



LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 122

THURSDAY 22 NOVEMBER 2012

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1 MEETING OF THE HOUSE

The House met at 9.30 am according to adjournment. The President took the Chair and read the prayers.

2 LEGISLATIVE COUNCIL—ANNUAL REPORT

The President tabled the annual report of the Department of the Legislative Council for year ended 30 June 2012.

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

3 DEPARTMENT OF PARLIAMENTARY SERVICES—ANNUAL REPORT

The President tabled the annual report of the Department of Parliamentary Services for year ended 30 June 2012.

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

4 GENERAL PURPOSE STANDING COMMITTEE NO. 4—REFERENCE (Formal Business)

Ms Voltz (on behalf of Mr Foley) sought the leave of the House to amend private members' business item no. 937 outside the order of precedence by omitting "14 February 2013" and inserting instead "14 May 2013".

No objection taken.

Leave granted.

Ms Voltz (on behalf of Mr Foley) moved, according to notice, as by leave amended:

1. That General Purpose Standing Committee No. 4 inquire into and report on the use of cannabis for medical purposes, and in particular:
 - (a) the efficacy and safety of cannabis for medical purposes,
 - (b) if and how cannabis should be supplied for medical use,
 - (c) legal implications and issues concerning the use of cannabis for medical purposes, and
 - (d) any other related matter.
2. That the Committee report by 14 May 2013.

Question put and passed.

5 DISPLAY OF ABORIGINAL FLAG IN LEGISLATIVE COUNCIL CHAMBER (Formal Business)

Mr Moselmane moved, according to notice:

1. That this House notes that:
 - (a) New South Wales is the country's most populated state, with the oldest parliament and a proud history of inclusion,

- (b) the Australian Aboriginal people represent forty thousand years of history, and are a people that are a fundamental part of Australian society,
 - (c) Parliaments across the nation proudly display the Aboriginal flags in their buildings and the New South Wales Legislative Assembly is no exception, and
 - (d) the Legislative Council, however, does not display the Aboriginal flag.
2. That this House:
- (a) notes that the Legislative Council does not display within it the Aboriginal flag, and
 - (b) resolves to rectify this anomaly by displaying the Aboriginal flag in the chamber of the Legislative Council.

Question put and passed.

6 UNITED NATIONS INTERNATIONAL DAY OF PEOPLE WITH DISABILITY (Formal Business)

Ms Fazio moved, according to notice: That this House notes that:

- (a) Monday 3 December 2012 is the United Nations International Day of People with Disability, and
- (b) for the ninth successive year, this important day is celebrated in New South Wales with the Don't DIS my ABILITY campaign supported by the Government.

Question put and passed.

7 ARMENIAN NATIONAL COMMITTEE OF AUSTRALIA (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes that:
- (a) the Armenian National Committee of Australia (ANC Australia) completed its most successful Advocacy Week ever, which culminated by raising \$75,000 at its Annual Banquet on Friday 2 November 2012, held at Miramare Gardens with over 250 guests and supporters in attendance,
 - (b) Advocacy Week featured international guest of honour, Turkish-born Professor Taner Akcam, who delivered the keynote address to a standing ovation and was presented with an honorarium from ANC Australia to allow him to continue his vital research, and
 - (c) at the Banquet, the ANC Australia Professionals Network was launched, a body tasked with uniting Armenian professionals around the ANC Australia banner for the purposes of networking and advocacy.
2. That this House further notes that ANC Australia bestowed the Armenian-Australian Community's Friend of the Year Award to Member of the New South Wales Legislative Council the Honourable Walt Secord MLC, for his tireless efforts in advancing issues of importance to the Armenian-Australian community, which culminated in him becoming the first Australian legislator to visit the Republic of Nagorno Karabakh.

Question put and passed.

