1397

## LEGISLATIVE COUNCIL

### MINUTES OF PROCEEDINGS

No. 121

#### WEDNESDAY 21 NOVEMBER 2012

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# Meeting of the House

The House met at 11.00 am according to adjournment. The President took the Chair and read the prayers.

# 30th anniversary of Women’s Legal Services (Formal Business)

Ms Fazio (on behalf of Ms Cotsis) moved, according to notice:

1. That this House notes that:
2. Women’s Legal Services NSW held their 30th anniversary gala dinner on Wednesday 26 September 2012,
3. Women’s Legal Services NSW is a community legal service that provides women with free legal advice, as well as information, education and resources,
4. Women’s Legal Services NSW concentrates on issues that primarily affect women, including domestic violence, sexual assault, family law and discrimination, and
5. through the services and education Women’s Legal Services NSW provides, it is focused on allowing all women in New South Wales access to justice.
6. That this House congratulates Women’s Legal Services NSW on their 30th anniversary and commends the work they do in advancing the status of women in New South Wales.

Question put and passed.

# US Secretary of State Hilary Clinton (Formal Business)

Ms Fazio (on behalf of Ms Cotsis) moved, according to notice: That this House:

1. congratulates US Secretary of State, Hillary Clinton, for her successful term as the US President’s chief Foreign Affairs adviser,
2. commends Secretary Clinton on her four year tenure which saw the Secretary visit 112 countries and change the face of US foreign policy,
3. acknowledges Secretary Clinton’s major achievements as US Secretary of State, including:
4. advocacy and dedication to the promotion of human rights,
5. introducing the Global Hunger and Food Security policy, aimed at reducing sustainability, reducing the number of children suffering from under-nutrition and raising the average income in rural areas,
6. promoting International Cyber Diplomacy by seeking a cyberspace that empowers individuals, strengthens communities, builds better governments and strengthens national and international security,
7. introducing the Global Health Initiative to ensure more unified investments in global health, and
8. recognises and congratulates the US Secretary of State for her commitment to human rights throughout her career including:
9. as an intern at Treuhaft, Walker and Burnstein law firm working on child custody cases,
10. leading bipartisan efforts to improve adoption and foster care systems, reduce teen pregnancy and provide health care to children through the Children’s Health Insurance as the First Lady,
11. her continued efforts to promote women’s rights, children’s rights and access to health as a Senator.

Question put and passed.

# Aboriginal Women’s Sexual Assault Network (Formal Business)

Ms Fazio (on behalf of Ms Cotsis) moved, according to notice:

1. That this House notes:
2. that the Aboriginal Women’s Sexual Assault Network, also known as ‘Hey Sis, we’ve got your back’, held its launch in the Jubilee Room at Parliament House on Thursday 20 September 2012,
3. that the Aboriginal Women’s Sexual Assault Network is the result of a partnership between the Mudgin-Gal Aboriginal Corporation and the NSW Rape Crisis Centre which aims to support Aboriginal women and reduce sexual violence in their communities,
4. that the rate of sexual assault in Aboriginal communities is approximately three times higher than in non-Aboriginal communities in Australia, and
5. that there is a need for culturally aware and appropriate services to support victims of sexual violence as well as the communities working to reduce sexual violence.
6. That this House recognises the extraordinary contributions of Yatungka Gordon, Dixie Link-Gordon, Karen Willis and their colleagues at the Mudgin-Gal Aboriginal women’s health services and support services for their work with people who have experienced sexual violence.
7. That this House congratulates the Network on its launch and wishes it success in its endeavours.

Question put and passed.

# Inaugural Deepawali Mela 2012 (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes that:

1. the Inaugural Deepawali Mela 2012 was held by Sanatan Satsang Sabha of NSW Inc on 27 and 28 October 2012 at Bigge Park Liverpool,
2. Sanatan Satsang Sabha is a Hindu community organisation comprised of Indians from Fiji who promote Indian culture and raise funds to assist under-privileged people in Fiji,
3. the festival included a charity pageant, food and variety stalls, live music on Saturday 27 October, cultural and Bollywood performances and children’s fun and activities,
4. the Sanatan Satsang Sabha organisation raised money for under-privileged students in Fiji and Australia, and also plans to build a hall in Sydney, and
5. the event was such a success that it is hoped to become an annual event for the Hindu community in Liverpool.

2. That this House congratulates the President, Mrs Sharmila Prakash, and the Committee of Sanatan Satsang Sabha for inaugurating such a successful cultural event.

Question put and passed.

# Dr Surendranath Rananavare (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes and celebrates the life and many achievements of Dr Surendranath Rananavare otherwise known as Dr Suresh, a long standing resident of Mullumbimby for 36 years, who dedicated his life and services to the community and sadly passed away on Sunday 22 July 2012 aged 71.

