



LEGISLATIVE COUNCIL

NOTICE PAPER

No. 26

THURSDAY 4 AUGUST 2011

The House meets this day at 11.00 am

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GOVERNMENT BUSINESS—ORDERS OF THE DAY

1. Address-in-Reply to the Governor's Opening Speech

Resumption of the interrupted debate (3 August 2011) of the question on the motion of Mrs Pavey: That the following Address be adopted and presented by the Whole House to the Governor, in reply to the speech which Her Excellency had been pleased to make to both Houses of Parliament.

To Her Excellency Professor Marie Bashir, Companion of the Order of Australia, Commander of the Royal Victorian Order, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY -

We, the members of the Legislative Council of the State of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to express our loyalty to Australia and the people of New South Wales.

We assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, and that we will faithfully carry out the important duties entrusted to us by the people of New South Wales.

We join Your Excellency in the hope that our labours may be so directed as to advance the best interests of all sections of the community—Mr Lynn speaking.

2. Conduct Division of the Judicial Commission of New South Wales—consideration of Legislative Assembly's message of 2 August 2011—Mr Gallacher.

PRIVATE MEMBERS' BUSINESS

ITEMS IN THE ORDER OF PRECEDENCE

- * 1. **Firearms Legislation Amendment Bill 2011**—resumption of the adjourned debate (14 June 2011) of the question on the motion of Mr Borsak: That this bill be now read a second time (5 calendar days from 14 June 2011)—Revd Mr Nile. (20 minutes)

(Item no. 34)

(First postponement 12 May 2011)

2. Dr Kaye to move—

That leave be given to bring in a bill for an Act to define, and to regulate the labelling of, free-range eggs.

(Truth in Labelling (Free-range Eggs) Bill)

(Notice given 4 May 2011—item no. 21)

(Second postponement 17 June 2011)

3. Mr Shoebridge to move—

That leave be given to bring in a bill for an Act to amend the Local Government Act 1993 to provide for a minimum of 3 councillors for each ward of a local council; and for other purposes.

(Local Government Amendment (Local Democracy – Ward Representation Reform) Bill)

(Notice given 6 May 2011—item no. 47)

(First postponement (Dr Kaye on behalf of Mr Shoebridge) 17 June 2011)

4. International Day of Mourning for Workers—resumption of the interrupted debate (16 June 2011) of the question on the motion of Ms Cotsis:

1. That this House notes that:

- (a) 28 April was the International Day of Mourning for Workers, or Workers Memorial Day,
- (b) this is a day to mourn, honour and pay tribute to all workers killed at or by work,
- (c) a workplace illness or fatality can have a dramatic impact on families, communities and society, and
- (d) a collaborative approach to workplace safety is the best way to reduce the incidence of death and injury in our workplaces.

2. That this House calls on both sides of politics to focus and reflect on workplace illness, injury and death and their causes—Ms Westwood speaking. (14 minutes remaining)

Debate: 1 hour 13 minutes remaining

(Item no. 2)

5. Ms Faehrmann to move—

That leave be given to bring in a bill for an Act to amend the Threatened Species Conservation Act 1995 to provide for an accreditation scheme in respect of persons who prepare or carry out species impact statements and other ecological assessments and surveys.

(Threatened Species Conservation Amendment (Ecological Consultants Accreditation Scheme) Bill)

(Notice given 5 May 2011—item no. 35)

6. Ms Sharpe to move—

1. That this House notes that:

- (a) heart disease is the number one killer of Australian women, and
- (b) 1 May 2011 to 7 May 2011 is Heart Week, which aims to raise community awareness of cardiovascular disease.

2. That this House urges members of this House to raise awareness about this important health issue.

(Notice given 5 May 2011—item no. 40)

7. Mr Buckingham to move—

That leave be given to bring in a bill for an Act to impose a moratorium on the granting of exploration licences for, and the production of, coal seam gas; and for other purposes.

(Coal Seam Gas Moratorium Bill)

(Notice given 9 May 2011—item no. 54)

8. Ms Voltz to move—

That this House:

- (a) recognises the eighth annual event to remember the Dharawal people killed in the Massacre of 1816 on Sunday 17 April 2011 at Cataract Dam, and
- (b) congratulates the host, Winga Myamly Reconciliation Group, and those supporters of the event including the NSW Reconciliation Council, Campbelltown City Council, Wollondilly Shire Council, Sydney Catchment Authority, Working Together in Minto and the Aboriginal Communities of the Macarthur Region.

(Notice given 5 May 2011—item no. 33)

9. Revd Mr Nile to move—

That leave be given to bring in a bill for an Act to amend the Education Act 1990 to repeal the provision inserted by the Education Amendment (Ethics) Act 2010 allowing special education in ethics as a secular alternative to special religious education at government schools.

(Education Amendment (Ethics Classes Repeal) Bill)

(Notice given 4 May 2011—item no. 3)

* Council bill

ITEMS OUTSIDE THE ORDER OF PRECEDENCE

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

9. Revd Mr Nile to move—

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

(Alcoholic Beverages Advertising Prohibition Bill)

(Notice given 4 May 2011)

10. Ms Faehrmann to move—

1. That this House notes that:
 - (a) the remaining green corridor between Heathcote and Bulli that connects the Royal National Park, Heathcote National Park, Dharawal State Conservation Area, Garawarra State Recreation Area and the Illawarra Escarpment State Conservation Area is under threat by increased development,
 - (b) green corridors are essential to maximising conservation outcomes of National Parks and State Conservation Areas, particularly in this era of climate change,
 - (c) green corridors allow for the migration of native fauna, protect endangered and threatened species, maintain ecosystem services, maintain biodiversity, provide recreation opportunities and protect our natural heritage, and
 - (d) in 2010 then Minister Kelly approved the Wollongong Local Environmental Plan which changed the status of the Hacking River Catchment from “Environmental Conservation” to “Environmental Management” to expand development opportunities.
2. That this House calls on the Government to:
 - (a) take action to preserve the green corridor between Heathcote and Bulli and the Hacking River Catchment by reinstating it as an area of Environmental Conservation, and
 - (b) guarantee that that coal and coal seam gas industry will not be allowed in National Parks, State Conservation Areas and State Recreation Areas.

(Notice given 4 May 2011—expires Notice Paper No. 40)

11. Revd Mr Nile to move—

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

(Liquor Amendment (Drinking Age) Bill)

(Notice given 4 May 2011)

12. Revd Mr Nile to move—

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

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

(Notice given 4 May 2011)

15. Ms Faehrmann to move—

1. That this House notes that:
 - (a) there is overwhelming public support for marriage equality in Australia,
 - (b) a growing number of jurisdictions overseas have legislated for marriage equality including the Netherlands, Belgium, Norway, Spain, Canada and South Africa,

- (c) constitutional law expert Professor George Williams has advised that marriage equality laws can be enacted by the states, and
 - (d) the Australian Greens' Marriage Equality (Amendment) Bill 2010 is currently before the Federal Parliament.
2. That, in the event that the Federal Parliament fails to legislate for marriage equality in 2011, this House calls on the New South Wales Government to legislate to allow marriage between adults in New South Wales regardless of sexual orientation, sex and gender identity.

(Notice given 4 May 2011—expires Notice Paper No. 40)

16. Revd Mr Nile to move—

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

(Gambling Advertising Prohibition Bill)

(Notice given 4 May 2011)

18. Revd Mr Nile to move—

That leave be given to bring in a bill for an Act to amend the Drug and Alcohol Treatment Act 2007 to further provide for the involuntary rehabilitative care of persons with severe substance dependence; and for other purposes.

(Drug and Alcohol Treatment Amendment (Rehabilitation of Persons with Severe Substance Dependence) Bill)

(Notice given 4 May 2011)

19. Ms Faehrmann to move—

1. That this House notes that:

- (a) the Grey-headed Flying-fox and Black Flying-fox are listed as vulnerable species under the Threatened Species Conservation Act 1995 and the Grey-headed Flying-fox is also listed as vulnerable under the Environment Protection and Biodiversity Conservation Act 1999 (Cth),
- (b) flying-foxes play an important ecosystem function by providing means of seed dispersal and pollination for many native tree species,
- (c) flying-foxes breed annually giving birth to only one young each year which is heavily dependent on the mother for at least six months,
- (d) the Office of the Environment and Heritage continues to issue licences to orchard owners to kill flying foxes,
- (e) the Minister for Primary Industries, the Hon Katrina Hodgkinson MP, has announced that the issuing of shooting licences will be fast tracked from 48 hours to 24 hours, together with the application and approval for relocating camps if required,

- (f) the Office of Environment and Heritage recognises that habitat loss has meant flying foxes are more affected by weather events and years of native food scarcity, leading them to target urban gardens and commercial fruit orchards,
 - (g) farmers in New South Wales continue to experience financial losses due to damage from flying foxes,
 - (h) an independent report by the NSW Flying Fox Licensing Review Panel in 2009 stated that “the animal welfare issues that result from shooting as a method of mitigating crop damage caused by flying foxes are unacceptable ethically and legally”,
 - (i) Queensland has banned the shooting of flying foxes, and
 - (j) the Office of Environment and Heritage advocates that full exclusion netting is the only reliable non-lethal crop protection mechanism to protect fruit crops from damage by flying foxes.
2. That this House calls on the Government to:
- (a) end the issuing of licences to harm or kill flying foxes,
 - (b) work with commercial fruit orchard owners and other affected growers to develop an economic assistance package for the roll out of full exclusion netting to protect against damage from flying foxes, and
 - (c) protect remaining flying fox habitat from unnecessary destruction.

(Notice given 4 May 2011—expires Notice Paper No. 40)

20. Revd Mr Nile to move—

That leave be given to bring in a bill for an Act to authorise the use of the term State Senate as a reference to the Legislative Council and to authorise the use of the term State Senator as a reference to a member of the Legislative Council.

(State Senate Bill)

(Notice given 4 May 2011)

22. Revd Mr Nile to move—

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

(Sex Services Advertising Prohibition Bill)

(Notice given 4 May 2011)

23. Dr Kaye to move—

1. That this House:

- (a) notes the proposal by TransGrid to build a 330 kV power line from Bonshaw in the Dumaresq supply area on the Queensland border to Lismore, purportedly to cater for population growth on the North Coast and to improve supply reliability,

- (b) expresses its concern that justification for the transmission line proposal relies on projected forward growth in the maximum demand that:
 - (i) is not supported by the historical record,
 - (ii) assumes that each new resident will contribute on average 40 per cent more to the peak demand than each existing resident,
 - (iii) ignores the opportunities for demand management, improved energy efficiency and local generation, and
 - (c) notes with concern that the proposed transmission line would:
 - (i) increase the carbon footprint of North Coast residents by increasing their dependence of coal-fired electricity from Queensland and New South Wales,
 - (ii) destroy the visual amenity of many residences and farms along the route,
 - (iii) undermine job opportunities in renewable energy, demand management, and other local generation on the North Coast,
 - (iv) destroy valuable habitat, riparian areas and land of ecological significance,
 - (v) create a 60 metre wide cleared zone that will permanently disconnect the Great Eastern Ranges Initiative green corridor and thus compromise the ability of species to maintain genetic diversity and migrate to adapt to climate change.
2. That this House calls on the Minister for Energy and the TransGrid shareholding ministers to intervene and insist that TransGrid drop the proposal and instead work on developing higher employment, lower emissions, lower impact and local solutions to the future energy needs of the North Coast of New South Wales.

(Notice given 4 May 2011—expires Notice Paper No. 40)

24. Dr Kaye to move—

1. That this House notes that:
- (a) a 2007 study conducted by Southampton University in the United Kingdom found that consumption of bright, artificial food colourings No. 102 tartrazine (lemon yellow), 104 quinoline yellow, 110 sunset yellow FCF, 122 carmoisine (red), 124 ponceau 4R (red), and 129 allura red AC had a “significantly adverse” impact on hyperactivity levels in children, and
 - (b) Australian children are being exposed to the dangers of the six artificial food colourings because of inaction by the Australia and New Zealand Food Regulation Ministerial Council which still permits the sale of food products containing these colourings in Australia.
2. That this House calls on:
- (a) the Government to ban the manufacture and sale of food in New South Wales that contains any of the artificial food colourings No. 102 tartrazine (lemon yellow), 104 quinoline yellow, 110 sunset yellow FCF, 122 carmoisine (red), 124 ponceau 4R (red), and 129 allura red AC, and
 - (b) the Minister for Primary Industries and the Minister for Health to move at the Australia and New Zealand Food Regulation Ministerial Council for a national ban on the manufacture and sale of food that contains any of these six artificial food colourings.

(Notice given 4 May 2011—expires Notice Paper No. 40)

25. Revd Mr Nile to move—

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

(Family Impact Commission Bill)

(Notice given 4 May 2011)

26. Dr Kaye to move—

1. That this House notes that:

- (a) the installation of “high-front” guttering in the absence of either appropriate flashing or a 10 millimetre offset from the barge boards or building surface:
 - (i) fails to provide continuous overflow protection,
 - (ii) can result in significant damage to houses from water flowing back into the building structure,
 - (iii) does not conform to Australian Standards AS3500 Plumbing and Drainage Part 3 Stormwater Drainage,
 - (iv) does not conform to Australian Standards AS3500 Plumbing and Drainage Part 5 Domestic Installations,
- (b) installation of many brands of “high-front” guttering in accordance with manufacturers’ instructions is not consistent with compliance with:
 - (i) the Building Code of Australia,
 - (ii) the New South Wales Plumbing Code of Practice,
 - (iii) the Australian Standards, and
- (c) the absence of compliance renders void householder and other insurance policies that require installation to comply with the Building Code of Australia.