8 K-POP AND K-IDOL CONTEST (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes that:
 - (a) on 27 October 2012, the Austral-Korean Culture Foundation held the final of the first K-Pop Contest in Australia in conjunction with the seventh K-Idol Contest at the Concert Hall of the Concourse in Chatswood,
 - (b) the K-Idol Contest is one of the major events for supporting talented young Korean Australians,
 - (c) the Austral-Korean Culture Foundation is a non-profit organization which aims to contribute in building up Korean cultural status among ethnic groups in Australia,
 - (d) the Foundation has previously held six successful K-Idol contests which were catered to Koreans living in Australia,
 - (e) with the increase of interest in the Hallyu Wave after the K-Pop Musical Festival, Sydney 2011 and PSY's "Gangnam Style", the K-Star contest aimed to encourage contestants from high school age to around 25 years old of various cultural backgrounds with an interest in Korean dance and music to participate in the contest,
 - (f) this year's competition attracted contestants from Chinese, Korean, Taiwanese, Japanese and Australian cultural backgrounds,
 - (g) the preliminary round was held on 22 September 2012 at Strathfield Town Hall, and regional participants were able to send in videos which were viewed by the three judges Dayoht Kim, Janet Kim and Paul Song,
 - (h) the finals were judged by current producer of KBS 2 TV "Sing Legendary Korean Pop" Ko Min-Gu and the director of We Networks Hyun Eeo-Jin,
 - (i) guest performances were provided by dance group MY Dance, B Side Project Band and another dance performance by Park Jinwoo featuring Revelation Dance Crew, and there was also a fashion parade featuring nine outfits by designer Sylvia Lee who designed the dress for Miss Universe Australia 2011, and
 - (j) the contestants were: singer Leon Li, singer Michelle Seo, dancer ICE, singer Rachel Wu, singer Rio Kang, singer SinAeWee, dancer Kinuko Uchida, singer Sharon Stratton, singer Taeyong Lee, dance duo Sojin Park and Hidome Ryu, singer Christine Seo, dancer Korjon Im and singer Jong Min Son.
2. That this House congratulates the following contest winners:
 - (a) Popularity Award: ICE,
 - (b) Participation Award: Christine Seo,
 - (c) Bronze Award: Taeyong Lee,
 - (d) Silver Award: SinAe We,
 - (e) Gold Award: Sojin Park and Hidome Ryu, and
 - (f) Grand Prix/Winner: Sharon Stratton.

3. That this House congratulates the Austral-Korean Culture Foundation and especially the President, Mr. Phillip Min, for staging this successful event that showcased the talent in the Australian-Korean community.

Question put and passed.

9 PROBASH PARBONI BENGAL CULTURAL FESTIVAL (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes that:
 - (a) the first ever Probash Parboni Bengal Cultural Festival was held from 2 to 4 November 2012 at the University of New South Wales,
 - (b) Probash Parboni provided the opportunity for Australia's Bengali community from both India and Bangladesh to come together and connect with their ancestry, language and tradition, and
 - (c) the festival boasted:
 - (i) a number of high profile performances, including popular artists from across India and Bangladesh such as Bhupinder-Mitali Singh, Usha Uthup, Runa Laila, Rezwana Choudhru Bonna, Srikanta Acharya and Rupam Islam with his band Fossils,
 - (ii) the latest blockbuster Bengali movies,
 - (iii) Bengali cuisine prepared by chefs from Bengal,
 - (iv) exhibitors from Bengal selling items like sarees, leather craft, jewellery and handmade items,
 - (v) visiting Indian and Bangladeshi Members of Parliament the Honourable Kunal Gossh MP and the Honourable Srinjoy Boshe MP.
2. That this House congratulates the convenors Pinaki Chatterjee and Suman Saha, the organisers Sangbab Protidin and Candid Communication for staging this very successful event that has contributed to the richness of the multicultural fabric of New South Wales.

Question put and passed.

10 AHMADIYYA MUSLIM ASSOCIATION OF AUSTRALIA PEACE SYMPOSIUM (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes that:
 - (a) the Ahmadiyya Muslim Association of Australia held a Peace Symposium 2012 at the Bait-ul Huda Mosque in Marsden Park on Sunday 11 November 2012,
 - (b) the aim of the Peace Symposium was to promote Peace, Loyalty, Freedom, Equality and Respect,
 - (c) an exhibition of the Holy Quran was held in conjunction with the Peace Symposium, and
 - (d) many speakers from various religious groups spoke on the topics of:
 - (i) the place of religion in modern society,
 - (ii) the role of religion in strengthening democracy, human rights, justice and social and moral values.

2. That this House congratulates the Ahmadiyya Muslim Association of Australia and Mahmood Ahmad, Ameer and Missionary in Charge, for their ongoing work to promote Love for All – Hatred for None.

Question put and passed.

11 RABITAH TAPE BALL CRICKET COMPETITION (Formal Business)

Ms Fazio moved, according to notice:

1. That this House notes that:
 - (a) the Rabitah Tape Ball Cricket Competition was held at the Croydon Park sporting fields on Sunday 11 November 2012,
 - (b) Rabitah is a community magazine to cater for the social, religious, cultural and linguistic needs of the Pakistani community in Australia and was established in 2006 by Mr Munir Mohammad, and was originally published in Urdu and in 2008 changed to a bilingual publication in both Urdu and English,
 - (c) Tape Ball Cricket is a style of informal or street cricket played throughout Pakistan, and the aim of the Rabitah Tape Ball Cricket Contest is to provide an informal social gathering for young Pakistani students and families with a view to reducing social isolation among more recent arrivals, and
 - (d) the trophies were presented by Mr Robert Furolo MP, Mayor of Canterbury Mr Brian Robson, Deputy Mayor of Canterbury Mr Karl Saleh and the Honourable Amanda Fazio MLC.
2. That this House congratulates the winning teams, Mr Munir Mohammad and those associated with organising this event which contributed to social harmony among the Australian Pakistani community.