2. That this House notes that:

1. Dr Suresh graduated from the University of Bombay in India in 1967 and came to Mullumbimby in June 1976 practising as a solo medical practitioner, where he continued to practice from his Burringbar Street Practice until his death,
2. so dedicated to his profession, Dr Suresh did not take leave for the first 25 years of his working life except to attend lectures, seminars, postgraduate courses and workshops,
3. over the years, Dr Suresh developed a solid and friendly practice and built a good relationship with his patients and the wider community and, so strong was this bond with his patients, some travelled lengthy distances to see him and his practice continued to grow into the thousands,
4. Dr Suresh believed in integrative medicine and held qualifications in spinal manipulation, laser therapy acupuncture, hypnotherapy, nutritional and Ayurvedic medicine,
5. Dr Suresh was Mullumbimby Hospital’s longest serving Visiting Medical Officer (VMO),
6. while working as a VMO Dr Suresh guided other young VMO’s who encountered difficulties, taught young registrars and nurses showing them integrative medicine approaches such as suturing body lacerations in frightened children, reducing joint dislocations, doing urethral dilatation and difficult confinements under hypnosis, using laser acupuncture in paraphimosis or delivering babies under acupuncture analgesia without drugs in order to prevent side effects to the mother or newborn babies, procedures not performed in mainstream hospitals,
7. one of Dr Suresh’s many achievements was helping to raise over $10,000 to buy hospital equipment in 2003,
8. Dr Suresh also helped raise thousands of dollars to support local air and sea rescue services and more than a million dollars to build and furnish an old people’s bed hostel, run by St Vincent de Paul Society and the Catholic Health Service, while an active member of the Chincogam Fiesta Committee and, since opening in January 1984 the number of beds has increased from 43 substantially,
9. Dr Suresh was also noted for his work in Indigenous Reconciliation in which he spent countless hours and energy and his own money in research to protect the sacred sites of the Bungjulung Aboriginal people with the help of local historian, Mr Frank Mills and the late Judge Dr Bob Bellear,
10. Dr Suresh instigated the naming of Parkland at Ocean Shores in honour of Judge Dr Robert Bellear QC, a former local resident and the first and only Indigenous Judge in more than 215 years of Australian European history,
11. in order to prevent snakebite casualties within the region and hence save thousands of taxpayer dollars, Dr Suresh was responsible for lobbying business groups and charities, members of parliament and the media to fund Mr George Ellis, known as “George the Snake man”, to relocate snakes to a more appropriate environment,
12. Dr Suresh was one of the founding members and financed the first and only Hare Krishna, or International Society of Krishna Conscience, primary school in Australia, which is recognised by the Department of Education,
13. Dr Suresh collected $35,000 for Mullumbimby Swimming Pool, which produced outstanding Olympian and Commonwealth Gold Medalist butterfly swimmer Petria Thomas,
14. Dr Suresh was a member of the Australian Labor Party for many decades and held the positions of President and Senior Vice President of the Mullumbimby Branch,
15. a highlight of Dr Suresh’s life was when he was chosen as a torch bearer for the 2000 Olympics, the first Indian in the world to carry the torch,
16. Dr Suresh’s ties with India remained strong over the years and he financially supported the Institution for the Disadvantaged Poor in India and the Open Free Food Centres for thousands of people, including the Orange Clan of Holy Men on the way to the Pilgrimage of Amaramath in the Himalayas, and
17. Dr Suresh was described as a true gentleman, kind, intelligent, humble and loved by his patients and he will be greatly missed.

Question put and passed.

# 42nd S. Antonio da Padova Protettore di Poggioreale Trapani Ball (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes that:

1. the 42nd Annual Ball of the S. Antonio da Padova Protettore di Poggioreale Trapani – Sydney Ltd was held on Friday 9 November 2012 at the Conca D’Oro Lounge at Riverwood, and
2. the following guests were in attendance:
3. the Italian Consul General, Mr Sergio Martes and Mrs Maria Martes,
4. the Honourable Victor Dominello MP, representing the Premier of New South Wales,
5. the Honourable Amanda Fazio MLC,
6. Mayor Ivan Petch of the City of Ryde,
7. Councillor Tony Fasanella and Mrs Fasenella of the City of Canada Bay.

2. That this House notes:

1. the hard work and dedication to the provision of quality aged care by the Board of Directors of S. Antionio da Padova and congratulates the following for organising the dinner:
2. Peter Maniscalco, President,
3. Ross Cutelli, Vice President,
4. Tony Scaltrito, Secretary,
5. Gino Paladino, Treasurer,
6. Guiseppi Tusa, Assistant Treasurer,
7. Frank Aloisio, Director,
8. Tony Battiato, Director,
9. Teresa Todaro Restifa, Director,
10. Rose Williams, Director, and
11. the contribution of the sponsors of the Annual Ball, being Navarra Venues, A O’Hare Funeral Directors, Berlina Bodyworks, ART BC Jewellers, Artisticstone Maniscalco, Stillone and Associates and Ferndale gardens.

3. That this House:

1. notes that the S. Antonio da Padova Protettore di Poggioreale Sydney Nursing Home Limited is available to the elderly and infirmed in the community regardless of origin, faith or circumstance, and
2. commends the Association for their plans to expand their nursing home at Ryde from 40 beds to 104 beds.

Question put and passed.

# Mukti-Gupteshwar Mandir Society Festival (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes that a three day festival was held by the Mukti-Gupteshwar Mandir Society at the Mukti-Gupteshwar Hindu Temple at Minto from 19 to 21 October 2012 to officially launch the Holy Book “Mukti-Gupteshwar Shiv Dharm Maha-Shastra”.

2. That this House notes that:

1. the ancient and holy text has been translated for the first time from Sanskrit to Hindi to allow the Maha-Shastra to be more widely read,
2. the Maha-Shastra is compiled from a very ancient manuscript written in Bhojpatra and the entire book contains 7996 Shlokas or hymns and contains seven sections, and
3. present at the launch were:
4. Mr Arun Kumar Goel, Consul General of India in Sydney,
5. Mr Deepak K Khadka, Honorary Consul Consulate General of Nepal,
6. the Honourable Amanda Fazio MLC,
7. Mr Bryan Doyle MP, Member for Campbelltown,
8. Councillor Raj Datta, Strathfield Council.

3. That this House commends Mr Prem Misra and the members of the Managing Committee of the Mukti-Gupteshwar Mandir and the scholars who translated this holy text for their work in making the “Mukti-Gupteshwar Shiv Dharm Maha-Shastra”more widely available.

Question put and passed.

# Book entitled “El Alamein – Halting a Possible Holocaust in the Middle East” (Formal Business)

Revd Mr Nile moved, according to notice:

1. That this House notes that:

1. had the German-led forces won at El Alamein in 1942, there is a strong likelihood that the Nazi regime would have brought the Holocaust into the Middle East and attempted to murder some 600,000 Jewish people living in Egypt and the land of Israel, or British Mandated Palestine at the time,
2. there was an official German plan to attach a specialised murder squad to Rommel’s Panzer Army Africa,
3. following the victory by the allies, led by Field Marshal Viscount Montgomery, the Jewish Government in Israel, before May 1948, presented Field Marshal Montgomery with an official gift of gratitude for his role in saving the Jewish community in Palestine from the impending conquest by the German-led forces commanded by General Rommel, and that gift was a Bible, and
4. the words on the inscription, attached to the Bible which is the Tenach, or Old Testament, and encased on the cover in silver and mother of pearl are:

“Field Marshal Viscount Montgomery, GCB, DSO, the gallant leader of the victorious forces by whose hand God has placed salvation in Zion in the days of El Alamein presented in token of the everlasting gratitude of Palestine Jewry by the Vaad Leumi, General Council of the Jewish Community in Palestine”.