2. That this House calls on the Minister for Fair Trading to instruct NSW Fair Trading to:

- (a) extensively advertise the legal and technical issues raised by high fronted gutters to ensure that building industry personnel across all sectors are aware that:
 - (i) “high-front” guttering without 10 mm offsets or appropriate flashing does not comply with the Building Code of Australia,
 - (ii) there are methods of installation that do comply and that these methods are illustrated using clear diagrams,
- (b) require gutter manufacturers to:
 - (i) place a warning on their websites about the need for compliance with the Building Code of Australia,
 - (ii) provide all purchasers of high-front guttering with a copy of the warning and diagrams that illustrate compliant methods of installation, and
- (c) ensure that manufacturers and suppliers of gutters remove any false and misleading information from their websites, advertising and brochures.

(Notice given 4 May 2011—expires Notice Paper No. 40)

27. Ms Faehrmann to move—

1. That this House notes that:
 - (a) the Roads and Traffic Authority's current plans for the expansion of the M5 Motorway include a rock tunnel and a cut and cover tunnel that would destroy a large segment of land that has been slated for inclusion in the Wolli Creek Regional Park,
 - (b) the Government is considering the M5 corridor improvements as one of Sydney's missing road links to be commenced in its first term of government,
 - (c) the local community has spent significant time and resources regenerating and revegetating the area that would be consumed by the tunnel's construction,
 - (d) Ron Christie's independent public inquiry into a long-term public transport plan for Sydney reported that "for access to Sydney's CBD... road building solutions – whether road widening or new roads – are destined to fail",
 - (e) there is ongoing community concern about health impacts from vehicle emissions near the existing M5 stacks, and
 - (f) the plan to expand the M5 Motorway represents a failure to invest in public transport and rail freight infrastructure.
2. That this House calls on the Government to:
 - (a) take action to fast-track the gazettal of the Wolli Creek Regional Park in its promised entirety of 50 hectares,
 - (b) reject new and expanded motorways as a means of reducing vehicle congestion, and
 - (c) increase investment in public transport services into Sydney's south west.

(Notice given 4 May 2011—expires Notice Paper No. 40)

28. Revd Mr Nile to move—

That leave be given to bring in a bill for an Act to amend the Summary Offences Act 1988 to prohibit people wearing full-face coverings in public places.

(Summary Offences Amendment (Full-face Coverings Prohibition) Bill)

(Notice given 4 May 2011)

30. Revd Mr Nile to move—

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

(Adoption Amendment (Same Sex Couples Repeal) Bill)

(Notice given 4 May 2011)

31. Revd Mr Nile to move—

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

(Crimes Amendment (Soliciting Sex for Payment) Bill)

(Notice given 4 May 2011)

32. Revd Mr Nile to move—

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

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

(Notice given 4 May 2011)

37. Ms Faehrmann to move—

1. That this House notes that:

- (a) there are significant ongoing threats to biodiversity on the Cumberland Plain, Western Sydney, including particular threats to the endangered Castlereagh and Cumberland Plains Woodlands and Grasslands,
- (b) of the 107,000 hectares of Cumberland Plain Woodland and Grasslands that covered the Sydney Basin in 1877 less than 8 per cent remain in a few fragmented stands today,
- (c) the Government refuses to intervene in the clearing of hundreds of hectares of critically endangered Cumberland Plain Woodland at the former ADI Site within the Penrith local government area,
- (d) one last opportunity exists to sustain viable populations of Western Sydney's flora and fauna, including macrofauna, and this is through establishment of the Cumberland Conservation Corridor, a corridor which links Priority Conservation Sites identified by the Office of Environment and Heritage and extends east from Mulgoa Valley Nature Reserve, follows riparian margins of South and Ropes Creek to Wianamatta Regional Park and north to Windsor Downs Nature Reserve,
- (e) the recently approved Penrith local environment plan (LEP) fails to zone Priority Conservation Sites, which were to be first preference offset acquisitions to satisfy Growth Centres Biodiversity Certification requirements and which are essential components of the Cumberland Conservation Corridor, and
- (f) significant funding will be available from the Growth Centres Conservation Fund for purchase of privately held lands including for development of the Cumberland Conservation Corridor.

2. That this House calls upon the Government to:

- (a) take all steps necessary to implement the Cumberland Plain Recovery Plan in consultation with the NSW Scientific Committee where necessary,
- (b) take immediate steps to create a State Environmental Planning Policy (SEPP) for the proposed Cumberland Conservation Corridor,

- (c) establish a steering committee to establish the boundaries of the SEPP, and
- (d) work with the Deerubbin Land Council to ensure the protection of biodiversity on the Cumberland Plain in areas owned by the council.

(Notice given 5 May 2011—expires Notice Paper No. 40)

38. Dr Kaye to move—

That this House:

- (a) notes that New South Wales has failed to introduce twice yearly Consumer Price Indexation of State Superannuation Defined Benefit Pensions for state public sector employees as recommended by the Senate Select Committee on Superannuation and Financial Services,
- (b) notes that this failure means that there is no amelioration of the current indexation lag, resulting in a continuing financial disadvantage to New South Wales public sector retirees who will be in receipt of State Superannuation Defined Benefit Pensions, compared to equivalent public sector employees in most other states and the Commonwealth, and
- (c) calls on the Government to implement the recommendation of the Senate Select Committee on Superannuation and Financial Services to provide twice yearly Consumer Price Indexation of State Superannuation Defined Benefit Pensions.

(Notice given 5 May 2011—expires Notice Paper No. 40)

41. Dr Kaye to move—

That this House:

- (a) notes that the current nine per cent employer contribution to public sector employees' superannuation is inadequate to ensure financial security for public sector retirees,
- (b) notes that the Government has a responsibility to ensure New South Wales fire fighters, rail workers, teachers, police, nurses and all other state workers enjoy a decent standard of living when they retire, and
- (c) calls on the Government to increase its superannuation contribution to a minimum of 15 per cent for all public sector employees to ensure their financial security in retirement.

(Notice given 5 May 2011—expires Notice Paper No. 40)

44. Dr Kaye to move—

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

(Tillegra Dam Prohibition Bill)

(Notice given 5 May 2011)

46. Mr Shoebridge to move—

1. That this House:
 - (a) notes that the previous Labor Government's changes to the Environmental Planning and Assessment Act 1979 directly attacked local democracy and the right of local communities to determine the future of the built form in their local area, and
 - (b) respects the right of local communities, acting through their democratically elected local government representatives, to have control over local planning and development issues as a matter of principle and best environmental practice.
2. That this House calls for immediate reform of the Environmental Planning and Assessment Act 1979 to restore effective community control to local planning by:
 - (a) abolishing Joint Regional Planning Panels, and
 - (b) referring all existing development applications that are currently to be determined by Joint Regional Planning Panels back to the local council applicable to the development.

(Notice given 6 May 2011—expires Notice Paper No. 40)

49. Mr Buckingham to move—

1. That this House notes that:
 - (a) there is a coal seam gas rush occurring in New South Wales that is not adequately regulated and is threatening the environmental, economic and heritage values of the state, and
 - (b) the coal seam gas industry has many negative impacts already being demonstrated in Australia, including:
 - (i) the drawdown on aquifers due to the significant volumes of water required to be extracted from the coal seam to access the gas,
 - (ii) the contamination of ground and surface water through the use of toxic chemicals in the controversial fracking process and by bringing large volumes of highly saline water to the surface,
 - (iii) methane leakage from around the gas well and during transmission that makes using coal seam gas for electricity generation between 20 and 100 percent more greenhouse intensive than coal fired power,
 - (iv) destroying biodiversity and agricultural land by building networks of pipes and roads between hundreds of gas wells.
2. That this House:
 - (a) puts communities and the environment ahead of the profits of coal seam gas companies,
 - (b) supports an immediate moratorium on coal seam gas exploration and extraction activities, and
 - (c) calls on the Government to request the Governor to establish a Special Commission of Inquiry into the full social, economic and environmental impacts of coal seam gas exploration and production.

(Notice given 9 May 2011—expires Notice Paper No. 40)

50. Mr Shoebridge to move—

1. That this House notes that:
 - (a) on 2 May 2011 the Land and Environment Court handed down the decision in the Carrick Group Pty Ltd v Blue Mountains City Council [2011] NSWLEC 1097, and the court upheld the Council's decision on 21 September 2010 to refuse a DA application for a crematorium within an existing commercial building in Faulconbridge,
 - (b) the basis for the dismissal of the appeal by the Land & Environment Court relates particularly to the Court's findings as to the inappropriate location of the proposed crematorium, especially its potential impact on the air quality for surrounding residents, and
 - (c) a crematorium in this area would have been inappropriate given the site is in a local neighbourhood zone close to houses and a local restaurant.
2. That this House congratulates local residents and the members of the Blue Mountains City Council for their community minded defence of their local area.
3. That this House calls on the Government to:
 - (a) amend the Department of Planning's Standard Local Environmental Plan Instrument to prohibit crematoria in areas other than areas zoned Industrial, and
 - (b) in consultation with the industry and local government develop a code of practice with statutory force that provides minimum requirements for buffer zones and air quality requirements amongst other criteria.

(Notice given 9 May 2011—expires Notice Paper No. 40)

51. Ms Faehrmann to move—

1. That this House notes that:
 - (a) the location of the proposed Byrrill Creek dam in the Tweed Shire is an area of high conservation value with environmentally significant flora and fauna and construction of the dam would have a detrimental impact on threatened species and habitat,
 - (b) the Byrrill Creek dam is in a location where there are a number of important Aboriginal sites which would be inundated or impacted on by construction of the dam,
 - (c) the construction of Byrrill Creek dam would lead to the inundation of 400 hectares of land and a portion of the Mebbin National Park,
 - (d) the Draft Water Sharing Plan for the Tweed River Area unregulated and alluvial water sources placed a prohibition on construction of a new dam at Byrrill Creek and the NSW Weirs Policy discourages construction of new on-river storages,
 - (e) though the Nationals member for Lismore Mr Thomas George has claimed that the state election was a referendum on the Byrrill Creek Dam, the polling booths of Kunghur and Uki, which are the closest to the proposed dam, voted overwhelmingly for the Greens and our position in opposition to the dam, and

- (f) there are other options to increase water capture and reduce water use for household and commercial properties in this area, including the use of water tanks and water efficient appliances.
- 2. That this House calls on the Government to maintain the prohibition on construction of a new dam at Byrrill Creek.

(Notice given 9 May 2011—expires Notice Paper No. 40)

53. Mr Brown to move—

That leave be given to bring in a bill for an Act to amend the National Park Estate (South-Western Cypress Reservations) Act 2010 to revoke the reservation of certain land as part of the Meroo National Park.

(National Park Estate (South-Western Cypress Reservations) Amendment Bill)

(Notice given 9 May 2011)

57. Mr Shoebridge to move—

- 1. That this House notes that:
 - (a) the NOETIC report, released in 2010, was commissioned by the Minister for Juvenile Justice, the Hon Graham West, to undertake a strategic and comprehensive review of juvenile justice in New South Wales,
 - (b) the report stated that “children and young people are different to adults and need to be considered separate in the justice debate” and also that “there is little doubt that detention does not act as a deterrent, and that it leads to poorer long term outcomes both for the individual and for society in general”,
 - (c) children and young people who enter the juvenile justice system normally do so with well-known risk factors, including family dysfunction, intellectual disability, poor mental health, dislocation from education, and homelessness,
 - (d) the report found that:
 - (i) a quarter of juvenile detainees could have intellectual disabilities,
 - (ii) children and young people make up 26 per cent of all persons of interest proceeded against by NSW Police, and a large proportion of unrecorded crime,
 - (iii) 35.8 per cent of juveniles on remand are of Aboriginal background,
 - (iv) close to 50 per cent of all juvenile detainees are of Aboriginal background,
 - (v) from 2003 to 2009, the average daily number of young people in custody rose from 272 to 427 young people per day,
 - (vi) almost 70 per cent of young offenders receive a subsequent conviction of some form within 12 months,
 - (e) the report contained 77 recommendations to confront the challenges faced by the issue of juvenile justice which, if not implemented, would lead to escalating costs, poor social outcomes and a less safe society,
 - (f) the report made “no findings that seek to lessen personal accountability or responsibility” but, rather, the report advocated a bipartisan approach to juvenile justice underpinned by rehabilitation and diversion and that the policy of the government of the day be evidence based,

- (g) the major recommendation of the NOETIC was that the Government engage in 'Justice Reinvestment', an approach which seeks to address the causes of crime through investing resources in social programs that would otherwise have been spent on dealing with the consequences of crime, most notably the construction of prisons and detention centres,
 - (h) having commissioned the NOETIC report, the former government failed to implement its recommendations, a decision which led to the resignation both from the Ministry and then Parliament of the Member for Campbelltown, the Hon Graham West, and
 - (i) the failure to implement these recommendations is an indictment on the previous government's approach to juvenile justice and its failure to deliver for the children and young people of New South Wales.
2. That this House:
- (a) condemns the former government for failing to follow the findings of the NOETIC report in relation to 'Justice Reinvestment', thus failing to institute much needed reform in the area of juvenile justice, and
 - (b) calls on the Government to immediately commit to taking a new path for juvenile justice in New South Wales by implementing the recommendations of the NOETIC Report and engaging in 'Justice Reinvestment' in order to achieve real outcomes for young people and children in New South Wales.

