham                Mr Primrose                   Ms Westwood
Ms Cotsis                    Ms Sharpe                    Mr Moselmane
Mr Donnelly                  Mr Shoebridge                 Mr Primrose

(Notice given 5 May 2011)

Ms Barham

(Notice given 24 May 2011)

Mr Searle                    Mr Secord

(Notice given 14 June 2011)

Mr Whan

(Notice given 2 August 2011)

Mr Green

(Notice given 5 August 2011)

Mr Wong

(Notice given 18 June 2013)

Dr Faruqi

(Notice given 26 June 2013)

(Restored by resolution, Tuesday 9 September 2014)

BILLS DISCHARGED, LAID ASIDE, NEGATIVED OR WITHDRAWN

Industrial Relations Amendment (Dispute Orders) Bill 2012
Order discharged and bill withdrawn, 10 September 2014.

Petroleum (Onshore) Amendment Bill 2013
Order discharged, 10 September 2014.

Energy Legislation Amendment (Retail Price Deregulation) Bill 2014
Order discharged, 10 September 2014.
§ Transport Administration Amendment (Rail Trails Community Management) Bill 2014
Second reading negatived 16 October 2014

§ Native Vegetation Amendment Bill 2014
Third reading negatived 11 November 2014.

Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Fresh Start Support) Bill 2014
Order discharged, 12 November 2014.

§ Private Members’ Public Bill

David Blunt
Clerk of the Parliaments

Authorised by the Parliament of New South Wales