2. That this House:

1. congratulates Kelvin Crombie for discovering the location of Field Marshal Viscount Montgomery’s Bible in England, bringing it to Jerusalem, and for being custodian of this Bible on a long term loan during this period of the 70th Anniversary of the Battle of El Alamein,
2. extends its thanks and congratulations to Kelvin Crombie, an Australian historian and author, who has spent much time researching and documenting the above information in his soon to be launched book “El Alamein – Halting a Possible Holocaust in the Middle East”,
3. acknowledges the work and dedication of Mr Crombie in documenting the vital facts concerning the relationship between various battles in the Eastern Mediterranean between 1940 and 1942 and the welfare of the Jewish people, and
4. extends its congratulations to Kelvin Crombie on his book’s initial launch in the House of Lords in London on 7 November 2012, and on the Australian launch in Sydney in the New South Wales Parliament House Theatrette on 26 November 2012.

Question put and passed.

# Australian Medical Association of New South Wales Charitable Foundation (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes that:

1. the Australian Medical Association of New South Wales (AMA NSW) Charitable Foundation held their annual black tie gala dinner on Friday 12 October 2012, and
2. the AMA NSW Charitable Foundation was established in 1995 with the aim of generating funding to invest in projects that promote good health and wellbeing among Australians.

2. That this House acknowledges that:

1. the 2012 charity gala dinner marked the seventeenth anniversary of the inception of the AMA NSW Charitable Foundation in 1995,
2. in the seventeen years the AMA NSW Charitable Foundation has been in operation, the foundation has raised over one million dollars for charities that aid some of the most disadvantaged members of the community,
3. Associate Professor John Gullotta AM has been the chair of AMA NSW Charitable Foundation since 2006,
4. the AMA NSW Charitable Foundation actively engages with government, business and community groups to fund projects that directly meet the needs of those in the community, especially those in rural and regional New South Wales,
5. the AMA NSW Charitable Foundation donated a Toyota Tarago to the community-based charity CanAssist,
6. CanAssist offers financial support, accommodation and travel assistance to those suffering from cancer who need to travel long distances to receive treatment,
7. CanAssist has over fifty branches operating across rural and regional New South Wales, staffed by approximately 2,400 volunteers, and
8. the donation of a Toyota Tarago by the AMA NSW Charitable Foundation has allowed CanAssist to invest greater funding into supporting cancer patients, by saving the organisation approximately $60,000 in taxi and transport fares with the addition of this vehicle to their services.

3. That this House:

1. congratulates the AMA NSW Charitable Foundation for their ongoing and inspiring efforts in supporting the needs of those who are most vulnerable in our communities, and
2. commends the tireless and generous work of the volunteers and donors who have helped alongside the AMA NSW Charitable Foundation in aiding those in our community who are in need of health and medical assistance.

Question put and passed.

# Disputed Claim of Privilege—Report of Independent Legal Arbiter—Nimmie-Caira System Enhanced Environmental Water Delivery Project (Formal Business)

Mr Buckingham moved, according to notice:

1. That the report of the Independent Legal Arbiter, the Honourable Terence Cole QC, dated 20 November 2012, on the disputed claim of privilege on papers relating to the Nimmie-Caira System Enhanced Environmental Water Delivery Project be laid on the table by the Clerk.

2. That, on tabling, the report is authorised to be published.

Question put and passed.

# D.A.L.E Young Mothers’ Program (Formal Business)

Mr Donnelly moved, according to notice:

1. That this House notes that:

(a) the D.A.L.E Young Mothers’ Program was launched in August 2000 in the Newcastle suburb of Waratah,

(b) the program is dedicated to supporting pregnant teenagers and teenage mothers to continue their education,

(c) it is administered by the St Philip’s Christian Education Foundation, and

(d) it is recognised by the New South Wales Board of Studies.

1. That this House notes that:

(a) the success of the Young Mothers’ Program has resulted in its expansion not just in Newcastle but to the Central Coast,

(b) the Young Parents’ Program Wyong Region is continuing its work to enhance and expand alternate education programs for young people who have had or are expecting a child,

(c) in addition to helping young people gain their High School Certificate, the program offers workshops on parenting, lifestyle skills and nutritional cooking, and

(d) the program also offers onsite childcare in a crèche, free of charge.

1. That this House acknowledges and thanks Central Coast Partnership Brokers, youthconnections.com.au, Wadalba Community School, St Philip’s Christian School Gosford, the D.A.L.E Young Mothers’ Program and the Commonwealth Government for the funding and support given to the Young Parents Program Wyong Region.

Question put and passed.

# HMAS Sydney (Formal Business)

Mr Lynn moved, according to notice:

1. That this House notes the loss of HMAS Sydney on 19 November, 71 years ago.

2. That this House notes that:

1. the Australian light cruiser HMAS Sydney and her gallant crew was lost shortly after sunset on 19 November 1941 off the Western Australian coast,
2. the ultimate fate of HMAS Sydney remained a mystery until 2008, and it is now known that the shattered hull of HMAS Sydney lies on the bed of the Indian Ocean in 2500 metres of water 240 kilometres off Shark Bay,
3. HMAS Sydney had a complement of 645 men, including five Royal Australian Air Force personnel to fly and maintain a Walrus flying boat,
4. on Armistice Day 1941, HMAS Sydney steamed out of Fremantle to pick up a convoy that had come from the eastern states,
5. HMAS Sydney escorted the convoy to Singapore without incident and was returning to Fremantle when, in the late afternoon of 19 November 1941, Sydney encountered what appeared to be a Dutch freighter,
6. with the light fading and an unidentified but sizeable ship in a vitally important Australian shipping lane, it was essential that Sydney confirm the identity of the foreign vessel so instead of standing off and waiting for the mystery ship to respond to the coded messages HMAS Sydney was sending, she closed to within 1600 metres,
7. suddenly the freighter dropped its pretence of being a non-combatant and revealed itself as the Nazi auxiliary cruiser HSK Kormoran,
8. HMAS Sydney was set on fire and struck by several torpedoes,
9. the ship was doomed but at no stage did the crew leave their action stations and, despite the surprise, with communications down and with most officers dead or dying, Sydney’s gun crews fought on through choking smoke as fires consumed their ship, and
10. today, on a hill outside Geraldton on the Western Australian coast, there is a monument to the loss of HMAS Sydney, in which a bronze mother and child stare out to sea in the direction of the naval battle and above them, the monument includes 645 seabirds, one for the soul of each of the Australian and British sailors and airmen who went down to the sea in that ship.