(Notice given 10 May 2011—expires Notice Paper No. 40)

59. Ms Voltz to move—

1. That this House notes that the Federal Government budget is delivering \$4.3 billion of initiatives across regional Australia including:
- (a) \$1.8 billion over six years to provide critical infrastructure upgrades to hospitals and health services for regional Australians through the Health and Hospitals Fund regional priority round,
 - (b) \$500 million over five years to strengthen regional higher education and vocational education and training institutions, through the regional priorities round of the Education Investment Fund,
 - (c) \$109.9 million over four years for universities with regional campuses through increased and better targeted loading payments to regional areas,
 - (d) \$916 million for the first projects under the Regional Infrastructure Fund to help unlock the economic potential of our regions, and
 - (e) \$1 billion over five years through the Regional Development Australia Fund to finance infrastructure projects that best fit the economic and community needs of the regions.
2. That this House notes that, in New South Wales, these initiatives help:
- (a) the Bega Valley Health Service Development which will receive \$160.1 million for a new integrated health care facility,
 - (b) the Tamworth Redevelopment Stage 2 which will receive \$120 million for high priority clinical and infrastructure upgrades,
 - (c) the Port Macquarie Base Hospital which will receive \$96 million to expand its facilities including a new medical inpatient unit,

- (d) the Wagga Wagga Base Hospital which will receive \$55.1 million to redevelop a range of facilities including an expanded emergency department, and
 - (e) the Albury-Wodonga Regional Cancer Centre on the New South Wales/Victorian border which will receive \$65 million to improve cancer care facilities.
3. That this House notes that a further \$1.02 billion has been allocated in this budget to the Pacific Highway and \$2 million for planning work necessary to build an overpass for the rail line on the New England Highway in Scone (NSW).

(Notice given 11 May 2011—expires Notice Paper No. 40)

60. Ms Faehrmann to move—

1. That this House notes that:
- (a) the Grey Nurse Shark is listed as critically endangered under the Environmental Protection and Biodiversity Conservation Act 1999,
 - (b) the Grey Nurse Shark is listed as globally vulnerable by the International Union for the Conservation of Nature,
 - (c) the Grey Nurse Shark can live for more than 25 years and females do not reach sexual maturity till approximately 12 years,
 - (d) the Grey Nurse Shark's gestation involves embryonic cannibalism which results in the birth of a maximum of two live young every two years after which the female enters a resting stage of approximately one year, which gives the species the lowest reproductive rate of any shark and makes them extremely vulnerable to human induced pressures,
 - (e) the Grey Nurse Shark is under threat from illegal fishing and injury due to accidental capture by commercial and recreational fishers, capture in beach safety shark nets, collection for aquaria and loss of genetic diversity resulting from the declining population numbers,
 - (f) the Federal Government issued the Grey Nurse Shark Recovery Plan in 2002 with the overall objective: "to increase Grey Nurse Shark numbers in Australian waters to a level that will see the species removed from the schedules of the Environment Protection and Biodiversity Act 1999",
 - (g) this Recovery Plan states that "it is obviously necessary to protect key Grey Nurse Shark areas from the risk of incidental catch. The protection should include establishment of effective marine protected areas and seasonal or permanent closure to commercial and recreational fishers for these important sites",
 - (h) Fish Rock is a critical habitat area for Grey Nurse Sharks, and
 - (i) on 29 April 2011 the Minister for Primary Industries, Katrina Hodgkinson, revoked the recreational fishing closures that were introduced at Fish Rock and Green Island in January.
2. That this House calls on the Government to:
- (a) reintroduce the fishing restrictions that were put in place in January 2011, and
 - (b) declare the areas surrounding Fish Rock a Marine Sanctuary Zone.

(Notice given 11 May 2011—expires Notice Paper No. 40)

61. Ms Faehrmann to move—

1. That this House notes that:
 - (a) the Black Cod is listed as a vulnerable species under the Fisheries Management Act 1994,
 - (b) the Black Cod is listed as near threatened under the International Union for the Conservation of Nature Red List of Threatened Species,
 - (c) the Black Cod can grow to two meters in length and can weigh 80 kilograms,
 - (d) the Black Cod has a slow rate of growth, is slow moving, curious and territorial which makes it vulnerable to overfishing,
 - (e) the Black Cod has been depleted in the past by line fishers and spear fishers,
 - (f) the Black Cod is under threat by the key threatening processes of ‘Hook and line fishing in areas important for the survival of threatened species’,
 - (g) the Northern Rivers Catchment Management Authority has found that the Solitary Islands Marine Park and the marine regions down to Fish Rock are the most important areas for black cod abundance in mainland eastern Australia,
 - (h) the Black Cod Recovery Plan made 25 recommendations to ensure the survival of the species and has found that “The establishment of sanctuary zones and habitat protection zones provide protection for a range of marine species including the Black Cod”, and
 - (i) on 29 April 2011 the Minister for Primary Industries, Katrina Hodgkinson revoked the recreational fishing closures that were introduced at Fish Rock and Green Island in January.
2. That this House calls on the Government to:
 - (a) implement the Black Cod Recovery Plan, and
 - (b) declare the areas surrounding Fish Rock a Marine Sanctuary Zone.

(Notice given 11 May 2011—expires Notice Paper No. 40)

62. Mr Moselmane to move—

1. That this House notes that:
 - (a) the Gillard Federal Government has delivered its first budget, which is on course for surplus in 2012-2013,
 - (b) the budget has been well received, with economic and political commentators describing it as a tough budget, including Ross Gittens stating that “taken in sum, there are plenty of cuts and savings that suggest some courage in Canberra”, and Peter Hartcher noting that it is not tough but definitely responsible, and a budget that ignores political pandering,
 - (c) New South Wales reaps the lion’s share of road funds and a budget that delivers, in part:
 - (i) \$6.6 billion on natural disasters recovery,
 - (ii) \$36 billion for roads, railways and ports,
 - (iii) \$16.4 billion in additional growth funding for public hospitals over six years,
 - (iv) \$1.5 billion for mental health services,
 - (v) \$4.3 billion of investments in regional hospitals, health care, universities and roads,

- (vi) \$558 million for the National Workforce Development Fund,
 - (vii) an extra \$1.75 billion for vocational education and training,
 - (viii) \$233 million for new support programs for the long-term unemployed,
 - (ix) \$425 million to reward top performing teachers, and
- (d) mental health has been a critical issue which all political parties agree needs to be tackled, and
 - (e) this budget provides a long-awaited mental health package that is most welcome for mental illness prevention, including early intervention for children and adolescents, and provides funds for the Headspace treatment program for young adults and those with mental health problems, including the homeless.
2. That this House:
- (a) congratulates the Gillard Federal Government and in particular the Federal Treasurer, the Hon Wayne Swan MP, for his tough but in many ways fair budget, and
 - (b) conveys special thanks for the Federal Government's focus on mental health and on the provision of significant roads funding to the state of New South Wales.

(Notice given 12 May 2011—expires Notice Paper No. 40)

63. Mr Brown to move—

That leave be given to bring in a bill for an Act to amend the Game and Feral Animal Control Act 2002 to make further provision with respect to the management and regulation of the hunting of game; and for other purposes.

(Game and Feral Animal Control Amendment Bill)

(Notice given 12 May 2011)

64. Ms Fazio to move—

That this House:

- (a) notes the decision of the former Government on 18 February 2011 to provide a better future for non-racing greyhounds by amending the Companion Animals Regulation 2008 as follows:

33B Exemption from muzzling for certain greyhounds

- (1) A greyhound is exempt from the requirement under section 15 of the Act to have a muzzle securely fixed on its mouth if:
 - (a) the greyhound has successfully completed an approved greyhound re-training program, and
 - (b) the greyhound wears an approved collar when it is in a public place.
- (2) The exemption does not apply to a greyhound that is a dangerous dog or a restricted dog.
- (3) In this clause:

approved collar means a collar of a kind approved by the Director-General for the purposes of this clause.

approved greyhound re-training program means a program that is approved by the Director-General, for the purposes of this clause, by order published in the Gazette.

Note. A greyhound that has been granted an exemption under this clause must continue to comply with all other relevant requirements of the Act and this Regulation. For example, a greyhound that is in a public place must be under the effective control of some competent person by means of an adequate chain, cord or leash that is attached to it and that is being held by (or secured to) the person: see section 13 of the Act,

- (b) commends the effective campaign waged by greyhound owners and supporters including the Australian Veterinary Association NSW to have this change implemented which will mean that:
 - (i) non-racing greyhounds that complete an approved training program will no longer be forced to wear a muzzle when in public,
 - (ii) encourage the adoption of many more ex-racing greyhounds which previously were put down at the end of their racing careers,
 - (iii) will bring NSW into line with other jurisdictions including Victoria, Queensland, South Australia and the Australian Capital Territory, and
- (c) calls on the O'Farrell Government to expedite the development of an approved retraining program so that non-racing greyhounds which are assessed as suitable no longer have to be muzzled when in public.

(Notice given 24 May 2011—expires Notice Paper No. 40)

65. Ms Voltz to move—

That this House:

- (a) notes the recent tragic death of Joe Welch at the age of 19, former Australian Rugby Schoolboy, who did not regain consciousness after he was pulled unconscious from the water at the Thai tourist Island of Koh Pha Ngan and passes on its condolences to his mother Gabrielle and father Peter, and his brothers and sister, and
- (b) notes that the Australian Rugby Union in conjunction with the Lloyd McDermott Foundation has established a scholarship to honour Joe's memory that supports the education and development of young Aboriginal forwards.

(Notice given 24 May 2011—expires Notice Paper No. 40)

66. Mr Colless to move—

That this House notes that:

- (a) Senator Steve Hutchins has been a member of the Australian Labor Party and a member of the NSW Right Faction of the Australian Labor Party for 40 years,
- (b) Senator Hutchins has cancelled his membership of the NSW Right following a decision by ALP factional warlords to appoint apparatchiks Walt Secord and Adam Searle to Legislative Council vacancies precipitated by the sudden post March election resignations of the Honourable Eddie Obeid MLC and the Honourable John Hatzistergos MLC,
- (c) Mr Secord held the position of Premier Keneally's Chief of Staff at the time of the 2011 New South Wales election,
- (d) Mr Searle, a former member of the NSW Left, unsuccessfully contested preselection for the federal electorate of Macquarie as a member of the NSW Right,

- (e) Senator Hutchins has opposed the appointment of Mr Secord to the Legislative Council on the grounds that Mr Secord was intimately involved with the previous Labor government, comprehensively defeated at the 26 March election,
- (f) Senator Hutchins has opposed the appointment of Mr Searle on the grounds that he who conveniently changes factions merely to contest a preselection should not be rewarded with a safe political position,
- (g) Senator Hutchins has argued that neither person represents renewal or rehabilitation and it was clear that the New South Wales branch of the Australian Labor Party has learnt nothing since their comprehensive defeat on 26 March,
- (h) the rank and file membership of the New South Wales branch of the Australian Labor Party has demonstrated outside ALP Sussex Headquarters expressing their desire to have casual vacancies in the Legislative Council resolved by a membership ballot rather than by Sussex Street appointments, and
- (i) Senator Hutchins has labelled the NSW Right as now nothing more than a job agency for party hacks.

(Notice given 24 May 2011—expires Notice Paper No. 40)

67. Mr Donnelly to move—

1. That this House notes that:
 - (a) 23 to 28 May 2011 is National Palliative Care Week,
 - (b) the theme for National Palliative Care Week 2011 is “Let’s have a Chat about Dying”, and
 - (c) the peak body Palliative Care New South Wales has organised a range of events and activities around the state this week to promote community understanding, awareness and support for palliative care and that we express our appreciation to that organisation for all its efforts.
2. That this House:
 - (a) notes that the Victorian Government in early May injected an extra \$34.4 million of funding into palliative care in that state, representing a 38 per cent increase in funding for palliative care, a most welcome initiative, and
 - (b) calls on the O’Farrell Government to take measures to significantly boost spending on palliative care in its forthcoming 2011-2012 Budget to be announced in September.

(Notice given 24 May 2011—expires Notice Paper No. 40)

71. Ms Barham to move—

1. That this House notes the Performance Audit report of the Auditor General entitled “Two Ways Together – New South Wales Aboriginal Affairs Plan: Aboriginal Affairs NSW, Department of Premier and Cabinet”, dated May 2011.
2. That this House:
 - (a) supports all of the recommendations of the Auditor General,

- (b) requests the Minister for Aboriginal Affairs to report to Parliament on implementation and compliance with the recommendations,
- (c) requests the Minister for Aboriginal Affairs to commission a review of the Productivity Commission's 2010 Indigenous Expenditure Report by Aboriginal Affairs NSW into:
 - (i) whether New South Wales is delivering government services to Aboriginal people at a level comparable with other state and territory jurisdictions,
 - (ii) whether below average per head investment in the relevant service sectors across New South Wales is impacting Two Ways Together priorities, and
- (d) requires the Minister for Aboriginal Affairs to table the findings of the review by Aboriginal Affairs NSW.

(Notice given 24 May 2011—expires Notice Paper No. 40)

74. Dr Kaye to move—

1. That this House notes that:
 - (a) in November 2010 the previous Government rejected the proposal for a \$477 million dam on the Williams River at Tillegra citing unacceptable environmental impacts, potential impacts on licensed water users and insufficient justification for the project,
 - (b) the former Premier, the Hon Kristina Keneally MP, and former Minister for Water, Mr Phil Costa MP, undertook to instruct the NSW Office of Water to develop a new water supply plan for the Lower Hunter and to create an Independent Review Panel including local water experts, and
 - (c) evidence uncovered in papers released under standing order 52 shows that Hunter Water is pushing for a desalination plant to be constructed in the Newcastle area.
2. That this House calls on the Government to:
 - (a) exclude desalination and a new dam from consideration in the development of a new Lower Hunter water plan, and
 - (b) ensure that the water plan is developed with comprehensive public participation and appropriate and unbiased information is made available, as is required under the National Water Initiative.