Question put and passed.

12 NASRIN SOTOUDEH (Formal Business)

Mr Shoebridge moved, according to notice:

1. That this House notes that:
 - (a) Nasrin Sotoudeh, the Iranian human rights lawyer who has been imprisoned since 4 September 2010, is sacrificing her wellbeing in a hunger strike,
 - (b) Nasrin Sotoudeh has long campaigned for “freedom, social security, the rule of law and justice”,
 - (c) Amnesty International Australia has recently received the disturbing report that Nasrin Sotoudeh has ‘vanished’ from her prison cell,
 - (d) Nasrin Sotoudeh was charged with endangering Iran’s national security, her trial was conducted behind closed doors and her only alleged crime was acting for political dissidents, and
 - (e) she was sentenced to six years’ imprisonment, banned from practicing law, banned from leaving the country for 20 years and fined 50,000 Tomans.

2. That this House:
 - (a) condemns the trial, imprisonment and disappearance of Nasrin Sotoudeh,
 - (b) requests the Australian Government to immediately inform the Government of the Islamic Republic of Iran of its concern at the abuse of the judicial process and to demand the immediate and unconditional release of Nasrin Sotoudeh and all social and political activists and journalists currently in detention, and
 - (c) urges the Australian Government to use its position on the United Nations Security Council to press for genuine democratic reform in Iran by all peaceful means reasonably available.

Question put and passed.

13 DIMITRIA FESTIVAL AND THE 100TH ANNIVERSARY OF THE LIBERATION OF THESSALONIKA AND WEST MACEDONIA (Formal Business)

Mr Clarke moved, according to notice:

1. That this House notes that:
 - (a) on Friday 26 October 2012 two events, the Dimitria Festival and the 100th Anniversary of the Liberation of Thessalonika and West Macedonia from the Ottoman Empire and their Re-Unification with Greece, were celebrated at the New South Wales Parliament at a function jointly organised by the Pan-Macedonian Association of NSW, represented by its President, Mr Chris Papapetrou and the Australian Hellenic Council of NSW, represented by Dr Panayiotis Diamadis, and
 - (b) those who attended as guests at the celebration included:
 - (i) the Honourable Sophie Cotsis MLC, Parliamentary Host for the event and Shadow Minister for Local Government, Housing and the Status of Women, representing Mr John Robertson MP, Member for Blacktown and Leader of the New South Wales Opposition,
 - (ii) the Honourable David Clarke MLC, Parliamentary Secretary for Justice,
 - (iii) Reverend Father Nikolaos Tsouloukidis, representing His Eminence Archbishop Stylianos Harkianakis, Primate of the Greek Orthodox Church in Australia,
 - (iv) His Grace Bishop Serpheim, Metropolitan of the Diocese of Kythera and Antikythera, Greece,
 - (v) His Excellency Mr Vasileios Tolios, Greek Consul-General,
 - (vi) Mr Harry Danalis, President of the Greek Orthodox Community of NSW Inc.,
 - (vii) Mr Demetrios Kameto Poulos, representing the Australian Hellenic Educators Association,
 - (viii) Mr Theodore Koukoulis, Mayor of Kythera, Greece,
 - (ix) representatives of the Kytherian Association of Australia and the United Benevolent Pontian Brotherhood of NSW,
 - (x) representatives of other Greek-Australian community organisations.
2. That this House:
 - (a) congratulates the Greek-Australian community on the occasion of the Dimitria Festival and the 100th Anniversary of the Liberation of Thessalonika and West Macedonia and their Re-Unification with Greece, and
 - (b) commends the Pan-Macedonian Association of NSW and the Australian Hellenic Council of NSW for their service to the Greek Australian community and to the people of New South Wales.

Question put and passed.

14 DISPUTED CLAIM OF PRIVILEGE—NIMMIE-CAIRA SYSTEM ENHANCED ENVIRONMENTAL WATER DELIVERY PROJECT—PRIVILEGED DOCUMENTS (Formal Business)

Mr Buckingham moved, according to notice:

1. That, in view of the report of the Independent Legal Arbitrator, the Honourable Terence Cole QC, dated 20 November 2012, on the disputed claim of privilege on documents relating to the Nimmie-Caira System Enhanced Environmental Water Delivery Project, this House orders that the documents considered by the Independent Legal Arbitrator not to be privileged be laid upon the table by the Clerk.
2. That, on tabling, the documents are authorised to be published.

Question put and passed.