3. That this House notes that HMAS Sydney was lost with all 645 aboard, Lest We Forget.

4. That this House acknowledges and commends the organising committee and Mr Brian Yeo, Secretary of the HMAS Sydney Association, for a successful commemoration service held on Monday 19 November 2012 at The Cenotaph, Martin Place.

Question put and passed.

# Vietnam Veterans Remembrance Day (Formal Business)

Mr Clarke moved, according to notice:

1. That this House notes that:

1. on Sunday 11 November 2012, Vietnam Veterans Remembrance Day was commemorated at the Vietnam War Comradeship Memorial at Cabravale Park, Cabramatta, at which 10 bronze plaques were unveiled engraved with the names of the 521 Australian servicemen who lost their lives in that conflict,
2. Remembrance Day 2012 marked the 50th Anniversary of the beginning of Australia’s involvement in the Vietnam War,
3. the Vietnam Veterans Remembrance Day Commemoration was organised jointly by:
4. the Vietnam Community in Australia (NSW Chapter),
5. the Army of the Republic of Vietnam Veterans Association in New South Wales,
6. the Vietnam Veterans Association of Australia, representing Australian ex-service veterans who served in Vietnam, and
7. guests who attended included:
8. Her Excellency Professor Marie Bashir AC, CVO, Governor of New South Wales,
9. Mr Andrew Rohan MP, Member for Smithfield, representing the Honourable Barry O’Farrell MP, Premier of New South Wales,
10. Mr David McCann, National Vice-President of the Vietnam Veterans Association of Australia,
11. Mr Tri Vo, Federal President of the Vietnamese Community in Australia,
12. Mr Thanh Nguyen, President of the Vietnamese Community in Australia (NSW Chapter),
13. Mr Chris Hayes MP, Federal Member for Fowler,
14. the Honourable David Clarke MLC, Parliamentary Secretary for Justice,
15. Mrs Tanya Mihailuk MP, Member for Bankstown, and Shadow Minister for Fair Trading, Healthy Lifestyles, and Volunteering and Youth,
16. Mr Nick Lalich MP, Member for Cabramatta,
17. Mr Guy Zangari MP, Member for Fairfield, and Shadow Minister for Citizenship and Communities,
18. Mr Frank Carbone, Mayor, City of Fairfield,
19. representatives and members of several sub-branches of the Returned Services League and Vietnamese War Veterans.

2. That this House commends the Vietnamese Community in Australia (NSW Chapter), the Army of the Republic of Vietnam Veterans Association in New South Wales and the Vietnam Veterans Association of Australia for jointly organising this 50th Anniversary Vietnam Veterans Remembrance Day Commemoration.

3. That this House pays its respects to:

(a) the memory of those Republic of Vietnam and Australian Service personnel who died in the Vietnam War and are immortalised in the Vietnam Comradeship Memorial at Cabravale Park, Cabramatta, and

(b) the relatives of those Republic of Vietnam and Australian service personnel who gave their lives in the Vietnam War.

Question put and passed.

# Cann family exhibition, La Perouse Museum (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes:

1. the inclusion of a permanent exhibition at the La Perouse Museum in honour and recognition of the Cann family, and
2. that the Cann Family have conducted a weekly reptile show in the La Perouse area since the early 20th Century until 2010, and have played a major role in the conservation of the local environment and development of anti-venom treatments for snake bites.

2. That this House acknowledges that:

1. the Cann family had been running the snake show in the La Perouse area since the early 20th century,
2. many of the handlers involved in the show were pioneers in the field of herpetology, discovering many new species of amphibians and reptiles,
3. those involved in the snake show were pioneers of anti-venom treatments and medicines for snake bites, and
4. Mr John Cann has made many outstanding achievements during his career, including:
5. the discovery of between ten and twelve new species of turtle,
6. the publication of five books on snakes and turtles,
7. his travels across Australia and internationally to lecture on snakes and reptiles.

3. That this House:

1. congratulates and commends John Cann and the Cann family for their outstanding contributions to herpetology and anti-venom treatments in Australia, and
2. commends the La Perouse Museum for taking the initiative to recognise and honour the work and achievements of the Cann family in the area over the past 90 years.

Question put and passed.

# Cabramatta Fire Station (Formal Business)

Mr Lynn moved, according to notice: That this House welcomes the recent opening of the $3.5 million Cabramatta Fire Station, ensuring better response times for South Western Sydney residents.

Question put and passed.

# Mangalorean Catholic Association of Sydney (Formal Business)

Mr Clarke moved, according to notice:

1. That this House notes that:

1. on Sunday 16 September 2012, the Mangalorean Catholic Association of Sydney held a Mass at Blacktown followed by a celebratory luncheon, attended by several hundred members of the Mangalorean Catholic Community to commemorate:

(i) the founding of the Mangolorean Catholic Association of Sydney five years ago,

(ii) the post Centenary Silver Jubilee of the Mangalorean Diocese of the Catholic Church in India, 125 years ago,

(iii) the visit to Australia of the Most Reverend Aloysius Paul D’Souza, Bishop of the Catholic Diocese of Mangalore, India,

(iv) the visit to Australia of the Honourable Oscar Fernandes MP, Senator of the Rajya Sabha or Upper House of the Parliament of India, General Secretary of the Congress Party in India and formerly India’s Minister of State for Labour and Employment,

(v) the visit to Australia of the Honourable Charles Dias MP, Member of the Lok Sabha, or Lower House of the Parliament of India, and

1. those who attended as guests included:
2. the Honourable Gladys Berejiklian MP, Minister for Transport,
3. Dr Geoffrey Lee MP, Member for Parramatta, representing the Honourable Barry O’Farrell MP, Premier of New South Wales,
4. the Honourable Marie Ficarra MLC, Parliamentary Secretary to the Honourable Barry O’Farrell MP, Premier of New South Wales,
5. the Honourable David Clarke MLC, Parliamentary Secretary for Justice,
6. Mr Kevin Conolly MP, Member for Riverstone,
7. Mr Matthew Kean MP, Member for Hornsby,
8. Mr David Elliott MP, Member for Baulkham Hills,
9. Mr Yadu Singh, President of the Indian-Australia Association of NSW,
10. Reverend Father Prakash Coutinha, Priest of the Catholic Parish of Northcott Melbourne,
11. representatives of various Indian-Australian community organisations.