(Notice given 24 May 2011—expires Notice Paper No. 40)

80. Mr Shoebridge to move—

1. That this House notes that:
 - (a) the Concept Plan for the 5,500 lot Cobaki development in North East New South Wales was approved in January 2011 and a Joint Regional Planning Panel (JRPP) is due to determine the subdivision of the first 932 lots of this development on Thursday 26 May 2011,
 - (b) there are four main areas of concern regarding this determination, namely:
 - (i) the impact on the local koala population,
 - (ii) the broader implications of the development on the area's biodiversity,
 - (iii) water management issues relating to the development,
 - (iv) a lack of community consultation throughout the process,

- (c) if approved, this subdivision could result in the extinction of the vulnerable northern Tweed Coast koala population,
 - (d) in the Tweed Coast Koala Habitat Study Dr Stephen Phillips in January 2011, outlined concerns for extinction of the northern Tweed Coast koala population within five to 10 years, that is, north of the Tweed River and including the Cobaki locality,
 - (e) the report stated that:
 - (i) the Cobaki site could potentially assist by offering areas of ancillary habitat and use by koalas and/or facilitating dispersal to other areas,
 - (ii) the ridgeline forming the northern boundary of the site does offer one of the few, if not the only, opportunity to effectively link coastal lowlands with more upland areas to the west, and
 - (f) the Council report to the JRPP makes very little reference to koalas but has relied heavily on advice given to the developer in a letter by the author of the Koala Habitat Study, Dr Phillips, yet makes no provision to accommodate the advice in the letter.
2. That this House, in light of the uncertainties surrounding the process of determining the Cobaki development, and the imminent threat to the native koala population:
- (a) calls for an urgent moratorium on the determination of the first Cobaki subdivisions, and
 - (b) instigates an inquiry into the Cobaki development in the Tweed Shire, including on its potential impact on the threatened koala population in the Tweed.

(Notice given 25 May 2011—expires Notice Paper No. 40)

83. Ms Faehrmann to move—

1. That this House notes that:
- (a) the State Forests of the Pilliga, commonly known as the Pilliga Scrub, is an area of special ecological and biodiversity value, known to be the largest continuous remnant of semi-arid woodland in temperate New South Wales,
 - (b) the Pilliga Scrub is home to many threatened animal and plant species including but not limited to the Pilliga Mouse, Black-striped Wallaby, and the South-eastern Long-eared Bat,
 - (c) Eastern Star Gas Ltd, which is headed by former Federal Nationals Leader John Anderson, has plans for a massive coal seam gas field of around 550 production well sets in the Pilliga Scrub including extensive regional pipelines, with the proposed field to cover an area of around 85,000 hectares, and is set to clear over 2,400 hectares of native vegetation,
 - (d) some of the proposed coal seam gas wells are located in the Pilliga East State Conservation Area, a protected area under the National Parks and Wildlife Act 1974,
 - (e) the proposal has been referred as a controlled action under the Environment Protection and Biodiversity Conservation Act 1999 (Cth), and
 - (f) the proposal is being assessed by the NSW Department of Planning under Part 3A regulations, and the Director General's Requirements for the environmental assessment were issued in December 2010.

2. That this House calls on the Government to:

- (a) reject Eastern Star Gas Ltd's application for the Narrabri Coal Seam Gas Field Development in order to protect the Pilliga Scrub, and
- (b) increase protection for the State Forests of the Pilliga and Pilliga East State Conservation Area by declaring the areas a National Park.

(Notice given 25 May 2011—expires Notice Paper No. 40)

85. Dr Kaye to move—

That leave be given to bring in a bill for an Act to extend the terms of reference of the Special Commission of Inquiry into Electricity Transactions to include inquiring into and reporting on the cancellation of the relevant transactions and the restoration of public ownership of NSW electricity retailers.

(Power Industry (Restoration of Public Ownership) Bill)

(Notice given 26 May 2011)

87. Revd Mr Nile to move—

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

(Child Protection (Nicole's Law) Bill)

(Notice given 26 May 2011)

89. Ms Faehrmann to move—

1. That this House notes that:

- (a) the Gardens of Stone is an area of unique ecological and biodiversity value, characterised by unique stone pagodas created by ironstone bands etched from the Burramoko Sandstone which crops out only in the western Blue Mountains,
- (b) the Gardens of Stone contains a wealth of Aboriginal and European cultural heritage,
- (c) the Gardens of Stone is recognised as the next reservation priority in the Blue Mountains Conservation Area by the New South Wales National Parks and Wildlife Service,
- (d) the Gardens of Stone is currently threatened by a development application under Part 3A of the Environmental Planning and Assessment Act 1979 for the expansion and integration of mining operations at the Cullen Valley and Invincible Collieries,
- (e) if approved, the expansion would require the clear felling of 1088 hectares of the Ben Bullen State Forest, including 196 hectares containing Capertee Stringybark which is listed as 'vulnerable' and 40 hectares of Box Gum Woodland listed as 'critically endangered' under the Environment Protection and Biodiversity Conservation Act 1999,
- (f) the project will destroy the habitat of the Regent Honeyeater, Tiger Quoll and Powerful Owl and at least 32 threatened native animals, 5 of which are listed under the Environment Protection and Biodiversity Conservation Act 1999,

- (g) the development will destroy the habitat of the Lyrebird which uses the sides of the pagoda to nest and raise its young,
- (h) mining will also strip the protective pathways used by adult birds foraging between nesting sites and will destroy their food habitats within the more fertile valley floors,
- (i) longwall mining is listed as a key threatening process under the Threatened Species Conservation Act 1995,
- (j) longwall mining beneath pagodas has resulted in subsidence, their fracturing and collapse, the draining of headwater streams, detrimental alterations to surface water chemistry, the deterioration of nationally significant and endangered upland swamps and widespread surface cracking, and
- (k) Coalpac has been fined on eleven occasions for pollution incidents and has also been fined \$200,000 for exceeding coal production limits.

2. That this House calls on the Government to:

- (a) reject Coalpac's Part 3A application for the expansion and integration of mining operations at the Cullen Valley and Invincible Collieries, and
- (b) declare the Gardens of Stone a National Park.

(Notice given 26 May 2011—expires Notice Paper No. 40)

91. Revd Mr Nile to move—

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

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

(Notice given 26 May 2011)

94. Revd Mr Nile to move—

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

(Pregnancy Termination (Mandatory Counselling) Bill)

(Notice given 26 May 2011)

95. Revd Mr Nile to move—

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

(Crimes Amendment (Pre-natal Termination) Bill)

(Notice given 27 May 2011)

97. Mr Shoebridge to move—

That the Procedure Committee inquire into and report on the practice of giving, and the use of, contingent notices of motions for the suspension of standing orders.

(Notice given 27 May 2011—expires Notice Paper No. 40)

98. Revd Mr Nile to move—

That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 to create a new offence relating to the destruction (other than in the course of a medical procedure) of a child in utero.

(Crimes Amendment (Destruction of Child in Utero – Zoe’s Law) Bill)

(Notice given 27 May 2011)

99. Ms Faehrmann to move—

1. That this House notes that the Federal Climate Commission’s report, *The Critical Decade*, released on 23 May 2011 which refers to over 185 scientific sources has found that:

- (a) human emissions of greenhouse gases is the primary factor triggering observed climate change since at least the mid 20th century,
- (b) in the last 50 years the number of record hot days in Australia has more than doubled, increasing the risk of heatwaves and associated deaths, as well as extreme bush fire weather in South Eastern and South Western Australia,
- (c) the temperature of the upper 700 m of the ocean continues to increase, with most of the excess heat generated by the growing energy imbalance at the Earth’s surface stored in this compartment of the system,
- (d) recent observations confirm net loss of ice from the Greenland and West Antarctic ice sheets while the extent of Arctic sea ice cover continues on a long-term downward trend, and that most land-based glaciers and ice caps are in retreat,
- (e) the sea level has risen by 20 cm globally since the late 1800s, impacting on many coastal communities and the plausible estimate of the amount of sea-level rise by 2100 compared to 2000 is 0.5 to 1.0 m,
- (f) the biosphere is responding in a consistent way to a warming Earth, with observed changes in gene pools, species ranges, timing of biological patterns and ecosystem dynamics,
- (g) there is a very large body of internally consistent observations, experiments, analyses, and physical theory that points to the increasing atmospheric concentration of greenhouse gases, with carbon dioxide the most important, as the ultimate cause for the observed warming,
- (h) despite the dip in human emissions of greenhouse gases in 2009 due to the global financial crisis, emissions continue on a strong upward trend, on average tracking near the top of the Intergovernmental Panel on Climate Change emission scenarios,
- (i) the number and magnitude of climate risks will rise as the climate warms further,
- (j) the peaking year for emissions is very important for the rate of reduction thereafter, and the decade between now and 2020 is critical,

- (k) to minimise this risk, we must decarbonise our economy and move to clean energy sources by 2050 which means that carbon emissions must peak within the next few years and then strongly decline, and
 - (l) the longer we wait to start reducing carbon emissions, the more difficult and costly those reductions become.
2. That this House calls on the Government to:
- (a) reassess New South Wales targets that have been set to return greenhouse gas emissions to 2000 levels by 2025 and reduce emissions by 60 per cent below 2000 levels by 2050, and
 - (b) set new targets in accordance with the Federal Climate Change Commission's finding that global emissions will need to be reduced very close to zero by 2050 to stabilise carbon dioxide concentrations at a value compatible with a global temperature increase of 2 per cent.

(Notice given 27 May 2011—expires Notice Paper No. 40)

100. Ms Voltz to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since 27 March 2011, in the possession, custody or control of the Treasurer, the Treasury, the Minister for Finance and Services, the Office of State Revenue, or the Department of Premier and Cabinet:

- (a) all correspondence received from the law firm Freehills or any of its partners, associates or employees,
- (b) all correspondence sent to the law firm Freehills,
- (c) any records of phone conversations or conferences with the law firm Freehills or any of its partners, associates or employees,
- (d) any and all correspondence, advice or any communications from any person in any way related to changes to the Industrial Relations Act 1996, and
- (e) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 30 May 2011—expires Notice Paper No. 40)

101. Dr Kaye to move—

1. That this House notes:
- (a) the appalling toll of gaming machines on 90,000 addicts whose lives and those of their families and communities are destroyed to support the profits of licensed venues and gaming machine owners, operators and manufacturers,
 - (b) the Productivity Commission's finding that of \$12 billion spent in gambling machines in 2008-09, 40 percent was by problem gamblers, and
 - (c) the Productivity Commission's recommendation that mandating pre-commitment technology is a necessary step towards controlling and minimising the extent and impact of problem gambling.

2. That this House congratulates the Federal Independent member Mr Andrew Wilkie MP for promoting mandatory pre-commitment technology and ensuring that the Gillard Government adopted this important gaming control measure.
3. That this House condemns:
 - (a) the Federal Opposition and in particular its Leader, Mr Tony Abbott MP, for abandoning problem gamblers for the sake of cheap political gain,
 - (b) the New South Wales Coalition Government for fostering an unhealthy relationship with the state's clubs industries and its consequent opposition to pre-commitment technology, and
 - (c) John Singleton and his agency Banjo for their deeply misleading and offensive advertising campaign that suggests that pre-commitment technology and those who support it are "un-Australian".
4. That this House calls on the Government to reverse its position and support per-commitment technology as the next important step to addressing the social and economic toll of gaming machine addiction.

(Notice given 30 May 2011—expires Notice Paper No. 40)

103. Mr Shoebridge to move—

1. That this House notes:
 - (a) the legal developments as a result of the death of a child who was attacked by pig dogs in which Warren Shire Council was found to have been partially responsible for her death,
 - (b) continuing community concern about the aggressive crossbreed dogs used for hunting and the potential safety risks they pose to other members of the community, particularly children, and
 - (c) the difficulties local councils face in regulating the restraining, training, control, safety and breeding of aggressive hunting dogs, especially pig dogs.
2. That this House refers the laws governing the restraining, training, control, safety and breeding of aggressive hunting dogs to the Law and Justice Committee for review.

(Notice given 31 May 2011—expires Notice Paper No. 40)

104. Mr Buckingham to move—

1. That this House notes:
 - (a) the Cortona Resources Pty Ltd proposal for a gold mine at Major's Creek is located at the top of the Deua River Catchment which supplies 75 per cent of the potable water supply for the Eurobodalla Shire,
 - (b) the project will require 870 million litres of water per year for mining related purposes of which 130 million litres will be new water required each year,
 - (c) the New South Wales Office of Water made a submission to the Department of Planning outlining a number of key concerns about the project including:
 - (i) inadequate ground water modelling,
 - (ii) the complete loss of base flow from Spring Creek during the mines operations,
 - (iii) the lack of monitoring data supporting the assessments by the company,

- (d) the Department of Environment's submission to the Department of Planning states it remains concerned about the "on site management of water and the protection of water quality in Major's and Spring Creek" and also identifies potential impacts on the Major's Creek Conservation Area,
 - (e) the proponent failed to identify the Eurobodalla Shire Council as a stakeholder in the project despite the potential impact on the shire's water supply,
 - (f) the Eurobodalla Shire Council made a submission to the Department of Planning highlighting the proponent's failure to identify the potential risks to the water supply of over 100,000 residents,
 - (g) the Araluen Valley is only kilometers downstream from the proposed mine and supports a vibrant orchard industry,
 - (h) the Araluen Valley Progress Association made a submission to the Department of Planning describing the Environment Assessment as providing no clarity on the downstream impacts of the proposal, and
 - (i) the Majors, Bell and Araluen Creeks provide a habitat for the endangered Araluen Gum (*eucalyptus kartzoffiana*) listed as vulnerable under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) and the Araluen Scarp Grassy Forest community which is listed as an endangered ecological community under the Act.
2. That this House calls on the Government to reject the proposal by Cortona Resources Pty Ltd as inappropriate development located at the top of a vital water supply catchment.