15 YOUNG PEOPLE IN NURSING HOMES NATIONAL ALLIANCE (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes that:
 - (a) on 24 October 2012, the Young People in Nursing Homes National Alliance held a summit in the Parliament of New South Wales regarding rehabilitation and care barriers for young people in nursing homes,
 - (b) over 2,300 young people live in aged care in New South Wales, with many more in the community likely to be placed in a nursing home because there are inadequate options that provide appropriate care, rehabilitation services and support,
 - (c) the Young Peoples in Nursing Homes National Alliance (YPINH) aims to:
 - (i) promote a sustainable life time care and support system that enables young disabled Australians with high and complex health and support needs to access the supports and services they need in a timely and effective manner,
 - (ii) ensure choice in accommodation and support options for young Australians with high or complex support needs; and support young people, their families and social networks in the exercise of that choice,
 - (d) since 2002, the YPINH National Alliance has been actively working towards the resolution of the 'young people in nursing homes' issue by collaborating with stakeholders in the development of key policy initiatives and systemic reforms at state and federal levels, and
 - (e) stakeholders include state and federal governments, service providers, other community organisations, representatives from the disability, health, aged care and housing service systems, national peak and member organisations.
2. That this House acknowledges the work of YPINH National Director, Dr Bronwyn Morkham, her colleagues and members of YPINH in serving the needs and interests of young people in Nursing Homes.

Question put and passed.

16 72ND ANNIVERSARY OF GREEK NATIONAL DAY (Formal Business)

Mr Clarke moved, according to notice:

1. That this House notes that:
 - (a) on Sunday 28 October 2012, the Greek Orthodox Community of NSW Inc. held a celebration to commemorate the 72nd Anniversary of Greek National Day at the Greek Orthodox Community Centre, Lakemba,
 - (b) Greek National Day marks the day when, on 28 October 1940, Greece defiantly refused the demand of Mussolini to allow Italian military occupation of Greece,
 - (c) immediately following this refusal Italy invaded Greece but was defeated by the far smaller Greek military forces,
 - (d) this was followed by a German invasion and occupation of Greece for the remainder of World War II, a period during which the Greek people gained international admiration for their heroic underground resistance, and
 - (e) those who attended as guests at the celebratory commemoration organised by the Greek Orthodox Community included:
 - (i) His Eminence, Archbishop Stylianos Harkianakis, Primate of the Greek Orthodox Church in Australia,
 - (ii) His Excellency Mr Vasileios Tolios, Greek Consul-General,
 - (iii) Senator Arthur Sinodinos, representing the Honourable Tony Abbott MP, Leader of the Federal Opposition,
 - (iv) the Honourable David Clarke MLC, Parliamentary Secretary for Justice, representing the Honourable Barry O'Farrell MP, Premier of New South Wales,
 - (v) Mr Guy Zangari MP, Member for Fairfield, representing Mr John Robertson MP, Leader of the New South Wales Opposition,
 - (vi) the Honourable John Hatzistergos, former New South Wales Attorney General,
 - (vii) representatives of other Greek community organisations.
2. That this House acknowledges and commends:
 - (a) the Greek Orthodox Community of NSW Inc. for its 114 years of continuous service to the Greek-Australian community and to the people of New South Wales, including its initiatives in:
 - (i) organising the annual Greek Festival of Sydney,
 - (ii) establishing the Greek Archival Centre, afternoon schools, child-care centres and aged-care facilities on behalf of the Greek-Australian community, and
 - (b) the President of the Greek Orthodox Community of NSW Inc., Mr Harry Danalis, for his many years of service to that organisation and to the New South Wales community generally.

Question put and passed.

