



LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 143

THURSDAY 9 MAY 2013

Contents

1	Meeting of the House	1694
2	Copeton Freshwater Swim (Formal Business).....	1694
3	CREATE Foundation's 2013 Report Card (Formal Business).....	1694
4	Parenting payments (Formal Business).....	1695
5	Greater Western Sydney Giants training facility (Formal Business)	1695
6	Mr Kyriakos Gold (Formal Business).....	1696
7	Irregular Petition	1697
8	Petition	1697
9	Notices of Motions.....	1698
10	Notice of Motion Withdrawn	1698
11	Special Adjournment.....	1698
12	Suspension of Standing and Sessional Orders—Sydney University Honorary Professorship	1698
13	National Parks and Wildlife Amendment (Illegal Forestry Operations) Bill 2012	1698
14	Business Postponed.....	1698
15	Rights of the Terminally Ill Bill 2013	1699
16	Questions.....	1699
17	Messages from the Legislative Assembly	1699
	(1) Local Government Amendment (Early Intervention) Bill 2013	1699
	(2) Health Legislation Amendment Bill 2013	1700
18	Paper—Tabled by Minister	1700
19	Joint Standing Committee on Electoral Matters—Report	1700
20	Adjournment	1700
21	Attendance	1701

1 MEETING OF THE HOUSE

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

2 COPETON FRESHWATER SWIM (Formal Business)

Mrs Mitchell moved, according to notice:

1. That this House notes that:
 - (a) the inaugural Copeton Freshwater Swim was held at Copeton Dam near Inverell on Saturday 27 April 2013,
 - (b) over 100 swimmers competed in the event, with swimmers travelling from as far away as Canberra, the Sunshine Coast and Sydney to compete, and
 - (c) the success of the inaugural Copeton Freshwater Swim means that it is now likely to become an annual event.
2. That this House congratulates the winners of all four races on the day, including the winner of both men's events, Ballina teenager Julian Aenishaenslin.
3. That this House commends the Copeton Freshwater Swim committee for organising such a fantastic event.

Question put and passed.

3 CREATE FOUNDATION'S 2013 REPORT CARD (Formal Business)

Ms Barham moved, according to notice:

1. That this House notes that the CREATE Foundation's 2013 Report Card, titled "Experiencing Out-of-Home Care in Australia: The Views of Children and Young People" involved an extensive survey of more than 1,000 children and young people in out-of-home care across Australia, including 309 respondents from New South Wales whose ages ranged from eight to seventeen.
2. That this House acknowledges that the results of the Report Card showed that children and young people who enter out-of-home care can become disconnected from their identity, family and culture, including that:
 - (a) siblings are often placed separately from one another,
 - (b) children and young people in care may have less contact their family than they would like,
 - (c) they often have little information about or exposure to their cultural backgrounds, and
 - (d) there is often disruption caused by switching schools.
3. That this House expresses concern that the Report Card results found that:
 - (a) only around one in five New South Wales respondents knew that a case plan for their care existed, which was the lowest result across the national sample,
 - (b) fewer than 20 per cent of New South Wales respondents knew that they had an individual education plan,

- (c) New South Wales had the lowest proportion of respondents who knew how to make a complaint about issues relating to their care, along with the lowest proportion who knew whether their care was subject to a Charter of Rights, and
 - (d) approximately one-third of New South Wales respondents aged 15-17 years knew that an official plan for their transition from care had been developed.
4. That this House calls on the Government to ensure that:
- (a) while placed in out-of-home care for their safety, welfare and wellbeing, children and young people have the greatest possible opportunity to retain connections to their identity, family and culture, and
 - (b) all children and young people in out-of-home care have knowledge about, and an opportunity to participate in, planning relating to their care, education, and transition to independence after leaving care.

Question put and passed.

4 PARENTING PAYMENTS (Formal Business)

Ms Barham moved, according to notice:

1. That this House notes that:
- (a) from 1 January 2013 Commonwealth legislation altered parenting payments, affecting more than 80,000 single parent families who will be transferred from Parenting Payment to Newstart when their youngest child turns eight,
 - (b) this change places many single parent families at greater risk of poverty and threatens the welfare and wellbeing of affected children, and
 - (c) concern about this change has been expressed by the United Nations Special Rapporteur on extreme poverty and human rights, the Commonwealth Parliamentary Joint Committee on Human Rights and numerous social service organisations.
2. That this House calls on the Commonwealth Government to reverse the cuts made to single parent payments, and ensure single parents receive adequate support to care for their children.

Question put and passed.