(Notice given 31 May 2011—expires Notice Paper No. 40)

105. Ms Faehrmann to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution all documents created since 1 October 2006 in the possession, custody or control of the Minister for Transport or the Department of Transport relating to the assessment of the risks of school bus routes, including:

- (a) any document relating or referring to risk assessments of school bus routes,
- (b) any document relating or referring to a criteria for carrying out these risk assessments,
- (c) any document that sets out the risk level of school bus routes in New South Wales,
- (d) any report or advice which outlines risk management strategies,
- (e) any correspondence between the Minister for Transport and the Department of Transport that refers to the risk assessment of school bus routes, the implementation of risk management strategies and the costs of implementing risk management strategies, and
- (f) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 31 May 2011—expires Notice Paper No. 40)

106. Mr Shoebridge to move—

1. That this House notes that:

- (a) the refugee camp in Diyala, Iraq, known as Ashraf City, is home to some 3,400 Iranian men, women and children, two of whom are Australian citizens,
- (b) many of the Ashraf refugees are members and supporters of the People's Mojahedin Organisation of Iran (PMOI), a group which has effectively functioned as the main opposition group in Iran, and which has called for secular democratic government in Iran and an end to absolute clerical rule, leading to members of the PMOI facing persecution in their home country,
- (c) in 2003, the group surrendered their weapons to the United States military and were extended protection under the Fourth Geneva Convention,
- (d) control over the camp was transferred from United States forces to the Iraqi Government on 1 January 2009 with assurances that they would be treated in accordance with Iraqi and international law,
- (e) the residents of Camp Ashraf have since been subjected to repeated military attacks by Iraqi forces, most notably on 8 April 2011 when Iraqi forces acting on orders directly received from Iraqi Prime Minister Nouri al-Maliki attacked the camp, resulting in 34 deaths and approximately 350 people being wounded,
- (f) Amnesty International and the United Nations Commissioner for Human Rights have strongly condemned the attacks,
- (g) there is a timetable for all remaining United States forces to withdraw entirely from Ashraf in the coming weeks, leaving residents of the camp without protection from further attacks,
- (h) Iraqi forces continue to surround camp Ashraf, including with armoured vehicles, and continue to impose constant loud harassment of the camps residents through loudspeakers located throughout the camp, and
- (i) a cross party grouping of Federal Senators called for the Australian Government to press for urgent action on the issue on 26 May 2011.

2. That this House calls on the Federal Government to:

- (a) request the immediate withdrawal of Iraqi forces from the vicinity of the refugee camp,
- (b) request the deployment of two United Nations observers protected by a minimum of 50 United Nations troops in Ashraf, and
- (c) request that a representative to the United Nations Security Council be appointed to investigate the attack of 8 April 2011 and to seek a permanent and just solution to the settlement of the residents of Ashraf.

(Notice given 1 June 2011—expires Notice Paper No. 40)

107. Ms Faehrmann to move—

That, under standing order 52, there be laid upon the table of the House within 28 days of the date of passing of this resolution the following documents created since 1 January 2006, in the possession, custody or control of the Minister for Roads and Ports, the Roads and Traffic Authority, the Treasurer, and The Treasury, relating to the Hills M2 upgrade:

- (a) the contract between the Roads and Traffic Authority and Transurban to finance and construct the M2 upgrade,
- (b) any documents that refer or relate to the determination made by the then Minister for Planning, on 24 February 2009, that the M2 upgrade was a “critical infrastructure project” pursuant to section 75C of the Environmental Planning and Assessment Act 1979,
- (c) any cost benefit analysis of the M2 upgrade,
- (d) any documents that relate or refer to an analysis of the traffic flows that will result from the M2 upgrade, and
- (e) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 1 June 2011—expires Notice Paper No. 40)

109. Mr Buckingham to move—

1. This House notes the 2009 Nobel winning study by Physicians for Social Responsibility that concluded that “each step of the coal lifecycle – mining, transportation, washing, combustion, and disposing of post-combustion wastes – impacts human health”.
2. That this House notes that:
 - (a) these impacts are not confined to respiratory diseases but also include cardiovascular and neurological impacts as well as potential impacts on the lung and brain development of unborn and young children,
 - (b) research by the Center for Health and the Global Environment at the Harvard Medical School estimated the annual cost of coal ‘externalities’ in the United States and put the annual costs of air pollution from coal at US\$187 billion,
 - (c) private funding was announced immediately prior to state election for the first phase of a coal health study,
 - (d) the current Upper Hunter Air Quality Monitoring Network is based on PM10 monitoring instead of the more harmful PM2.5 particulates, and
 - (e) the national pollutant inventory reported last year that almost half of all of New South Wales’s most dangerous PM2.5 particulates were produced in the Muswellbrook and Singleton areas.
3. That this House recognises:
 - (a) the responsibility of government to protect the health of the community,
 - (b) the alternatives that are available to replace the need for coal mining for domestic electricity production which, if built, would lead to a significant reduction in air pollution,
 - (c) the false economy of supporting coal extraction on the basis of royalty revenues that are a fraction of the social, health, infrastructure and agricultural costs of this industry,
 - (d) the social injustice of exposing the New South Wales community to health consequences while protecting the profits of coal exporters, and
 - (e) the failure of the last government to support a comprehensive coal health study.

4. That this House calls on the Government to:
- (a) support a full health study for New South Wales coal communities,
 - (b) enforce and strengthen existing environmental protection licences to ensure coal communities are no longer exposed unnecessarily to coal dust and other air pollution from existing coal mining and coal fired power station,
 - (c) take steps to phase out thermal coal mining for both export and domestic use, and
 - (d) take immediate and independent action to introduce a PM2.5 standard at the state level and change all existing and future monitoring requirements to be based on PM2.5.

(Notice given 2 June 2011—expires Notice Paper No. 40)

110. Mr Lynn to move—

1. That this House:
- (a) extends its condolences to the family and friends of Lance Corporal Andrew Gordon Jones, aged 25, who was on his first deployment to Afghanistan when, on Tuesday 31 May 2011, he was shot by an Afghan soldier with whom he was working,
 - (b) notes the statement released by the family and girlfriend of Lance Corporal Jones which stated, “Andrew was a dependable yet cheeky character who we will miss with all our hearts. Andrew enjoyed his role in the Army and was an excellent soldier. We are sure his mates will also miss him, his professionalism, but most of all his sense of humour”,
 - (c) notes that the statement further stated that “His dedication to his role as a cook was second to none. He would always call on all his resources to provide the very best meals for his mates, including using his favourite family recipes”,
 - (d) notes that Lance Corporal Jones joined the army in 2004, completing his training as a cook before his first operational deployment in East Timor in 2008, and
 - (e) notes that the Department of Defence has stated that Lance Corporal Jones:
 - (i) “was loyal, reliable, and trustworthy,...a team player who loved his job. He had a quiet personality but enjoyed a joke with his mates”,
 - (ii) “was a skilled cook who was the first to volunteer to go on the road or on exercise”.
2. That this House:
- (a) extends its condolences to the family and friends of Lieutenant Marcus Sean Case, 27, who was sent to Afghanistan for the first time as a Heron Unmanned Aerial Vehicle Operator and was reportedly killed in a Chinook near Tarin Kowt,
 - (b) notes that Lieutenant Case was born in Melbourne in 1984 and was the youngest of six children,
 - (c) notes that Lieutenant Case was enlisted in the army from 2002 and was involved in an operational tour to East Timor in 2007, as well as flood disaster assistance in Queensland this year, and

- (d) notes that the Department of Defence, which is providing support to Lieutenant Case's family, has stated that Lieutenant Case:
 - (i) "was keen and motivated, and was excelling as a pilot",
 - (ii) "lived life to the fullest, taking every opportunity that was given to him and making the most of it. He was always the go-to-man who was able to get the job done."
- 3. That this House pay tribute to Lance Corporal Andrew Gordon Jones and Lieutenant Marcus Sean Case and their families.

(Notice given by Mr Colless on behalf of Mr Lynn 4 June 2011—expires Notice Paper No. 40)

111. Mr Donnelly to move—

- 1. That this House notes that:
 - (a) funding for palliative care in the northern area of Sydney has been reduced, and
 - (b) the implementation of Episode Funding across the whole state can impact negatively on the provision of palliative care throughout New South Wales.
- 2. That this House:
 - (a) acknowledges and congratulates Dr Yvonne McMaster from Wahroonga, a retired Palliative Care Specialist, for her efforts in co-ordinating the collection of over 23,000 signatures calling on the Government to significantly boost palliative care funding and resourcing in this state, and
 - (b) calls on the Premier, the Treasurer, the Minister for Finance and Services and the Minister for Health to formulate a detailed plan to substantially increase spending on palliative care in New South Wales.

(Notice given 14 June 2011—expires Notice Paper No. 40)

115. Ms Fazio to move—

- 1. That this House:
 - (a) notes that on 16 May 2011, Fair Work Australia (FWA) ruled that the Australian Services Union (ASU) and its equal pay case partners proved that social and community service workers in the not-for-profit sector are underpaid and that at least part of the reason for that underpayment is gender,
 - (b) congratulates the ASU and other unions involved in this case because the decision is a significant victory for workers in the social and community services industry, and
 - (c) welcomes the decision of FWA to accept the key arguments of the applicant unions which has resulted in changes to the law regarding how equal pay cases can be run, especially that it is no longer necessary to point to male comparator groups or prove discrimination against women workers.
- 2. That this House calls on the O'Farrell Government to fully fund any resultant pay increases for social and community services workers who are employed by non government agencies, handed down by FWA to compensate for the gender gap.

(Notice given 15 June 2011—expires Notice Paper No. 40)

116. Dr Kaye to move—

1. That this House notes that:
 - (a) the Department of Education has entered into an arrangement with the Chinese government through the Chinese Language Council International to establish Confucius Institute Chinese language and culture classes,
 - (b) Confucius Institute classes are scheduled to begin in the second half of 2011 in seven government schools involving more than 3,000 students, with more scheduled in 2012,
 - (c) the Confucius Institute, is now located at the Department of Education's Ryde office,
 - (d) the Chinese government will pay the Department more than \$200,000 to fund the Confucius Institute and language and culture teaching in its first year of operation,
 - (e) the Confucius classrooms will be under pressure not to discuss topics sensitive to the Chinese regime such as Tibet, Taiwan, Falun Gong or the Tiananmen Square massacre, and
 - (f) research by Queensland University of Technology's Falk Hartig found that around the world Confucius Institutes do not address issues to which the Chinese government are known to be sensitive.
2. That this House welcomes the teaching of Chinese language and culture in schools but notes that:
 - (a) the curriculum should not be determined or unduly influenced by foreign governments or any other external body providing funding, and
 - (b) political censorship and propaganda have no place in the New South Wales public education system.
3. That this House calls on the Government to:
 - (a) remove Confucius Classrooms from New South Wales public schools and replace them with teachers of Chinese language and culture who are funded from Department resources,
 - (b) protect the curriculum of all Chinese language or culture courses in New South Wales public schools from Chinese government censorship and propaganda,
 - (c) ensure that any external organisation involved with the provision of Chinese language and culture courses in New South Wales public schools is free from Chinese government political influence, and
 - (d) provide age-appropriate critical language and culture education that is not constrained by the political objectives of external bodies.

(Notice given 15 June 2011—expires Notice Paper No. 40)

117. Mr Lynn to move—

1. That this House notes the tragic death on Monday 6 June 2011 of Sapper Rowan Robinson, aged 23 years, a Combat Engineer serving with the Special Operations Task Group.
2. That this House notes that:
 - (a) Sapper Robinson was killed during a period of sustained combat with insurgents,
 - (b) Sapper Robinson was from the Sydney based Incident Response Regiment,
 - (c) Sapper Robinson was awarded the Australian Active Service Medal with clasp: International Coalition Against Terrorism, Afghanistan Campaign Medal, the Australian Defence Medal, the NATO ISAF Medal, the Army Combat Badge and the Return from Active Service Badge,
 - (d) Air Chief Marshal Angus Houston, Chief of the Defence Force, said of Sapper Robinson: “The courageous young man was on his second tour in Afghanistan, having previously deployed with Reconstruction Task Force-3 in 2007. I understand he was a superb young man whose easy-going nature made him very popular within his unit. He was also a great team player—dedicated and professional, whose range of skills and qualifications were more than you could rightly expect of someone so young.”, and
 - (e) that Sapper Robinson is survived by his mother, father, sister and two brothers.
3. That this House extends its condolences and pays tribute to Sapper Robinson and his family.

(Notice given 15 June 2011—expires Notice Paper No. 40)

118. Mr Moselmane to move—

1. That this House calls on Premier O’Farrell to face up to the nurses, teachers, firefighters, bus drivers and other public sector workers affected by the wages legislation he rammed through this House.
2. That this House notes:
 - (a) that the Australian Council of Trade Unions (ACTU) has revealed that the O’Farrell Government’s changes to workplace laws could be in breach of international law and the obligation to respect human rights, including labour rights,
 - (b) that the O’Farrell workplace laws will remove the powers of the Industrial Relations Commission and hand them to Liberal/National Coalition and independent politicians, leaving public sector workers without access to an independent workplace umpire,
 - (c) that, as a consequence, under the new legislation New South Wales public sector workers will have the weakest workplace rights in Australia,
 - (d) that research has revealed that had the O’Farrell laws been introduced 10 years ago, nurses would be more than \$12,000 a year worse off,
 - (e) that the Government has taken extraordinary steps to force this legislation through the Parliament, laws which the ACTU labels as being in breach of international labour rights,
 - (f) that Premier O’Farrell did not take these laws to the election and he has no mandate to introduce them,

- (g) that nurses, teachers, firefighters, bus drivers and other public sector workers deliver the frontline services our community relies on, and
 - (h) that the Premier must face up to workers who will be worse off under this industrial relations legislation, as he did not consult with the workers affected by this bill before he rammed it through the Upper House to avoid public scrutiny.
2. That this House calls on the Premier, the Honourable Barry O'Farrell MP, to withdraw this unfair legislation and continue the workplace protections New South Wales public sector workers deserve.