2. That this House:

(a) congratulates the Mangalorean Catholic Association of Sydney on the occasion of its founding five years ago, and

(b) commends:

(i) the Mangalorean Catholic Association of Sydney and its founder and President, Mr Stanley D’Cruz, for five years of charitable and community service to the people and state of New South Wales,

(ii) the several thousand members of the Mangalorean Catholic Community in Sydney and New South Wales for its good citizenship and positive contribution to New South Wales.

Question put and passed.

# American physician Don Thomas (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes:

1. the passing of American physician Don Thomas who died of heart failure at age 92 on 20 October 2012, and
2. that Don Thomas excelled in the medical field, developing bone marrow transplants as a treatment for leukaemia sufferers.

2. That this House acknowledges that:

1. Edward Donnell “Don” Thomas was born in Mart Texas on 15 March 1920,
2. Mr Thomas commenced his studies in medicine at the University of Texas at Austin, studying chemistry and chemical engineering, graduating with a Bachelors degree in 1941 and a Masters degree 1943,
3. in 1943, following the completion of his Masters degree at the University of Texas at Austin, Mr Thomas attended Harvard Medical School where he gained a Doctor of Medicine in 1946,
4. in 1955, Mr Thomas was appointed the role of physician in chief at the Mary Imogene Bassett Hospital in Cooperstown New York,
5. during his time at Mary Imogene Bassett Hospital, Mr Thomas began to study the effect of bone marrow cells on rodents,
6. following the positive results his experiments had on rodents, Mr Thomas moved his model of study to testing on dogs,
7. following the success of his experiments, Mr Thomas moved his lab to the United States Public Health Service in Seattle in 1963 to continue his work,
8. in 1969, Mr Thomas’ work lead to the first successful bone marrow transplant between siblings who were not identical twins,
9. in 1977, Mr Thomas’ work lead to the first successful bone marrow transplant, where the donor and recipient were not related,
10. Don Thomas was a well revered and decorated physician, with his work in cell development and organ transplant recognised by receiving the following awards:
11. the National Medal of Science in 1990,
12. shared recipient of the Nobel Prize in Physiology or Medicine in 1990,
13. Mr Thomas was one of 21 Nobel Laureates to sign the Human Manifesto in 2003, and
14. Don Thomas is survived by his wife Dorothy “Dottie” Martin and their three children Don Jr., Jeffrey and Elaine.

3. That this House:

1. commends Don Thomas’ extensive career and tireless efforts in bone marrow research, and
2. acknowledges the thousands of lives saved each year through his development of bone marrow transplants.

Question put and passed.

# Vietnamese Australian community fundraising dinner (Formal Business)

Mr Clarke moved, according to notice:

1. That this House notes that:

1. on Sunday 11 November 2012, a fundraising dinner was held in Canley Heights, attended by 800 members of the Vietnamese-Australian Community, to raise funds for Australian Vietnam War Veterans and their families,
2. the fundraising dinner was organised by the Vietnamese Community in Australia (NSW Chapter) and was the culmination of a four week campaign which raised nearly $90,000 to be used by the Vietnam Veterans Association of Australia to assist:

(i) the families of Australian Service personnel who died in Vietnam,

(ii) invalided Australian Vietnam war veterans, and

1. those who attended this function included:
2. Mr Andrew Rohan MP, Member for Smithfield, representing the Honourable Barry O’Farrell MP, Premier of New South Wales,
3. Mr Chris Hayes MP, Federal Member for Fowler,
4. Mr Nick Lalich MP, Member for Cabramatta,
5. the Honourable David Clarke MLC, Parliamentary Secretary for Justice,
6. representatives and members of the Vietnam Veterans Association of Australia and their families,
7. ex-service veterans of the Armed Forces of the Republic of Vietnam and members of the Vietnamese-Australian community.

2. That this House acknowledges and commends:

1. the Vietnamese Community in Australia (NSW Chapter) for organising a fund raising program, including this dinner, in support of Australian Vietnam War Veterans and their families, and
2. the generous support given to this fund-raising campaign by the Vietnamese-Australian community.

Question put and passed.

# St Michael’s Church and Church Centre of the Antiochian Orthodox Church (Formal Business)

Mr Clarke moved, according to notice:

1. That this House notes that:

(a) on Sunday 11 November 2012, the new St Michael’s Church and Church Centre of the Antiochian Orthodox Church was consecrated and officially opened in Kirrawee by His Eminence, Metropolitan Archbishop Paul Saliba, Primate of the Antiochian Orthodox Church in Australia, New Zealand and the Philippines,

(b) assisting in the consecration was Reverend Father Fadi Nemme, priest of the Parish of Saint Michael Church, which covers the area of:

(i) Sutherland,

(ii) Kirrawee,

(iii) Cronulla,

(iv) Sylvania, and

(c) official guests at the consecration included:

(i) the Honourable Victor Dominello MP, State Minister for Citizenship, Communities and Aboriginal Affairs, representing the Honourable Barry O’Farrell MP, Premier of New South Wales and the Honourable Tony Abbott, MP Leader of the Federal Opposition,

(ii) the Honourable David Clarke MLC, Parliamentary Secretary for Justice,

(iii) His Excellency George Bittar, Consul-General of Lebanon,

(iv) Mr Maher Dabbagh, Honorary Consul of Syria,

(v) Dr Stepan Kerkyasharian, Chairman of the NSW Community Relations Commission,

(vi) Councillor Tom Croucher, Councillor of Sutherland Shire Council, representing the Mayor of Sutherland Shire Council,

(vii) Councillor Kevin Schreiber, Councillor of Sutherland Shire Council,

(viii) Councillor Fadwa Kebbe, Councillor of Canterbury Council,

(ix) Dr Emad Ghannoum, President, Australian Syrian Christian Association,

(x) Mr Ahmad Salim, representing Annaha Arabic newspaper.