5 GREATER WESTERN SYDNEY GIANTS TRAINING FACILITY (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes that:
- (a) on Monday 6 May 2013, the Honourable Graham Annesley MP, the Minister for Sport and Recreation, Andrew Demetriou, AFL Chief Executive, and Tony Shepherd, Greater Western Sydney Giants Chairman, officially opened and named Greater Western Sydney Giants new multi-million dollar training facility- Tom Wills Oval,
 - (b) the new Oval was named in recognition of one of the pioneers of Australian Rules Football in New South Wales, Tom Wills, and

- (c) the multi-million dollar investment will benefit both the Giants' and the local community. Tom Wills Oval will be available for community use so it can be shared with local sporting clubs.
2. That this House acknowledges the Government for investing in sporting infrastructure in Western Sydney.

Question put and passed.

6 MR KYRIAKOS GOLD (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes:
- (a) Mr Kyriakos Gold, Juris Doctor, BA IntSt, MBA exec (candidate) was born in Thessaloniki, Greece, in 1976 to Greek-Australian parents and since coming to Australia in 1994 at 17 years of age has made an outstanding contribution, not just in his capacity with SBS Radio, but in helping numerous ethnic communities as well as promoting diversity and tolerance in Australian society,
 - (b) Mr Gold studied at the State Conservatorium of Music of Thessaloniki, violin and music for over a decade as well as studied International Relations and Culture studies at the University of Adelaide (BIntSt), Modern Greek at the University of Sydney and completed his postgraduate studies at RMIT University in Law (Juris Doctor) and Business Administration (MBA exec), and is expected to receive a Graduate Diploma in Legal Practice at the Australian National University later this year,
 - (c) Mr Gold is an accredited interpreter with the National Accreditation Authority for Translators and Interpreters and has completed journalism seminars at the Australian Film Television and Radio School,
 - (d) Mr Gold has been awarded the Greek News Prize from the University of Adelaide in 1996 and is the current holder of the Emily McPherson Scholarship from RMIT University,
 - (e) Mr Gold has been a member of the Flinders University Academic Senate and is currently a member of the RMIT Graduate School of Business and Law Business Board,
 - (f) Mr Gold has been a volunteer for many community bodies and not for profit organisations across Australia, including The Pontian Brotherhood of South Australia, The Greek Community of Melbourne and the Movember international campaign,
 - (g) Mr Gold worked with the Flinders University Union and secured university funding for the School of Modern Greek in South Australia in 1995 now one of Australia's most successful Modern Greek programs,
 - (h) Mr Gold has devoted himself to educate and inform the Australian-Greek community on multicultural issues and has promoted multiculturalism and Australian values through his broadcasting career on radio and his editorial and social media campaigns,
 - (i) Mr Gold has been instrumental in the delivery of ethnic, or in language, television in Australia and has worked with the Greek, Spanish, Portuguese and Italian communities in delivering content with a variety of platforms and broadcasters over a period of 15 years,
 - (j) Mr Gold is currently working on the SBS Eurovision Radio project, as presenter of the station he is bridging younger ethnic demographics and promoting harmony and multiculturalism through music,

- (k) Mr Gold is an ongoing member of the SBS Greek Program where he is responsible for the promotion of multiculturalism and the initiatives of Australia's vibrant Greek communities on radio and on social media,
 - (l) Mr Gold has dedicated himself to the awareness of mental health not only through world recognized charities but also as a leader fronting intra-university campaigns, and
 - (m) Mr Gold has been working in Communications since the age of 17 and has worked with community and international media and is currently the Creative Director of 'Just Gold' and a popular presenter and journalist with SBS Radio.
2. That this House acknowledges and commends the outstanding contribution Mr Kyriakos Gold has made since his teenage years to multiculturalism, youth, the community and the promotion of diversity and tolerance in Australia.

Question put and passed.

7 IRREGULAR PETITION

Mr Shoebridge sought the leave of the House for the suspension of standing orders to allow the presentation of a petition from 100,000 citizens of Australia concerning international trafficking and harvesting of human organs, which is irregular as it is addressed to the Speaker, members of the Legislative Assembly and members of the Legislative Council.

No objection taken.

Leave granted.

International trafficking and harvesting of human organs

Mr Shoebridge presented an irregular petition from 100,000 citizens of Australia stating that the international community has noted the deterioration of the human rights situation in China which has been involved in the removal of organs from live prisoners of conscience or persecuted minorities and administering the use of these organs, that Mr David Shoebridge MLC has begun formal consultation on the Human Tissue Amendment (Trafficking in Human Organs) Bill to prohibit New South Wales residents from engaging in illegal harvesting or trafficking of human organs, that the international trade of organs produces abuses of human rights, seeing people killed to order with one person's life being deliberately taken to save another's, that while most countries have laws prohibiting the sale and forced removal of organs evidence suggests that the practice continues to be widespread in a number of countries, the most commonly cited country is China, that one way of addressing this brutal trade is for countries like Australia to impose prohibitions on its citizens, making it a crime to receive trafficked organs sourced by illegal and unethical means, and requesting that the House outlaw human organ trafficking and harvesting as proposed in the bill, make it illegal for people in New South Wales to receive an organ overseas that has been trafficked or illegally harvested, and urge the Federal Government to make changes to laws regarding overseas organ harvesting and trafficking.