(Notice given 15 June 2011—expires Notice Paper No. 40)

120. Mr Moselmane to move—

1. That this House notes that:
- (a) 41 per cent of the total St George youth population reside in Rockdale City, with a high proportion of that number residing in the Arncliffe area,
 - (b) the redevelopment of Wolli Creek is expected to result in further growth in youth numbers,
 - (c) a lack of youth facilities in the area has meant a shortage of youth services to meet the growing demand,
 - (d) Rockdale City Council is bringing forth a planning report on a youth facility to include a basketball court, an indoor sports and recreational space, a gymnasium, an indoor swimming pool, counselling rooms, amenities, car parking and landscaping, and
 - (e) the cost of this facility is estimated to be around \$5 million, in addition to the cost of the site which is soon to be identified.
2. That this House:
- (a) congratulates Rockdale City Council on this important initiative, and
 - (b) calls on the O'Farrell Government to provide Rockdale City Council with the financial assistance needed to deliver this important project.

(Notice given 15 June 2011—expires Notice Paper No. 40)

121. Ms Fazio to move—

1. That this House notes that:
- (a) a 2007 Queensland Institute for Medical Research study found solarium use by people under 35 increases their risk of developing melanoma by 98 per cent,
 - (b) approximately one quarter of New South Wales people aged 13 to 44 mistakenly believe tanning in a solarium is safer than in the sun,
 - (c) one third of all cancer cases in 15 to 30 year olds in New South Wales are melanoma, and

- (d) there were 3528 cases of melanoma and 482 melanoma-related deaths in New South Wales in 2007.
- 2. That this House calls on the Government to take action to stop people aged under 30 years of age from using solariums unless they can provide evidence from a medical practitioner that their use of a solarium is for the purpose of medical treatment.

(Notice given 15 June 2011—expires Notice Paper No. 40)

124. Ms Fazio to move—

That this House:

- (a) notes with concern that the Government has failed to provide a response to Report No. 35 of the Standing Committee on State Development entitled “Wine grape market and Prices”, dated December 2010, which was due on Thursday 2 June 2011, and
- (b) calls on the Minister for Primary Industries to provide the response by Friday 17 June 2011 or to explain why the response is not yet ready.

(Notice given 15 June 2011—expires Notice Paper No. 40)

127. Ms Barham to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since 1 July 2008 in the possession, custody or control of the Minister for Disability Services or the Department of Family and Community Services relating to the Interdepartmental Committee (IDC) on Reform of the Shared Private Residential Services Sector:

- (a) all final and draft reports of the IDC,
- (b) all minutes of meetings of the IDC,
- (c) all briefing papers, discussion papers and draft legislation considered by the IDC,
- (d) all briefing papers provided to the NSW Ombudsman on the work and progress of the IDC, and
- (e) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 16 June 2011—expires Notice Paper No. 40)

130. Mr Buckingham to move—

- 1. That this House notes that:
 - (a) on 6 January 2011 the Government approved the development by Hanson Construction Materials Pty Ltd of the East Guyong Quarry under Part 3A of the Environment and Assessment Act 1979,
 - (b) the approval was granted despite the objections of Cabonne Shire Council and significant opposition from neighbouring residents,
 - (c) significant levels of naturally occurring asbestos have been found close to the surface on the site,

- (d) constructing quarry infrastructure at the location would carry with it the risk of disturbing this asbestos mineral,
 - (e) the Department of Planning recognises that “if asbestos minerals are disturbed, then asbestos fibres may be released to the atmosphere, and if these fibres are then inhaled, they may result in the long-term development of cancers or lung diseases such as mesothelioma”,
 - (f) the World Health Organisation has stated that “human evidence has not demonstrated that there is a threshold exposure level for lung cancer or mesothelioma, below which exposure to asbestos dust would be free of hazard to health”,
 - (g) although the construction company has agreed to move the site of its operations to an area with lower risk of disturbing the asbestos on the site, the 30 year life span of this development means that there is a significant risk of a disturbance occurring at some point and further tests since approval have identified asbestos on the new infrastructure site, and
 - (h) this matter is currently subject to an appeal by a local landholder through the Land and Environment Court.
2. That this House recognises that:
- (a) the Government has a responsibility to protect the community from current and future health risks associated with extractive industries,
 - (b) the Department of Planning believes that “a precautionary management approach should ... be applied to all proposed construction works”,
 - (c) there has been a community campaign in opposition to this development that was recognised by the Government while in opposition but has been ignored since taking office,
 - (d) basalt is not a rare earth and a more suitable location could be found for this quarry, and
 - (e) proponent driven applications to determine the exploitation of our mineral resources are not in the best interests of the wider New South Wales community.
3. That this House calls on the Government to:
- (a) reconsider its decision in light of the significant community concern about the health impacts posed to members of the public, including:
 - (i) if allowed to proceed, strengthen the environmental protection licence conditions to ensure that ongoing monitoring and reporting about asbestos related risks is conducted over the life time of the project,
 - (ii) if asbestos is found to have been mobilised by the operation to commit to withdrawing consent for the development, and
 - (b) engage more extensively with the community in all assessments for extractive industries and take appropriate and precautionary actions, especially in regards to health risks.

(Notice given 17 June 2011—expires Notice Paper No. 40)

131. Mr Veitch to move—

1. That this House notes:
 - (a) the significant cultural contribution that regional conservatoriums of music offer to rural New South Wales, and
 - (b) the importance of musical programs and performances organised by regional conservatoriums, ensuring that people living in rural New South Wales have access to musical performances.
2. That this House calls on the Government to increase funding to regional conservatoriums of music.

(Notice given 20 June 2011—expires Notice Paper No. 40)

132. Ms Voltz to move—

1. That this House notes:
 - (a) that on 29 June 2011, the Australian Women's Football Team, the Matildas, will began their World Cup campaign with their first game against Brazil, and
 - (b) the Matildas are the current Asia Cup holders making them Australia's only national football team to hold a major title.
2. That this House wishes the Matildas all the best for their 2011 World Cup campaign.

(Notice given 20 June 2011—expires Notice Paper No. 40)

133. Mr Veitch to move—

That this House:

- (a) notes the significant benefits obtained by people with disabilities who participate in Riding for the Disabled, and
- (b) congratulates all of the volunteers for their outstanding contribution toward the Riding for the Disabled Association.

(Notice given 20 June 2011—expires Notice Paper No. 40)

135. Mr Veitch to move—

1. That this House notes:
 - (a) the historical, fiscal and cultural contribution of the shearing industry to Australia and New South Wales,
 - (b) that the shearing industry has attained iconic status in Australian folklore, and
 - (c) the current decline in the number of shearers in New South Wales.
2. That this House calls on the Government to implement programs to address the chronic shortage of professional shearers in New South Wales.

(Notice given 20 June 2011—expires Notice Paper No. 40)

136. Dr Kaye to move—

1. That this House:
 - (a) notes that the Federation of Australian Science and Technology Societies has launched the “Respect the Science” appeal, aimed at redressing the damage being inflicted on the scientific process and the reputation of scientists by a deceitful campaign waged by climate change denialists,
 - (b) recognises the importance of science, scientists and the scientific process to the health, well being and economic success of New South Wales and Australia, and
 - (c) recognises that scientific progress and discovery can only be delivered in an atmosphere of free inquiry and respect without fear of persecution and malicious attacks on individual practitioners and the profession.
2. That this House, while committed to the right of free speech, condemns the unfounded and malicious attacks on the scientific process and on scientists.
3. That this House calls on all members of both State and Federal Parliaments to:
 - (a) support the “Respect the Science” appeal by the Federation of Australian Science and Technology Societies, and
 - (b) help stop the unfounded, misinformed and malicious attacks on scientists and the scientific process, including by those who deny human-induced climate change .

(Notice given 20 June 2011—expires Notice Paper No. 40)

137. Mr Veitch to move—

1. That this House notes that:
 - (a) people with a disability face significant barriers in attaining and maintaining paid employment in the open employment market, and
 - (b) people with a disability make valuable and loyal employees for any business in New South Wales.
2. That this House calls on the Government to ensure people with a disability:
 - (a) are assisted in transitioning from school to paid employment,
 - (b) have their individual needs adequately funded when attaining and maintaining paid employment,
 - (c) have access to employment subsidies and employment programs that meet their individual needs, and
 - (d) are supported in achieving their employment goals by properly funded services.

(Notice given 20 June 2011—expires Notice Paper No. 40)

138. Mr Searle to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents in the possession, custody or control of the Premier, the Minister for Finance and Services, the Attorney General, the Department of Premier and Cabinet, the Department of Finance and Services, or the Department of Attorney General and Justice:

- (a) all legal advice provided in relation to the Industrial Relations Amendment (Public Sector Conditions of Employment) Bill 2011, and
- (b) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 21 June 2011—expires Notice Paper No. 41)

139. Ms Faehrmann to move—

1. That this House notes the global scientific consensus that the Earth's climate is changing due to increases in human produced greenhouse gases.
2. That this House calls on the Government to:
 - (a) reconfirm its commitment to its current long-term greenhouse gas emissions reduction target of 60 per cent below 2000 levels by 2050, and
 - (b) review this target in response to the Federal Climate Change Commission's report entitled "The Critical Decade", published on 23 May 2011.

(Notice given 22 June 2011—expires Notice Paper No. 42)

140. Mr Shoebridge to move—

1. That this House confirms the need for government media strategies, including those of the NSW Police Force, to be based on public interest and public safety, and not political convenience.
2. That General Purpose Standing Committee No. 4 inquire into and report on government media strategies, including:
 - (a) past and present media strategies,
 - (b) the use of media by the Government, particularly the NSW Police Force, and
 - (c) recommendations as to how public interest and public safety can best be served through the use of media by the Government, particularly the NSW Police Force.

(Notice given 22 June 2011—expires Notice Paper No. 42)

141. Miss Gardiner to move—

That this House place on record its appreciation of the contributions to public life, and in particular to rural and regional New South Wales and Australia, of the late Hon. Ralph J. Hunt, AO, former Federal Minister for the Interior, Minister for Health, Minister for Transport, Minister for Transport and Construction, the Member for Gwydir between 1969 and 1989, former Chairman of Western Lands Advisory Board and other public offices.

(Notice given 22 June 2011—expires Notice Paper No. 42)

142. Ms Faehrmann to move—

That, under standing order 52, there be laid upon the table of the House within 21 days of the date of the passing of this resolution the following documents, in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Minister for Planning, the Department of Planning and Infrastructure, the Minister for Resources and Energy, the Minister for Trade and Investment, the Minister for Regional Infrastructure and Services, the Department of Trade and Investment, Regional Infrastructure and Services, the Minister for Environment and Heritage and the Office of Environment and Heritage:

- (a) any document created since 1 June 2009 relating to compliance with regulatory instruments such as legislation, regulation and conditions of licenses, in the operation of coal seam gas exploration activities in Petroleum Exploration Lease 238 or Petroleum Assessment Lease 2, including the findings of any audits and investigations and the details of any penalties imposed,
- (b) any document created since 1 March 2010 relating to the Eastern Star Gas Narrabri Coal Seam Gas Project and associated infrastructure projects and facilities, and
- (c) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 22 June 2011—expires Notice Paper No. 42)

143. Dr Kaye to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Education, the Minister for Finances and Services, the Department of Education and Communities and the Department of Finances and Services:

- (a) any documents including but not limited to draft and final reports relating to review of school-based staff referred to in the Boston Consulting Group's "Expenditure Review of the Department of Education and Training (DET) – Initial Scan" Draft Final Report, 29 January 2010 (Footnote 1, page 9), and
- (b) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 22 June 2011—expires Notice Paper No. 42)

144. Dr Kaye to move—

1. That this House notes that:

- (a) Bega Valley Shire Council is currently considering a development application to build a McDonalds in Bega,
- (b) obesity costs the New South Wales health system \$8 billion a year,
- (c) locating a fast food outlet close to sporting fields and a high school is inappropriate and encourages unhealthy eating habits in children and young people,
- (d) the site of the proposed McDonalds is unsuitable as it will cause significant traffic congestion for local residents and is in a flood prone location,
- (e) the opening of a McDonalds in Bega will cause serious problems for local cafes and restaurants, and

- (f) a meeting of local residents opposed the construction of a McDonalds in Bega.
- 2. That this House calls on Bega Valley Shire Council to reject the application in the interests of maintaining local business, respecting community development wishes and promoting healthy lifestyle choices.

(Notice given 22 June 2011—expires Notice Paper No. 42)

146. Mr Veitch to move—

- 1. That this House notes the passing on Thursday 16 June 2011 of Alan Robert Lindsay Gordon, aged 94 years.
- 2. That this House notes that Mr Gordon:
 - (a) was a member of the Legislative Assembly from 14 February 1970 until 5 March 1984, and
 - (b) served the people of New South Wales as a Minister of the Crown in the portfolio areas of Conservation, Water Resources, Lands, Forests, Local Government and Ports and as Acting Minister for Health and Corrective Services.
- 3. That this House extends its condolences to the family of the late Alan Robert Lindsay Gordon.