17 COMMUNITY LANGUAGE SCHOOLS (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes that:

- (a) the NSW Federation of Community Language Schools was established in Sydney in 1978, with the aim of uniting all Community Language Schools so they could all work together to obtain more benefits and recognition for their students, and
 - (b) membership has dramatically increased over the years and today, approximately 240 schools with over 450 locations state wide and 27,000 students are represented by the federation.
2. That this House notes that the following schools and organisations have been operating community languages classes for 10 years and over: Al Farouk Arabic School, Bexley Ethnic Arabic School, AIM Arabic School, Al – Jaafaria School, Al – Aqsa School, Al Habib Arabic School Community Education and Services Centre, Bangla Prosar Committee, Bangladesh Community Council, Campbelltown Bangla School, Lakemba Bangla School, Sui Cheng College, Clempton Park Chinese School, Hua Xia Chinese Culture School, Australian Chinese Language Schools Association, Hornsby Chinese Education Centre, Padstow Christian Chinese Language School, United Ethnic Education Centre, Sydney Yu Cai Chinese Language School, The Tzu Chi Academy Australia, Christian Pei Li Chinese Language, Arian Afghan Language School, Afghan Australia Noor Association, Edo Nigerian Association, Cheng Gong School, Feng Hua Chinese School, Sydney Chinese Cultural and Language School, Minghui School, Datong Chinese School Granville, The Australian Chinese School, Green Valley Hindi Language School, The Australian Institute of Hindi Studies, Ashabul Kahfi Language School, Central Coast Japanese Community School, Bethesda Saturday Korean School, Sydney Juan Church Language School, Macedonian Ethnic School “Nikola Karev”, Maltese Language School of NSW, Parramatta Persian Primary & High School, Andisheh Persian School, Liverpool Polish Saturday School, Polish School of Sydney-Randwick, Assoc. for Brazilian Bilingual Children’s Development, Sydney Punjabi School, Khalsa Punjabi School, SAS Revesby Punjabi School, Maroubra Russian School, Uruguay School of Spanish Language, Amistad Latina Spanish School, Latin American School of the Inner West and Boddhi Vietnamese Language School.
 3. That this House notes that the following schools and organisations have been operating community language classes for 20 years and over: Auburn Arabic School, Canterbury Bankstown Muslim Association, Alfaisal Islamic and Arabic School, Alminia Charitable Association, Australian Beirut Charitable Association, Australian Islamic Mission Arabic School, Bosnian Ethnic School, Ambassadors Multicultural Chinese School, Bexley Chinese Congregational Church Language School, Datong Chinese School Ashfield, Maroubra Chinese School, Carlingford Chinese Language School, NSW Vinh Khang, Chinese School, Western Sydney Chinese School, Der Huy Chinese School, Qing Hua Chinese Language School, Sydney Chinese Language School, Sydney Taiwanese School, Indo-Australian Bal Bharati Vidyalaya Hindi School, Sydney Saturday School of Japanese, Khmer Adventist Language School, Saet Byol Korean School, Parramatta Hanguel School, KCPC Korean Language School, Australian Korean School, Korean Catholic Language School, Lindfield Korean School, Maan Malay Australian Association, Persian Ethnic School, North Shore Polish Saturday School, Portuguese Community Schools in Sydney, Portuguese Ethnic Schools Assoc. of Australia, Eastern Suburbs Russian School, Sikh Mission Centre Sydney, Sinhalese Cultural Forum of NSW, St George Spanish School, Tamil Study Centre Homebush, Eastwood Tamil Study Centre, Wentworthville Tamil Study Centre, Mt Druitt Tamil Study Centre, Thai Education Centre of Australia, and Buddharangsee Thai Community Language School.
 4. That this House notes that the following schools and organisations have been operating community language classes for 30 years and over: Bhanin Arabic School, Arabic Education Society, Moslem Alawy Society, Tripoli and Mena Association, The Lebanese Arabic School, Lakemba Language and Cultural Centre, Assyrian Australian Assoc. Assyrian Diqlat School, Dundas Chinese School, Chinese Education Council of NSW, Chinese Catholic Community Chinese School, Sydney Chinese Central School, Australian Chinese Descendants Mutual Association, Sutherland Shire Chinese Language School, ACCA, Chinese Language School, Sydney Chinese School, Central Council of Croatian Ethnic Schools, Asiana Centre Catholic Chinese School, Sydney Suomi Koulu Finnish School, Hellenic Centre for Language and Culture, Greek Afternoon School of Canterbury, The Greek Orthodox Parish and Community of Belmore, Hungarian School Flemington, FILEF (Italian School), JCS Japanese School, Lao Lane Xang Ethnic School,

Macedonian Educational and Cultural Assoc. 11th October, 11th Octomvri Macedonian Ethnic School Yagoona, Macedonian Ethnic School “Kliment Ohridski”, Cabramatta West Spanish School, Spanish Language and Culture in Australia, The Swedish School in Sydney, Balar Malar Tamil Educational Association, Matraville Saturday Turkish School, Eastlakes Saturday Turkish School, Marrickille West Turkish School, NSW Turkish Education and Culture Association, Nepean Turkish School, Vietnamese Parents and Citizens Association, Vietnamese Cultural Schools Association, Hamazkaine Armenian Educational & Cultural Society, Hellenic Orthodox Community of Kingsgrove, Bexley and Beverly Hills, Greek Community of Mascot, COASIT, St Alexander Nevsky Russian School, Ukrainian Central School, AGBU Alex Manoogian Armenian Saturday School, German Saturday School Sydney, Holy Family Polish Ethnic School, Greek Orthodox Church and Community of Leichhardt, Polish Education Society, Polish School Ashfield St Nicholas School of Russian, Mt Michael Russian School and St Andrews Ukrainian School Greek Orthodox Community of NSW.

5. That this House congratulates and commends the NSW Federation of Community Language Schools, all schools and teachers for their outstanding service to New South Wales’ diverse community.

Question put and passed.