2. That this House:

(a) congratulates Reverend Father Fadi Nemme and the entire Parish community of St Michael. Antiochian Orthodox Church on the occasion of the consecration and opening of St Michael’s Church and Church Centre, Kirrawee, and

(b) commends the entire Antiochian Orthodox Church Community on its positive and ongoing contribution to the state of New South Wales.

Question put and passed.

# Australia-Korea Foundation 20th anniversary (Formal Business)

Mr Clarke moved, according to notice:

1. That this House notes that:

1. on 31 October 2012, the Australia-Korea Foundation celebrated its 20th anniversary at a function held at the Korean Cultural Office of the Republic of Korea in Sydney,
2. the function was co-hosted by Mr David Palmer, Chairman of the Australia-Korea Foundation and Dr Dong-ok Lee, Chief Officer of the Korean Cultural Office of the Republic of Korea in Sydney, and was officially opened by Mr Jin Soo Kim, Consul-General of the Republic of Korea and Mr Peter Rowe, First Assistant Secretary, North Asia Division of the Australian Department of Foreign Affairs and Trade, and
3. the Australia-Korea Foundation was established in 1992 for the purpose of broadening the relationship between Australia and the Republic of Korea, especially in the areas of commerce and industry, science and technology, education, media, sport, tourism and the arts.

2. That this House commends the work of the Australia-Korea Foundation and expresses its support for closer relations between Australia and the Republic of Korea.

Question put and passed.

# Police Integrity Commission—Report

The President, according to the Police Integrity Commission Act 1996, tabled a report of the Police Integrity Commission entitled “Operation Winjana”, dated October 2012.

The President further announced that under the Act the report was authorised to be made public this day.

Ordered, on motion of Mr Gallacher: That the report be printed.

# Petition

**Cuts to education funding in New South Wales**

Mr Whan presented a petition from 274 citizens of New South Wales bringing to the attention of the House, Premier the Honourable Barry O’Farrell MP’s $1.7 billion cut to school, TAFE and education funding in New South Wales and stating that these cuts will hurt every school and every student in New South Wales, and requesting that the House call on the Government to stop the cuts to education, TAFE and school funding.

Petition received.

# Notices of Motions

# Report of Independent Legal Arbiter—Nimmie-Caira System Enhanced Environmental Water Delivery Project

The Clerk, according to resolution of the House this day, tabled the report of the Independent Legal Arbiter, the Honourable Terence Cole QC, dated 20 November 2012, on the disputed claim of privilege on papers relating to Nimmie-Caira System Enhanced Environmental Water Delivery Project.

# Sessional Order—Cut-off date for Government bills

Mr Veitch moved, according to notice: That, during the present session and notwithstanding anything contained in the standing or sessional orders, and unless otherwise ordered, the following procedures apply to the passage of government bills:

1. Where a bill is introduced by a Minister, or is received from the Legislative Assembly after Thursday 30 May 2013, debate on the motion for the second reading is to be adjourned at the conclusion of the speech of the Minister moving the motion, and the resumption of the debate is to be made an order of the day for the first sitting day after the winter recess.

2. However, if after the first reading, a Minister declares a bill to be an urgent bill and copies have been circulated to members, the question “That the bill be considered an urgent bill” is to be decided without amendment or debate, except a statement not exceeding 10 minutes each by a Minister and the Leader of the Opposition, or a member nominated by the Leader of the Opposition, and one cross-bench member. If that question is agreed to, the second reading debate and subsequent stages may proceed forthwith or at any time during any sitting of the House.

Debate ensued.

Question put and passed.

# Privileges Committee—Citizen’s Right of Reply (Mrs Julie Passas) (No. 3)

Mr Khan moved, according to notice: That the House adopt Report No. 64 of the Privileges Committee entitled “Citizen’s Right of Reply (Mrs Julie Passas) (No. 3)”, dated November 2012.

Debate ensued.

Question put and passed.

According to standing order, the response of Mrs Julie Passas was incorporated in Hansard.

# Privileges Committee—Citizen’s Right of Reply (Mr Brendan Ritson)

Mr Khan moved, according to notice: That the House adopt Report No. 65 of the Privileges Committee entitled “Citizen’s Right of Reply (Mr Brendan Ritson)”, dated November 2012.

Question put and passed.

According to standing order, the response of Mr Brendan Ritson was incorporated in Hansard.

# Privileges Committee—Citizen’s Right of Reply (Ms Heather Richards)

Mr Khan moved, according to notice: That the House adopt Report No. 66 of the Privileges Committee entitled “Citizen’s Right of Reply (Ms Heather Richards)”, dated November 2012.

Debate ensued.

Question put and passed.

According to standing order, the response of Ms Heather Richards was incorporated in Hansard.

# Message from the Legislative Assembly—Saint John’s College Amendment Bill 2012

The President reported the following message from the Legislative Assembly:

Mr PRESIDENT

The Legislative Assembly having this day passed a Bill with the long title “An Act to amend the Saint John’s College Act (1857) with respect to the Council of Saint John’s College” presents the bill to the Legislative Council for its concurrence.

Legislative Assembly SHELLEY HANCOCK

21 November 2012 Speaker

Bill, on motion of Mr Gallacher, read a first time and ordered to be printed.

According to sessional order, Mr Gallacher declared the bill to be an urgent bill.

Question: That the bill be considered an urgent bill—put and passed.

Ordered: That the second reading of the bill stand an order of the day for a later hour of the sitting.

# Suspension of Standing and Sessional Orders—Select Committee into the provisions of the Ports Assets (Authorised Transactions) Bill 2012

On the President calling on the Clerk to read the order of the day, Dr Kaye moved, according to contingent notice: That standing and sessional orders be suspended to allow a motion to be moved forthwith that private members’ business item no. 1006 outside the order of precedence relating to a Select Committee into the provisions of the Ports Assets (Authorised Transactions) Bill 2012 be called on forthwith.