(Notice given 23 June 2011—expires Notice Paper No. 43)

147. Mr Buckingham to move—

- 1. That this House notes that:
 - (a) Anchor Resources Ltd have conducted scoping studies that indicate a resource of 17,500 tons of antimony have been found at both Wild Cattle Creek, near Nymboida and the Blinks River to the northwest of Dorrigo on the mid north coast of New South Wales,
 - (b) Anchor Resources Ltd has recently been subject to a majority takeover by the Chinese minerals company China Shandong Jinshunda Ltd which now owns over 90 per cent of the company,
 - (c) antimony is a mineral resource used for a range of “high-tech” products such as polymers, fire retardants and electronics,
 - (d) antimony and many of its compounds are toxic and the World Health Organisation has stated that oral consumption can result in “a strong irritating effect on the gastrointestinal mucosa and trigger sustained vomiting ... abdominal cramps, diarrhoea and cardiac toxicity”,
 - (e) the majority of the municipal water supply for more than 100,000 residents in Coffs Harbour is provided by Shannon Creek Dam which is fed by pipes directly from the Nymboida River,
 - (f) this project is located within the headwaters of the Nymboida River, which is the highest rainfall catchment in New South Wales,
 - (g) the high rainfall of the catchment, which sometimes exceeds three metres, means that there is a significant risk that antimony mined in the area could be released and contaminate the water,

- (h) a previous antimony ore processing plant at Urunga Lagoon has been described in the Bellingen Council 2009-10 State of the Environment Report as seriously contaminated and unable to be rehabilitated, and
 - (i) a 2002 report by the University of New England has shown that antimony from the Hillgrove and Bakers Creek mines which are located in the catchment of the Macleay River to the east of Armidale, have seriously contaminated over twenty kilometres of the headwaters of this river system and this has proved impossible to remediate.
2. That this House recognises that:
- (a) the government has a responsibility to protect the community from current and future health risks associated with extractive industries, and
 - (b) proponent driven applications to determine the exploitation of our mineral resources are not in the best interests of the wider New South Wales community.
3. That this House calls on the Government to:
- (a) prohibit mining activities within the critical catchments which supply water to our communities because of the unacceptable risks this poses to human and ecosystem health, the quality of our water supply and our state's agricultural capacity, and
 - (b) engage more extensively with the community in all assessments for extractive industries and take appropriate and precautionary actions, especially in regards to health risks.

(Notice given 23 June 2011—expires Notice Paper No. 43)

148. Mr Lynn to move—

1. That this House supports the celebration of Refugee Week, held from Sunday 19 June to Saturday 25 June 2011, which coincides with World Refugee Day on Monday 20 June 2011.
2. That this House notes that:
- (a) the theme for Refugee Week in 2011 is “Freedom From Fear”, as it is fear of persecution and fear for their own lives that makes refugees so different from every other migrant coming to Australia,
 - (b) the aims of Refugee Week are:
 - (i) to educate the Australian public about who refugees are and why they have come to Australia,
 - (ii) to help people to understand the many challenges refugees face coming to Australia,
 - (iii) to celebrate the contribution refugees make to our community,
 - (iv) to focus on how the community can provide a safe and welcoming environment for refugees,
 - (v) for community groups and individuals to do something positive for refugees, asylum seekers and displaced people, within Australia but also around the world,
 - (vi) for service providers to reflect on whether they are providing the best possible services to refugees,
 - (c) Refugee Week is a unique opportunity for us all to experience and celebrate the rich diversity of refugee communities through theatre, music, dance, film and other events which take place all over Australia and highlight the aims of the week,

- (d) a documentary entitled “Go Back to Where You Came From” is being aired from Tuesday 21 to Thursday 23 June 2011 at 8.30pm on SBS One, and is an intense, raw and compelling story of six ordinary Australians who live as refugees and asylum seekers for one month,
- (e) a book entitled “Boat People: Personal Stories from the Vietnam Exodus 1975 – 1996” is being launched by Ms Carina Hoang, who herself is a former refugee, and which also features Dai Le, a former refugee and Liberal candidate for Cabramatta at the 2011 State Election, and
- (f) the launch of the book authored by Ms Hoang will take place at the State Library of NSW on Tuesday 5 July at 5.30pm.

(Notice given 23 June 2011—expires Notice Paper No. 43)

149. Ms Fazio to move—

That this House notes:

- (a) that Education Week 2011 is being held from 1 to 5 August 2011,
- (b) that the theme for Education Week 2011 is ‘New South Wales Public Schools – Creating the Future’,
- (c) the dedication and hard work of teachers and staff in the education system in New South Wales, and
- (d) that the support of parents and the community is vital to a vibrant education system.

(Notice given 2 August 2011—expires Notice Paper No. 44)

150. Mr Donnelly to move—

1. That this House notes that:

- (a) on 3 June 2011 Fair Work Australia’s minimum wage panel increased award minimum wages by 3.4 per cent,
- (b) the minimum wage increase applies from 1 July 2011,
- (c) the decision affects approximately 1.4 million workers on minimum wages around Australia, and
- (d) award-only employees are concentrated in the retail, accommodation and food, administrative and support services, health care and social assistance industries and, between them, these four industries account for 62.5 per cent of all award-only employment.

2. That this House:

- (a) acknowledges the fundamental importance of annual wage review increases to hundreds of thousands of New South Wales workers and their families, and
- (b) condemns the Coalition Government in the strongest possible terms for deliberately deciding not to make a submission to the Annual Wage Review 2010-11.

(Notice given 2 August 2011—expires Notice Paper No. 44)

151. Mr Lynn to move—

1. That this House notes the tragic death on Monday 4 July 2011 of Sergeant Todd Langley, aged 35 years, a member of the Sydney based 2nd Commando Regiment.
2. That this House notes that:
 - (a) the Commando section commander was leading his team in the thick of battle when he was killed in action,
 - (b) this was Sergeant Langely's seventh operational deployment,
 - (c) Sergeant Langley had been awarded two Commendations for Distinguished Service in 2002 and 2008, and was also awarded a Unit Citation for Gallantry in 2006,
 - (d) the Chief of the Defence Force, General David Hurley, said of Sergeant Langley: "Sergeant Langley was a brave and professional soldier, who never took a backward step. He was an exemplary Commando, a warrior and a leader who gave his best and always got the best out of those around him. Despite their grief, his comrades say he will continue to inspire them.", and
 - (e) that Sergeant Langley is survived by a loving family, his wife, three daughters, a young son, and also a brother who is a Corporal in the Australian Army.
3. That this House extends its condolences and pays tribute to Sergeant Langley and his family.

(Notice given 2 August 2011—expires Notice Paper No. 44)

152. Ms Faehrmann to move—

That leave be given to bring in a bill for an Act to establish the right of persons who are terminally ill to request assistance from medically qualified persons to voluntarily end their own lives; and for related purposes.

(Rights of the Terminally Ill Bill)

(Notice given 2 August 2011)

153. Mr Shoebridge to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created since December 2010 in the possession, custody or control of the Minister for Planning and Infrastructure or the Department of Planning and Infrastructure regarding redevelopment of land at 461 Captain Cook Drive, Woollooware being the Cronulla Sutherland Leagues Club as a mixed use development:

- (a) all documents relating or referring to the issuing of the Director General's Environmental Assessment Requirements for this development,
- (b) all documents relating or referring to, or evidencing, correspondence between the Minister's Office and the Department of Planning regarding the development,
- (c) all documents relating or referring to, or evidencing, the assessment by the Department of the environmentally sensitive nature of the land in this area,
- (d) all documents relating or referring to, or evidencing, the assessment of the application by the Department of Planning,

- (e) all documents relating or referring to, or evidencing, communications between the Department of Planning and the applicant,
- (f) all documents relating to or evidencing the decision made by the Minister to declare the application to be a project under Part 3A, and
- (g) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 2 August 2011—expires Notice Paper No. 44)

154. Ms Cotsis to move—

1. That this House notes that:
 - (a) 1 August to 7 August is Local Government Week,
 - (b) in 2011, Local Government Week aims to celebrate the positive services provided by councils, and
 - (c) councils deliver a huge range of essential services and facilities, including local roads, rubbish collection, libraries, leisure centres, sporting fields, youth and aged services and child care.
2. That this House:
 - (a) recognises the hard work and professionalism of the more than 50,000 local government employees in delivering essential local services across New South Wales,
 - (b) congratulates the United Services Union for its hard work in advocating on behalf of local government employees,
 - (c) notes that the Government's recent industrial relations changes will cut the real wages of New South Wales public sector employees, and
 - (d) calls on the Government to give a guarantee that these changes will not lower standards and drag down the wages and conditions of local government workers.
3. That this House:
 - (a) congratulates the Local Government and Shires Association for organising events during Local Government Week to showcase the work of local councils, and
 - (b) notes that many local councils are also hosting a range of other events including family fun days, multicultural fairs, photographic competitions, mock council meetings for local students, heritage walks, bush care days and bus tours of council facilities.

(Notice given 2 August 2011—expires Notice Paper No. 44)

155. Ms Faehrmann to move—

1. That General Purpose Standing Committee No. 3 inquire into and report on rail infrastructure project costings in New South Wales and in particular:
 - (a) methodologies used by the Transport Construction Authority, the Treasury and other government agencies to cost rail projects,
 - (b) 'concept estimates' for rail project costs,

- (c) the differences between rail and road project costs methodologies,
- (d) cost estimate methodologies applied in other Australian states, by the Australian Rail Track Corporation and internationally,
- (e) tendering processes, and
- (f) any other related matter.

2. That the committee report by Friday 11 November 2011.

(Notice given 2 August 2011—expires Notice Paper No. 44)

156. Ms Westwood to move—

1. That this House notes that:

- (a) Mr Colin Allen, a leader of the New South Wales and Australian Deaf community, has been elected as President of the World Federation of the Deaf, and
- (b) the World Federation of the Deaf represents 70 million deaf people around the world to the United Nations, its agencies, the International Disability Alliance and other international peak bodies.

2. That this House:

- (a) congratulates Mr Colin Allen on his election as President of the World Federation of the Deaf,
- (b) notes that Mr Allen is the first Australian to be elected as President of the World Federation of the Deaf, and
- (c) applauds Mr Allen's strong advocacy on behalf of the New South Wales and Australian Deaf community and wishes him the same success in his pursuit of achieving human rights for deaf people around the world that he has achieved for the Deaf community in New South Wales and Australia.

(Notice given 2 August 2011—expires Notice Paper No. 44)

157. Mr Moselmane to move—

1. That this House notes that:

- (a) the Arncliffe Scots Junior Rugby League Football Club has been serving rugby league in the St George district since 1926 and this year celebrates its 85th anniversary,
- (b) over this period Scots has become one of the most renowned and respected clubs in rugby league,
- (c) it has established its name for sportsmanship and fair play and is held in high esteem in the country, by the community, the local council and all rugby league circles, and
- (d) last Saturday, 30 July 2011, the club celebrated 50 years of Arncliffe Scots at Cahill Park, Arncliffe and on 13 August 2011, the club will celebrate its 85th anniversary players reunion.

2. That this House congratulates Arncliffe Scots club, board and club members, club officials and all past and present players.

(Notice given 2 August 2011—expires Notice Paper No. 44)

158. Ms Cotsis to move—

1. That this House:
 - (a) notes that 1 August to 7 August is World Breastfeeding Week,
 - (b) congratulates the Australian Breastfeeding Association for launching its new Breastfeeding Lounge as part of World Breastfeeding Week,
 - (c) notes the Breastfeeding Lounge is the first centre of its kind in New South Wales,
 - (d) notes the Breastfeeding Lounge will provide a refuge where women can breastfeed and access services such as expert advice, education classes and mothers' groups, and
 - (e) calls on the Government to consider providing additional financial resources to enable the establishment of Breastfeeding Lounges in other regional and metropolitan areas.
2. That this House:
 - (a) congratulates the Australian Breastfeeding Association for its work in providing breastfeeding advice and support to mothers across New South Wales,
 - (b) notes that the previous Labor Government provided \$30,000 annually, as well as an additional \$60,000 over the past three years, to the Australian Breastfeeding Association,
 - (c) notes that during the recent state election campaign, Labor committed to provide increased funding of \$800,000 for the Australian Breastfeeding Association,
 - (d) notes that the Treasurer has said that projects will be off the table as part of the upcoming state budget, and
 - (e) calls on the Government to maintain funding for the Australian Breastfeeding Association in the upcoming state budget.
3. That this House:
 - (a) notes the challenges that many new mothers face in re-entering the workforce,
 - (b) notes that under the Crown Employees (Public Service Conditions of Employment) Award 2009, mothers working in the public service are entitled to paid lactation breaks and access to a suitable private space and a refrigerator to store milk,
 - (c) notes that the Government's industrial relations changes will force women in the public service to either sacrifice hard-won conditions like paid lactation breaks and access to facilities or accept a cut in real wages, and
 - (d) calls on the Government to include paid lactation breaks and access to facilities as a guaranteed condition of employment under the Industrial Relations (Public Sector Conditions of Employment) Regulation 2011.

(Notice given 2 August 2011—expires Notice Paper No. 44)

159. Ms Voltz to move—

That this House:

- (a) notes the decision of the O'Farrell Government to remove or switch off 38 speed cameras without any consultation with local communities,
- (b) acknowledges that speed cameras reduce speed and accidents particularly in residential and built up areas, and
- (c) urges the O'Farrell Government to undertake consultations with the local community before any camera is switched off or removed.