18 ORDINATION OF FATHER ZVONIMIR GAVRANOVIC (Formal Business)

Mr Clarke moved, according to notice:

1. That this House notes that:
 - (a) on Sunday 26 August 2012, at the Sacred Heart Catholic Church, Parish of Luddenham – Warragamba, a Mass in Celebration of the 40th Anniversary of the Ordination of Father Zvonimir Gavranovic as a Priest was conducted, followed by a reception attended by 800 people,
 - (b) the principal celebrant at the Mass was Bishop Anthony Fisher O.P. Bishop of the Diocese of Parramatta assisted by Reverend Fathers Paul Marshall, Peter Kelleher and Phil Medlin,
 - (c) those who attended as guests included:
 - (i) the Honourable David Bradbury MP, Federal Member for Lindsay, Assistant Federal Treasurer and Federal Minister Assisting for Deregulation,
 - (ii) Mr Bryan Doyle MP, Member for Campbelltown,
 - (iii) the Honourable David Clarke MLC, Parliamentary Secretary for Justice,
 - (iv) leaders of various Croatian-Australian community organisations,
 - (v) representatives of various Catholic associations, and
 - (d) Father Zvonimir Gavranovic is one of the first Australians of Croatian heritage to be ordained a priest in New South Wales and for a number of years was the Ecumenical Co-ordinator for the Catholic Diocese of Parramatta.
2. That this House congratulates Father Zvonimir Gavranovic on the occasion of the 40th Anniversary of his Ordination as a priest and commends him for his service:
 - (a) to the Croatian Australian Community,
 - (b) to the wider Catholic Community,
 - (c) for his years of service on behalf of charitable institutions, and
 - (d) for his work in ecumenical dialogue and inter-faith understanding.

Question put and passed.

19 MR STUART HETHERINGTON (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes the appointment of Sydney lawyer Mr Stuart Hetherington to the post of President of Comité Maritime International (CMI) in October 2012.
2. That this House notes that:
 - (a) the CMI, which was formally established in 1897 in Belgium, is the oldest international organization in the maritime field and was the first international organization concerned exclusively with maritime law and related commercial practices,
 - (b) Mr Hetherington, a partner of Sydney Law firm Colin Biggers and Paisley, becomes the first non-European to be appointed President of CMI, and
 - (c) Mr Hetherington gained extensive experience in the maritime industry, having also served on the board of the Sydney Ports Corporation and due to his dedicated work was acknowledged in 2010 and bestowed the Lloyd's List DCN Maritime Service Award.
3. That this House congratulates and commends Mr Stuart Hetherington on his historic appointment to the prestigious role of President of the Comité Maritime International.

Question put and passed.

20 DISPUTED CLAIM OF PRIVILEGE—NIMMIE-CAIRA SYSTEM ENHANCED ENVIRONMENTAL WATER DELIVERY PROJECT—TABLING OF PRIVILEGED DOCUMENTS

The Clerk, according to the resolution of the House this day, tabled documents identified as not privileged in the report of the Independent Legal Arbiter, dated 20 November 2012, on the disputed claim of privilege on papers relating to Nimmie-Caira System Enhanced Environmental Water Delivery Project.

21 IRREGULAR PETITION

Mr Shoebridge sought the leave of the House for the suspension of standing orders to allow the presentation of a petition from 28 citizens of New South Wales concerning the death of Mr Roberto Laudisio Curti, which is irregular as it states petitioners are citizens of New South Wales, which may not be the case for all signatories.

No objection taken.

Leave granted.

Death of Mr Roberto Laudisio Curti

Mr Shoebridge presented an irregular petition from 28 citizens of New South Wales stating that the Brazilian community both in Australia and abroad is very concerned with the death of Mr Roberto Laudisio Curti while being subjected to repeated firings from NSW Police tasers on the night of 18 March 2012, that the community seeks to have greater openness and transparency in relation to the police investigation and greater access to information for the family and representatives of Roberto, and requesting that the House call on the Minister for Police and Emergency Services to immediately release to the family of Roberto and then the community, the video and audio recording from all tasers used on

the night of Roberto's death and immediately refer the investigation of the circumstances of Roberto's death to the independent Police Integrity Commission.

Petition received.

22 PETITION

Commission of Inquiry into the Port of Newcastle

Ms Faehrmann presented a petition from 881 citizens of New South Wales in particular those of the Hunter region, stating that there is an urgent need to conduct a Commission of Inquiry into the operation and future development of the Port of Newcastle as to its impacts on the economic, social and environmental future of the region, and requesting that the Government enact appropriate legislation to hold a Commission of Inquiry in order to address key issues that the present and past development decisions and processes have failed to address, including but not limited to the assessment of regional cumulative impacts of the current operation and planned growth and the failure of the current regulatory authorities.