Debate ensued.

Question put.

The House divided.

Ayes 17

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| --- | --- | --- |
| Ms Barham  Mr Buckingham  Ms Cotsis  Mr Donnelly  Ms Faehrmann  Ms Fazio \* | Dr Kaye  Mr Moselmane  Mr Primrose  Mr Searle  Mr Secord  Ms Sharpe | Mr Shoebridge  Mr Veitch  Ms Voltz \*  Ms Westwood  Mr Whan  \* Tellers |

Noes 20

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| --- | --- | --- |
| Mr Ajaka  Mr Blair  Mr Borsak  Mr Brown  Mr Clarke  Mr Colless \*  Ms Cusack | Ms Ficarra  Mr Gallacher  Miss Gardiner  Mr Gay  Mr Green  Mr Khan  Mr MacDonald | Mr Mason-Cox  Mrs Mitchell  Revd Mr Nile  Mrs Pavey  Mr Pearce  Dr Phelps \*  \* Tellers |

Pairs

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| --- | --- |
| Mr Foley | Mr Lynn |
| Mr Roozendaal | Mrs Maclaren-Jones |

Question resolved in the negative.

# Business Postponed

Notice of motion no. 1 on the Notice Paper of government business postponed, on motion of Mr Gallacher, until a later hour of the sitting.

# Ombudsman Amendment Bill 2012

On the order of the day being read, the President left the Chair and the House sat as a committee of the whole for consideration of this bill.

The committee reported the bill without amendment.

The House adopted the report.

Bill having been declared an urgent bill Tuesday 20 November 2012—

Bill, on motion of Mr Gallacher, read a third time.

Bill returned to the Legislative Assembly without amendment.

# Message from the Legislative Assembly—Emergency Legislation Amendment Bill 2012

The President reported the following message from the Legislative Assembly:

Mr PRESIDENT

The Legislative Assembly having this day agreed to the Bill with the long title “An Act to amend the Fire Brigades Act 1989, the Rural Fires Act 1997, the State Emergency and Rescue Management Act 1989 and the State Emergency Service Act 1989 to make further provision in relation to the investigation of fires and State emergency management; and for other purposes” returns the bill to the Legislative Council without amendment.

Legislative Assembly SHELLEY HANCOCK

21 November 2012 Speaker

# Paper—Tabled by Minister

Mr Gallacher tabled a report on the review of the Law Enforcement (Controlled Operations) Act 1997.

# Law Enforcement (Controlled Operations) Amendment Bill 2012

Mr Gallacher moved, according to notice: That leave be given to bring in a bill for an Act to amend the Law Enforcement (Controlled Operations) Act 1997 to make provision for the role of a secondary law enforcement officer in controlled operations and to amend the Surveillance Devices Act 2007 to make further provision with respect to the use of listening devices in controlled operations.

Question put and passed.

Bill presented.

Bill read a first time and ordered to be printed.

Mr Gallacher then moved: That this bill be now read a second time.

Debate ensued.

Motion made (Dr Phelps) and question: That this debate be now adjourned until five calendar days ahead—put and passed.

# Suspension of Standing and Sessional Orders—Coal Exploration Licences in the Bylong Valley

On the President calling on the Clerk to read the order of the day, Mr Buckingham moved, according to contingent notice: That standing and sessional orders be suspended to allow a motion to be moved forthwith that private members’ business item no. 981 outside the order of precedence relating to coal exploration licences in the Bylong Valley be called on forthwith.

Debate ensued.

Question put.

The House divided.

Ayes 16

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| Ms Barham  Mr Buckingham  Ms Cotsis  Mr Donnelly  Ms Faehrmann \*  Ms Fazio \* | Dr Kaye  Mr Moselmane  Mr Primrose  Mr Searle  Mr Secord  Ms Sharpe | Mr Shoebridge  Mr Veitch  Ms Westwood  Mr Whan  \* Tellers |

Noes 19

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| --- | --- | --- |
| Mr Ajaka  Mr Blair  Mr Borsak  Mr Brown  Mr Clarke  Mr Colless \*  Ms Cusack | Ms Ficarra  Mr Gallacher  Miss Gardiner  Mr Gay  Mr Green  Mr Khan  Mr MacDonald | Mr Mason-Cox  Mrs Mitchell  Revd Mr Nile  Mr Pearce  Dr Phelps \*  \* Tellers |

Pairs

|  |  |
| --- | --- |
| Mr Foley | Mrs Maclaren-Jones |
| Mr Roozendaal | Mr Lynn |
| Ms Voltz | Mrs Pavey |

Question resolved in the negative.

# Ports Assets (Authorised Transactions) Bill 2012

On the order of the day being read, Mr Gay moved: That this bill be now read a second time.

Leave granted for the mover’s second reading speech to be incorporated in Hansard.

Debate ensued.

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According to sessional order, proceedings interrupted at 2.30 pm for Questions.

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# Questions

# Papers—Tabled by Minister

Mr Pearce, tabled the following papers:

(1) Annual Reports (Departments) Act 1985—Reports for year ended 30 June 2012:

Department of Family and Community Services, volumes 1, 2 and 3

Department of Premier and Cabinet

Department of Trade and Investment, Regional Infrastructure and Services.

(2) Annual Reports (Statutory Bodies) Act 1984—Reports for year ended 30 June 2012:

Barangaroo Delivery Authority

Centennial Park and Moore Park Trust

Cobar Water Board

Community Relations Commission

Dams Safety Committee

Environmental Trust

Forests NSW

Game Council of New South Wales

Historic Houses Trust of New South Wales

Infrastructure NSW

Internal Audit Bureau of New South Wales

Jenolan Caves Reserve Trust

Lifetime Care and Support Authority of New South Wales

Lord Howe Island Board

Motor Accidents Authority of New South Wales

New South Wales Aboriginal Land Council

New South Wales Rural Assistance Authority

NSW Food Authority

Parramatta Park Trust

Roads and Maritime Services

Royal Botanic Gardens and Domain Trust

Sydney Catchment Authority

Western Sydney Parklands Trust

WorkCover Authority

Zoological Parks Board of New South Wales.