(Notice given 2 August 2011—expires Notice Paper No. 44)

160. Mr Moselmane to move—

1. That this House notes that:

- (a) 1 August 2011 was the first day of Ramadan, the holiest month of the Islamic year, a month of prayers, fasting and charity,
- (b) Ramadan is a month of fasting, a month of mercy, forgiveness and compassion, and while observing their fasting, Muslims share the suffering of the poor, the deprived and the vulnerable, and
- (c) the month of Ramadan presents all Muslims around the globe with an opportunity to reflect, sacrifice and generously give to those in need.

2. That this House congratulates the Australian Muslim community on the advent of this blessed month of Ramadan and wish all a Ramadan Kareem and Eid Mubarak.

(Notice given 2 August 2011—expires Notice Paper No. 44)

161. Ms Faehrmann to move—

1. That this House notes that:

- (a) in 2008 the International Union for the Conservation of Nature listed the dingo as a vulnerable species,
- (b) in New South Wales most remaining dingo populations are in the east of the state, in forests between the Great Dividing Range and the coast,
- (c) the proportion of pure dingoes has declined from approximately 49 per cent in the 1960s to approximately 17 per cent in the 1980s and is now feared to be nearing extinction,
- (d) cross-breeding with domestic dogs represents a significant threat to dingoes as it results in hybridisation and reduces the genetic purity of the species,
- (e) the continued aerial baiting of public land area is a threatening process for remnant dingo populations that will increase hybridisation and reduce social cohesion of the pack,
- (f) Dr Mike Letnic and others found in 2011 that dingoes function ecologically to reduce the activity or abundance of red foxes and thus are likely to dampen the predatory impacts of foxes,

- (g) the dingo is listed as a pest requiring eradication under the Rural Lands Protection Act 1998 and, as a result, the dingo population has been reduced by control efforts by the pastoral industry, and
 - (h) dingoes are included in the definition of dog under the Companion Animals Act 1998, which allows dingoes to be kept as pets and facilitates hybridisation as dumped pets breed with other dogs and the hybrids are much more likely to be accepted into wild dingo society in core habitat areas.
2. That this House calls on the Government to:
- (a) remove the status of dingoes as a pest under the Rural Lands Protection Act 1998,
 - (b) exclude dingoes from the definition of dog under the Companion Animals Act 1998, and
 - (c) design and implement an effective recovery plan as soon as possible to prevent the extinction of the dingo.

(Notice given 2 August 2011—expires Notice Paper No. 44)

162. Mr Moselmane to move—

1. That this House notes that:
- (a) the Australian Lebanese Chamber of Commerce was founded in Sydney in 1985,
 - (b) the first President of the Australian Lebanese Chamber of Commerce was Joe Ghazal, followed by Nick Aboud, Samir El Khalil, Richard Bobb, Michael Rizk, Ron Gedeon, Michael Symond and presently Joe Khattar,
 - (c) the object of the Australian Lebanese Chamber of Commerce is the promotion and assistance of trade between Australia, Lebanon and all the Middle East, and
 - (d) the Australian Lebanese Chamber of Commerce is a regular host of business seminars and business luncheons of the high profile level.
2. That this House congratulates Joe Khattar and the board of the Australian Lebanese Chamber of Commerce on their contribution to business in New South Wales.

(Notice given 2 August 2011—expires Notice Paper No. 44)

163. Ms Fazio to move—

1. That this House congratulates Mr Barry Palmer AM on his historic election as the 2nd International Vice President of Lions International.
2. That this House notes that:
- (a) Mr Palmer is expected to become International President in 2013, and that is the first time in the Lion's 94 year history that an Australian has been appointed to such a high position in Lions International,
 - (b) Mr Palmer was the motivator and instigator behind the successful "The Lions Children's Mobility Foundation" (also known as the Hart Walker program),
 - (c) Mr Palmer started the Lions Cord Blood and Childhood Cancer Research project in conjunction with the Children's Cancers Institute Australia,

- (d) Mr Palmer was the founder of the “Education Builds Bridges” project in Indonesia with Durban Lions which now supports 120 children with the help of Lions and the public in Australia, New Zealand, the United States of America and Indonesia, and
- (e) Mr Palmer and his wife Anne also support an orphanage in Bangalore India with the help of his club.

(Notice given 2 August 2011—expires Notice Paper No. 44)

164. Ms Voltz to move—

That this House:

- (a) expresses its deepest sympathy to the people of Norway in this time of great tragedy,
- (b) condemns the two attacks of 22 July 2011, in which 68 people were killed on Utøya island and eight people were killed in a bomb attack in the executive government quarter in Oslo,
- (c) notes that the attack on the political summer camp Utøya Island is the deadliest attack by a single gunman in recorded history, and
- (d) condemns all forms of extremism.

(Notice given 2 August 2011—expires Notice Paper No. 44)

165. Ms Sharpe to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution all documents created since 10 July 2011 in the possession, custody or control of the Premier, the Treasurer, the Minister for Finance and Services, the Minister for Transport, Minister for the Environment, the Department of Premier and Cabinet, Treasury, Department of Finance and Services or the Department of Transport relating to the assessment of the impact of the federal government’s proposed carbon price legislation including:

- (a) any document relating or referring to the impact on public transport costs and fares,
- (b) any document relating or referring to modelling of potential impact of carbon pricing on public transport costs and fares,
- (c) any correspondence between the Minister for Transport and the Department of Transport and/or the Premier, the Treasurer and/or the Minister for Finance and Services and/or the Minister for the Environment in relation to transport costs and fares, and
- (d) any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 3 August 2011—expires Notice Paper No. 45)

166. Mr Moselmane to move—

1. That this House notes that:

- (a) following an armed robbery, the Commonwealth Bank has taken the decision to close its Belmore Street, Arncliffe branch on 8 August 2011,

- (b) the closure of the only branch of any bank in the area of Arncliffe, Turrella, Banksia, Bardwell Park and Wolli Creek will significantly impact on the survival of local businesses who are struggling to make ends meet,
 - (c) pensioners such as Mrs Joan Coleman, aged 94 and a customer of the bank for the past eight decades, will suffer significant inconvenience and hardship commuting to other branches in the city of Rockdale, and
 - (d) public meetings, protests, petitions, media campaigns and letters to bank executives all fell on deaf ears.
2. That this House calls on the Commonwealth Bank to review its decision to close Arncliffe Branch and instead ensure that the branch remains open.

(Notice given 3 August 2011—expires Notice Paper No. 45)

167. Mr Moselmane to move—

1. That this House notes that:
- (a) the Honourable Shaoquett Moselmane had the pleasure of hosting a morning tea for Sheikhul Islam-Professor Mohamed Qadri,
 - (b) Sheikhul Islam is a former Professor of Law and Head of Department of Islamic Jurisprudence and legislation at the University of Punjab, Pakistan, and the founder of Minhajul Quran International, which has branches and centres in more than 90 countries,
 - (c) the morning tea was well attended by cross sections of religious leaders, community leaders and ethnic media,
 - (d) the morning tea was also attended by the Shadow Attorney General, the Honourable Paul Lynch and Deputy Opposition Whip in the Legislative Council, the Honourable Lynda Voltz, and
 - (e) Sheikhul Islam addressed a peace conference in Sydney's west and spoke of Islam as the religion of peace, tolerance and compassion.
2. That this House congratulates:
- (a) Sheik Ul Islam-Professor Mohamed Tahir-Ul-Qadri on his message of peace and tolerance, and
 - (b) Minhaj-Ul-Quran Australia on their services to the Australian Muslim Community.

(Notice given 3 August 2011—expires Notice Paper No. 45)

168. Dr Kaye to move—

1. That this House:
- (a) notes the long-awaited release of High Front Guttering Advisory Committee Report on the review and use of high front guttering in New South Wales, and
 - (b) records with concern:
 - (i) the large number of non-compliant gutter installations found in display homes,
 - (ii) the inevitable conclusion that new and existing houses and other buildings are at risk of water penetration from high fronted gutters with non-compliant and

inadequate overflow provisions that would fail to cope with the one in 100 year rainfall events.

2. That this House calls on the Minister for Fair Trading to instruct the Office of Fair Trading (OFT) to:
 - (a) make it mandatory for gutter manufacturers to provide written advice on methods that can be used that meet the Building Code of Australia (BCA) 1:100 year requirement to prevent overflow into the building,
 - (b) require manufacturers and suppliers of the spring clip system to provide systems and installations that comply with the standards and the overflow requirements,
 - (c) instruct councils to provide advice on gutter installation on their websites which is consistent with OFT website advice and to ensure that council officers are aware of the requirements for gutter overflow provision,
 - (d) instruct the Builders Professionals Board to ensure that private certifiers are informed of the gutters overflow requirements and ensure that they enforce them, as it is important to have councils and certifiers on the same page, and
 - (e) send all license holders a copy of updated OFT advice on gutters.

(Notice given 3 August 2011—expires Notice Paper No. 45)

169. Mr Moselmane to move—

1. That this House notes that:
 - (a) St Francis Xavier School will celebrate Back to Arncliffe Centenary Day on Sunday 7 August 2011,
 - (b) 2011 marks the Centenary of Catholic Education at St Francis Xavier School, Arncliffe,
 - (c) Arncliffe Centenary Day celebrations will commence with a 9 am Mass and is open to all who have had connection with St Francis Xavier, and
 - (d) the celebrations will also involve the launch of the book entitled “View from the Tower”, by Greg Davis.
2. That this House congratulates St Francis Xavier School’s Principal, Ms Patricia Fahey, Parish priest, Fr Brendan Quirk, all school officials, parents and teachers and all St Francis Xavier school children.

(Notice given 3 August 2011—expires Notice Paper No. 45)

170. Dr Kaye to move—

That, under standing order 52, there be laid upon the table of the House within 7 days of the date of passing of this resolution any document in the possession, custody or control of the Premier or the Minister for Roads and Ports that records or refers to a meeting with the Revd the Honourable Fred Nile MLC on Thursday 28 July 2011, and any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 3 August 2011—expires Notice Paper No. 45)

171. Ms Faehrmann to move—

1. That this House notes:
 - (a) recent media commentary suggesting that Sydney's cycleways are in the wrong place, that people are not using them, and that they should be moved or even removed,
 - (b) that the Sydney central business district cycleway network is not complete, with further connectivity and links to be completed in years to come,
 - (c) that the current central business district cycleways are already being very well utilised with cycling numbers in inner Sydney going up 60 per cent during mornings and 48 per cent during evenings from March 2010 to March 2011,
 - (d) that congestion is set to cost the Sydney economy \$8 billion a year by 2020, which is more than any other Australian capital city, and
 - (e) the community health benefits of cycling with research showing an inverse association between rates of cycling and obesity.
2. That this House calls on the Government to:
 - (a) actively support Sydney's existing cycling infrastructure network, including the central business district cycleways,
 - (b) work with local government across the state to redesign key roads so that they are more pedestrian and cycle friendly, including the use of more shared spaces, bike boxes, better connectivity of routes, better integration with public transport and end-of-trip facilities such as change rooms, and
 - (c) review the 2010 Bike Plan for increased investment in cycling infrastructure in New South Wales.

(Notice given 3 August 2011—expires Notice Paper No. 45)

172. Dr Kaye to move—

That, under standing order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution any document created since 1 January 2011 in the possession, custody or control of the Minister for Primary Industries or the Department of Trade and Investment, Regional Infrastructure and Services relating or referring to the Water Sharing Plan for the Tweed River Area Unregulated and Alluvial Water Sources and any document which records or refers to the production of documents as a result of this order of the House.

(Notice given 3 August 2011—expires Notice Paper No. 45)

* Council bill

BUSINESS FOR FUTURE CONSIDERATION**TUESDAY 9 AUGUST 2011****GOVERNMENT BUSINESS—ORDERS OF THE DAY****1. Address to the Governor—Removal from office of Magistrate Brian Maloney of the Local Court**—resumption of the adjourned debate (22 June 2011) of the question on the motion of Mr Gallacher:

1. That the following Address be adopted and presented to Her Excellency the Governor, seeking the removal from office of Magistrate Brian Maloney of the Local Court.

To Her Excellency Professor Marie Bashir, Companion of the Order of Australia, Commander of the Royal Victorian Order, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY -

We, the Members of the Legislative Council of the State of New South Wales, in Parliament assembled, have the honour to communicate to Your Excellency the following Address adopted by the House this day:

That this House, having considered:

- (a) the Report of the Conduct Division of the Judicial Commission of New South Wales concerning complaints against Magistrate Brian Maloney, dated 6 May 2011, and tabled in this House on 2 June 2011, and
- (b) the written response of Magistrate Brian Maloney to the Report of the Conduct Division of the Judicial Commission, dated 25 May 2011, and tabled in this House on 2 June 2011,

and having heard Magistrate Brian Maloney at the Bar of the House, seeks the removal from office by Her Excellency the Governor, under section 53 of the Constitution Act 1902, of Magistrate Brian Maloney, a Magistrate of the Local Court of New South Wales, on the ground of incapacity.

2. That the Legislative Assembly be requested to adopt an Address in similar terms.
 3. That a copy of the address made by Magistrate Brian Maloney at the Bar of the House on 21 June 2011, as to why he should not be removed from office on the grounds set out in the Report of the Conduct Division, be also transmitted to the Legislative Assembly—Mr Gay speaking.
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CONTINGENT NOTICES OF MOTIONS

Note: Contingent notices of motion are listed in full on the Notice Paper for the first sitting day of each week. On other days only new contingent notices will be published in the Notice Paper.

Lynn Lovelock
Clerk of the Parliaments

Authorised by the Parliament of New South Wales