Petition received.

23 NOTICES OF MOTIONS

24 BUSINESS POSTPONED

Private members' business item no. 5 in the order of precedence postponed, on motion of Revd Mr Nile, until Thursday 22 August 2013.

25 STANDING COMMITTEE ON SOCIAL ISSUES—MEMBERSHIP

The President informed the House that, on 21 November 2012, the Clerk had received advice that Ms Barham was nominated to replace Ms Faehrmann as a cross bench member on the Standing Committee on Social Issues.

26 SPECIAL ADJOURNMENT

Mr Gay moved: That this House at its rising today do adjourn until Tuesday 19 February 2013 at 2.30 pm unless the President, or if the President is unable to act on account of illness or other cause, the Deputy President, prior to that date, by communication addressed to each member of the House, fixes an alternative day or hour of meeting.

Question put and passed.

27 SUSPENSION OF STANDING AND SESSIONAL ORDERS—GAMING MACHINE LEGISLATION

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. 901 outside the order of precedence relating to gaming machine legislation be called on forthwith.

Question put and passed.

Dr Kaye then moved: That private members' business item no. 901 outside the order of precedence be called on forthwith.

Question put and passed.

28 GAMING MACHINE LEGISLATION

Dr Kaye moved, according to notice:

1. That this House notes that:
 - (a) the hardship suffered by a small number of individuals due to an anomaly in the application of the Gaming Machines Act 2001 which allowed licensees to sell or transfer gaming machine entitlements to another hotel, without the consent of the hotel owner who was at the time also the registered hotel licence owner with the Liquor Administration Board, as the licence is always attached to the property,
 - (b) the 2007 five year statutory review of the Gaming Machine Act 2001 recommended that the legislation be amended to ensure that the hotel owner was able to object to the transfer of entitlements from a leased hotel, thus restoring the original intent of the legislation, and
 - (c) there remains a small number of families who have exhausted all legal options available, who have no further recourse for financial settlement of this injustice, and who would have to prove their own personal losses as they vary from family to family.
2. That this House calls on the Government to urgently introduce legislation to amend Section 204 of the Gaming Machines Act 2001 for the specific purpose of providing ex-gratia payments to these families to fully compensate the financial hardship inflicted on them.

Debate ensued.

Question put and passed.

29 SUSPENSION OF STANDING AND SESSIONAL ORDERS—GAME AND FERAL ANIMAL CONTROL FURTHER AMENDMENT BILL 2012

On the President calling on the Clerk to read the order of the day, Mr Brown 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. 819 outside the order of precedence relating to the Game and Feral Animal Control Further Amendment Bill 2012 be called on forthwith.

Question put and passed.

Mr Brown then moved: That private members' business item no. 819 outside the order of precedence be called on forthwith.

Question put and passed.

30 GAME AND FERAL ANIMAL CONTROL FURTHER AMENDMENT BILL 2012

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

Debate resumed.

Question put.

The House divided.

Ayes 21

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

* Tellers

Noes 18

Ms Barham	Mr Foley	Mr Secord
Mr Buckingham	Dr Kaye	Ms Sharpe
Ms Cotsis	Mr Moselmane	Mr Shoebridge
Mr Donnelly	Mr Primrose	Mr Veitch
Ms Faehrmann	Mr Roozendaal	Ms Voltz *
Ms Fazio *	Mr Searle	Mr Whan

* Tellers

Pairs

Mr Gallacher

Ms Westwood

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.

The committee reported the bill with amendments, together with amendment in the long title.

The House adopted the report.

(With concurrence) Mr Brown moved: That this bill be now read a third time.

Question put.

The House divided.

Ayes 21

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

* Tellers

Noes 18

Ms Barham	Mr Foley	Mr Secord
Mr Buckingham	Dr Kaye	Ms Sharpe
Ms Cotsis	Mr Moselmane	Mr Shoebridge
Mr Donnelly	Mr Primrose	Mr Veitch
Ms Faehrmann	Mr Roozendaal	Ms Voltz *
Ms Fazio *	Mr Searle	Mr Whan

* Tellers

Pairs

Mr Gallacher

Ms Westwood

Question resolved in the affirmative.

Bill forwarded to the Legislative Assembly for concurrence.

31 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT (CHILD SAFETY ON SCHOOL BUSES) BILL

On the President calling on the Clerk to read the order of the day, Ms Faehrmann 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. 626 outside the order of precedence relating to the Road Transport (Safety and Traffic Management) Amendment (Child Safety on School Buses) Bill be called on forthwith.

Question put and passed.

Ms Faehrmann then moved: That private members' business item no. 626 outside the order of precedence be called on forthwith.

Question put and passed.