(3) Report of NSW BusinessLink Pty Ltd for year ended 30 June 2012.

Ordered: That the reports be printed.

# Papers—Tabled by Minister

Mr Clarke tabled the following papers:

(1) Annual Reports (Departments) Act 1985—Reports for year ended 30 June 2012:

Department of Attorney General and Justice

Office of the Director of Public Prosecutions.

(2) Annual Reports (Statutory Bodies) Act 1984—Report of Legal Aid Commission of New South Wales for year ended 30 June 2012.

(3) Crimes (Administration of Sentences) Act 1999—Report of Serious Offenders Review Council for year ended 31 December 2011.

Ordered: That the reports be printed.

# Assent to Bills

The President reported messages from Her Excellency the Governor intimating assent to the following bills:

Act No.

21 November 2012 2012

Biofuels Further Amendment Bill 2012 92

Environmental Planning and Assessment Amendment Bill 2012 93

Local Government Amendment (Conduct) Bill 2012 94

Statute Law (Miscellaneous Provisions) Bill (No 2) 2012 95

Forestry Bill 2012 96

# Ports Assets (Authorised Transactions) Bill 2012

Order of the day read for resumption of the interrupted debate of the question on the motion of Mr Gay: That this bill be now read a second time.

Debate resumed.

Dr Kaye moved: That the question be amended by omitting all words after “That” and inserting instead “a select committee be appointed to inquire into and report on the provisions of the Ports Assets (Authorised Transactions) Bill 2012.

2. That the committee consist of seven members comprising:

(a) three Government members,

(b) two Opposition members, and

(c) Paul Green and John Kaye.

3. That the Honourable Paul Green be the Chair of the Committee.

4. That the Deputy Chair of the committee be elected at the first meeting before proceeding to any other business.

5. That notwithstanding anything contained in the standing orders, at any meeting of the committee four members will constitute a quorum, provided at least one is a cross bench member.

6. Unless the committee decides otherwise, a member of the House who is not a member of the committee may take part in a private meeting of the committee but may not vote, move any motion or be counted for the purpose of any quorum or division.

7. 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) a member may not participate by electronic communication in a meeting to consider a draft report.

8. That the committee report by Tuesday 16 April 2013.”

Debate continued.

Question put: That the amendment of Dr Kaye be agreed to.

The House divided.

Ayes 17

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| --- | --- | --- |
| Ms Barham  Mr Buckingham  Ms Cotsis  Mr Donnelly  Ms Faehrmann  Ms Fazio \* | Dr Kaye  Mr Moselmane  Mr Primrose  Mr Roozendaal  Mr Searle  Mr Secord | Ms Sharpe  Mr Shoebridge  Mr Veitch  Ms Voltz \*  Ms Westwood  \* Tellers |

Noes 20

|  |  |  |
| --- | --- | --- |
| Mr Blair  Mr Borsak  Mr Brown  Mr Clarke  Mr Colless \*  Ms Cusack  Ms Ficarra | Mr Gallacher  Miss Gardiner  Mr Gay  Mr Green  Mr Khan  Mr Lynn  Mr MacDonald | Mr Mason-Cox  Mrs Mitchell  Revd Mr Nile  Mrs Pavey  Mr Pearce  Dr Phelps \*  \* Tellers |

Pairs

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| --- | --- |
| Mr Foley | Mr Ajaka |
| Mr Whan | Mrs Maclaren-Jones |

Question resolved in the negative.

Original question put: That this bill be now read a second time.

The House divided.

Ayes 20

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| --- | --- | --- |
| Mr Blair  Mr Borsak  Mr Brown  Mr Clarke  Mr Colless \*  Ms Cusack  Ms Ficarra | Mr Gallacher  Miss Gardiner  Mr Gay  Mr Green  Mr Khan  Mr Lynn  Mr MacDonald | Mr Mason-Cox  Mrs Mitchell  Revd Mr Nile  Mrs Pavey  Mr Pearce  Dr Phelps \*  \* Tellers |

Noes 17

|  |  |  |
| --- | --- | --- |
| Ms Barham  Mr Buckingham  Ms Cotsis  Mr Donnelly  Ms Faehrmann  Ms Fazio \* | Dr Kaye  Mr Moselmane  Mr Primrose  Mr Roozendaal  Mr Searle  Mr Secord | Ms Sharpe  Mr Shoebridge  Mr Veitch  Ms Voltz \*  Ms Westwood  \* Tellers |

Pairs

|  |  |
| --- | --- |
| Mr Ajaka | Mr Whan |
| Mrs Maclaren-Jones | Mr Foley |

Question resolved in the affirmative.

Bill read a second time.

The President left the Chair and the House sat as a committee of the whole for consideration of this bill.

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According to sessional order, proceedings interrupted at 10.00 pm for adjournment.

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The committee continued to sit.

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The committee reported the bill without amendment.

The House adopted the report.

Standing orders having been suspended Thursday 18 October 2012—

Bill, on motion of Mr Gay, read a third time.

Bill returned to the Legislative Assembly without amendment.

# Saint John’s College Amendment Bill 2012

On the order of the day being read, Ms Ficarra (on behalf of Mr Gallacher) moved: That this bill be now read a second time.

Leave granted for the mover’s second reading speech to be incorporated in Hansard.

Debate ensued.

Question put and passed.

Bill read a second time.

The President left the Chair and the House sat as a committee of the whole for consideration of this bill.

The committee reported the bill without amendment.

The House adopted the report.

Bill having been declared an urgent bill this day—

Bill, on motion of Ms Ficarra, read a third time.

Bill returned to the Legislative Assembly without amendment.

# Adjournment

Mr Gay moved: That this House do now adjourn.

Debate ensued.

The House continued to sit after midnight.

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THURSDAY 22 NOVEMBER 2012 AM

Debate continued.

Question put and passed.

The House adjourned at 12.08 am until Thursday 22 November 2012 at 9.30 am.

# Attendance

All members present, except Mrs Maclaren-Jones.

David Blunt

Clerk of the Parliaments

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Authorised by the Parliament of New South Wales