Petition received.

8 PETITION

Parenting payments

Ms Barham presented a petition from 128 citizens of New South Wales stating that from 1 January 2013 Commonwealth legislation altered parenting payments, affecting more than 80,000 single parent families who will be transferred from Parenting Payment to Newstart when their youngest child turns eight, that this change places many single parent families at greater risk of poverty and threatens the welfare and

wellbeing of affected children, that concern about this change has been expressed by the UN Special Rapporteur on extreme poverty and human rights, the Commonwealth Parliamentary Joint Committee on Human Rights and numerous social service organisations, and calling on the Government to make representations to the Commonwealth Government to immediately reverse the cuts made to single parent payments and ensure single parents receive adequate support to care for their children.

Petition received.

9 NOTICES OF MOTIONS

10 NOTICE OF MOTION WITHDRAWN

Dr Kaye withdrew private members' business item no. 1289 outside the order of precedence on the Notice Paper for today relating to the University of New South Wales.

11 SPECIAL ADJOURNMENT

Mr Gay moved: That this House at its rising today do adjourn until Tuesday 21 May 2013 at 2.30 pm.

Debate ensued—valedictory speech of the Honourable Eric Roozendaal.

Question put and passed.

12 SUSPENSION OF STANDING AND SESSIONAL ORDERS—SYDNEY UNIVERSITY HONORARY PROFESSORSHIP

On the President calling on the Clerk to read the order of the day, Mr Shoebridge moved, according to contingent notice: That standing and sessional orders be suspended to allow a motion to be moved forthwith that private members' business item no. 1280 outside the order of precedence relating to Sydney University Honorary Professorship be called on forthwith.

Debate ensued.

Question put and negatived.

13 NATIONAL PARKS AND WILDLIFE AMENDMENT (ILLEGAL FORESTRY OPERATIONS) BILL 2012

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

Motion made (Ms Fazio) and question: That this debate be now adjourned until next sitting day—put and passed.

14 BUSINESS POSTPONED

Private members' business item no. 5 in the order of precedence postponed, on motion of Ms Fazio, until the first sitting day in August on which private members' business takes precedence.

15 RIGHTS OF THE TERMINALLY ILL BILL 2013

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

Debate resumed.

Revd Mr Nile, by leave, tabled a list of publications on which he had relied to inform his contribution on the bill.

Debate continued.

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

16 QUESTIONS

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

The House continued to sit.

Questions continued.

According to sessional order, government business given precedence.

17 MESSAGES FROM THE LEGISLATIVE ASSEMBLY

The President reported the following message from the Legislative Assembly:

(1) Local Government Amendment (Early Intervention) Bill 2013

Mr PRESIDENT

The Legislative Assembly having this day passed a Bill with the long title “An Act to amend the Local Government Act 1993 to improve the performance and accountability of councils; and for related purposes” presents the bill to the Legislative Council for its concurrence.

Legislative Assembly
8 May 2013

SHELLEY HANCOCK
Speaker

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

Mr Gallacher moved, according to contingent notice: That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

Question put and passed.

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

The President further reported the following message from the Legislative Assembly:

(2) Health Legislation Amendment Bill 2013

Mr PRESIDENT

The Legislative Assembly has this day agreed to the amendment made by the Legislative Council in the Bill with the long title “An Act to make miscellaneous amendments to various Acts that relate to health and associated matters”.

Legislative Assembly
9 May 2013

SHELLEY HANCOCK
Speaker

18 PAPER—TABLED BY MINISTER

Mr Pearce, according to the Community Relations Commission and Principles of Multiculturalism Act 2000, tabled a report of the Community Relations Commission entitled “Community Relations Report 2012”.

19 JOINT STANDING COMMITTEE ON ELECTORAL MATTERS—REPORT

Mr Borsak tabled Report No. 3/55 of the Joint Standing Committee on Electoral Matters entitled “Review of the Parliamentary Electorates and Elections Act 1912 and the Election Funding, Expenditure and Disclosures Act 1981”, dated May 2013.

Ordered: That the report be printed.

Mr Borsak moved, according to standing order: That the House take note of the report.

Motion made (Mr Borsak speaking) and question: That this debate be now adjourned until next sitting day—put and passed.

20 ADJOURNMENT

Mr Gay moved: That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned at 4.05 pm until Tuesday 21 May 2013 at 2.30 pm.

21 ATTENDANCE

All members present, except Miss Gardiner.

David Blunt
Clerk of the Parliaments

Authorised by the Parliament of New South Wales