32 ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT (CHILD SAFETY ON SCHOOL BUSES) BILL 2012

Ms Faehrmann moved, according to notice: That leave be given to bring in a bill for an Act to amend the Road Transport (Safety and Traffic Management) Act 1999 to make provision with respect to the safety of children travelling on school buses and to require certain buses to be fitted with seatbelts; and for other purposes.

Question put and passed.

Bill presented.

Bill read a first time and ordered to be printed.

Ms Faehrmann then moved: That this bill be now read a second time.

Debate ensued.

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

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

33 QUESTIONS

According to sessional order, proceedings interrupted at 3.30 pm for adjournment.

The House continued to sit.

According to sessional order, government business given precedence.

34 PAPER—TABLED BY MINISTER

Mr Gay, tabled an extract from House of Representatives Hansard from 21 October 2010, pages 57-58, concerning Pacific Highway funding.

Ms Voltz moved: That according to standing order 57, consideration of the document tabled by Mr Gay stand an order of the day for Tuesday 19 February 2013.

A division being called for, the bells were rung. By leave the call for a division was withdrawn.

Question put and passed.

35 PAPERS—TABLED BY MINISTER

Mr Pearce, tabled the following papers:

(1) Annual Reports (Departments) Act 1985—Report of Ministry for Police and Emergency Services for year ended 30 June 2011.

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

Board of Studies and Office of the Board of Studies
Fire and Rescue NSW
Ministry for Police and Emergency Services
Ministry of Health, volumes 1, 2, and 3
New South Wales Crime Commission
New South Wales Rural Fire Service
New South Wales Electoral Commission
NSW Police Force
The Treasury, volumes 1, 2, and 3.

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

Chiropractic Council of New South Wales
Dental Council of New South Wales
Election Funding Authority of New South Wales
Health Care Complaints Commission

Independent Liquor and Gaming Authority
 Long Service Corporation
 Medical Council of New South Wales
 Natural Resources Commission
 New South Wales Board of Vocational Education and Training
 New South Wales Treasury Corporation
 NSW Institute of Teachers
 Nursing and Midwifery Council of New South Wales
 Optometry Council of New South Wales
 Osteopathy Council of New South Wales
 Pharmacy Council of New South Wales
 Physiotherapy Council of New South Wales
 Podiatry Council of New South Wales
 Psychology Council of New South Wales
 Rail Corporation New South Wales
 Responsible Gambling Fund Trustees
 SAS Trustee Corporation
 Transport for NSW.

- (4) Annual Reports (Statutory Bodies) Act 1984 and State Owned Corporations Act 1989—Reports for year ended 30 June 2012:

Ausgrid
 Delta Electricity
 Endeavour Energy
 Eraring Energy
 Essential Energy
 Hunter Water Corporation, including an erratum
 Landcom
 Macquarie Generation
 Newcastle Port Corporation
 Port Kembla Port Corporation
 Superannuation Administration Corporation (trading as Pillar Administration)
 Sydney Ports Corporation
 Sydney Water Corporation
 TransGrid.

- (5) Energy and Utilities Administration Act 1987—Report of NSW Climate Change Fund for year ended 30 June 2012.

Ordered: That the reports be printed.

Mr Pearce further tabled the following paper:

- (6) Aboriginal Land Rights Act 1983—Report of Aboriginal Land Rights Review 2012 Working Group on review of Aboriginal Land Rights Act 1983, dated 11 October 2012.

36 PAPERS—TABLED BY MINISTER

Mr Clarke, tabled the following papers:

- (1) Surveillance Devices Act 2007—Report of Ombudsman entitled “Report under Section 49(1) of the Surveillance Devices Act 2007 for the 6 months ending 30 June 2012”, dated November 2012.
- (2) Victims Support and Rehabilitation Act 1996—Report of Victims Compensation Tribunal for year ended 30 June 2012.

Ordered: That the reports be printed.

37 MESSAGE FROM THE LEGISLATIVE ASSEMBLY—GAME AND FERAL ANIMAL CONTROL FURTHER 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 Game and Feral Animal Control Act 2002 and the National Parks and Wildlife Act 1974 to make provision with respect to the killing of native game birds on private land; and for other purposes” returns the bill to the Legislative Council without amendment.

Legislative Assembly
22 November 2012

SHELLEY HANCOCK
Speaker

38 VOTE OF THANKS—SEASONAL FELICITATIONS

Mr Gay moved, without notice: That this House notes its thanks to the members and staff of the Parliament and wishes seasonal felicitations to all.

Debate ensued.

Question put and passed.

39 ADJOURNMENT

Mr Gay moved: That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned at 4.29 pm until Tuesday 19 February 2013 at 2.30 pm unless an alternative day or hour be fixed according to the resolution adopted this day.

40 ATTENDANCE

All members present, except Mr Gallacher.

David Blunt
Clerk of the Parliaments