



LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 159

TUESDAY 5 JUNE 2018

Contents

1	Meeting of the House	2743
2	Assent to Bills	2743
3	Statement by President—Centenary of the First World War	2743
4	Hear for You and presentation by deaf and hard of hearing students (Formal Business)	2743
5	Beyond Blue Foundation (Formal Business)	2744
6	Disputed Claim of Privilege—Sydney Stadiums—Privileged documents (Formal Business).....	2745
7	Printing of Tabled Papers	2746
8	Legislation Review Committee—Report	2746
9	Standing Committee on State Development—Report	2746
10	Selection of Bills Committee—Report	2746
11	Papers—Presented to Parliament out of Session	2748
12	Statutory Rules and Instruments—Tabled by the Clerk	2748
13	Disputed Claim of Privilege—Sydney Stadiums—Correspondence regarding the report of the Independent Legal Arbiter	2749
14	Disputed Claim of Privilege—Sydney Stadiums—Tabling of privileged documents	2749
15	Notices of Motions	2749
16	Business Postponed	2749
17	Ministerial Statement—Parliamentary Secretary	2749
18	Select Committee on Human Trafficking in New South Wales—Correspondence concerning the Government's response to report	2750
19	Standing Committee on Law and Justice—Government's Response to Report	2750
20	Portfolio Committee No. 4 – Legal Affairs—Extension of Reporting Date	2750
21	Conduct of Business	2750
22	Government failure to comply with orders of the House—Censure of Leader of the Government	2750
23	Questions	2751
24	Petition—Minister's Response	2752
25	Government failure to comply with orders of the House—Censure of Leader of the Government	2752
26	Ruling by President—language used in a motion	2754
27	Statute Law (Miscellaneous Provisions) Bill 2018	2754
28	Messages from the Legislative Assembly	2756
	<i>Cognate Bills—</i>	2756

	(1) Government Sector Finance Bill 2018	2756
	(2) Government Sector Finance Legislation (Repeal and Amendment) Bill 2018	2756
29	Miscellaneous Acts Amendment (Marriages) Bill 2018	2756
30	Companion Animals and Other Legislation Amendment Bill 2018	2758
31	Message from the Legislative Assembly—Kosciuszko Wild Horse Heritage Bill 2018	2759
32	Adjournment	2760
33	Attendance	2761

1 MEETING OF THE HOUSE

The House met at 2.30 pm according to adjournment. The President took the Chair and read the prayers.

The President acknowledged the Gadigal clan of the Eora nation and its elders and thanked them for their custodianship of this land.

2 ASSENT TO BILLS

The President reported receipt of messages from His Excellency the Governor intimating assent to the following bills:

	Act No.
23 May 2018	2018
National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018	17
Transport Administration Amendment (Sydney Metro) Bill 2018.....	18
Coal Industry Amendment Bill 2018.....	19
30 May 2018	
Electoral Funding Bill 2018	20
Road Transport and Other Legislation Amendment (Digital Driver Licences and Photo Cards) Bill 2018	21
Health Legislation Amendment Bill (No 2) 2018	22
Road Transport Legislation Miscellaneous Amendments Bill 2018	23

3 STATEMENT BY PRESIDENT—CENTENARY OF THE FIRST WORLD WAR

The President made a statement marking the contribution to the war of Sir John Monash.

4 HEAR FOR YOU AND PRESENTATION BY DEAF AND HARD OF HEARING STUDENTS (Formal Business)

Ms Ward moved, according to notice:

1. That this House notes that:

- (a) on 12 April 2018, Parliament hosted a presentation by deaf and hard of hearing New South Wales school students which was organised by Mr David Brady, Chief Executive Officer of Hear For You and Chairperson of the Deafness Forum of Australia,
- (b) at this important session six school students, Stephen Tang, Grace Troughton, Jye Davies, Layla Yateem, Noah Kanj and Eoin McAweeney shared their personal experience as deaf and hard of hearing students including their successes and their setbacks,
- (c) the event was followed by the NSW Deafness and Hearing Health Expo that provided the opportunity to try out the latest hearing screening programs and showcase the services available to support those with hearing loss or ear disorders,
- (d) Mr Alastair McEwin, Australian Disability Discrimination Commissioner and prominent members of the Australian deaf and hard of hearing community attended the presentation, and

- (c) I was honoured to attend the presentation, which was sponsored by Ms Felicity Wilson MP, Member for North Shore, together with the Honourable Brad Hazzard, Minister for Health and Minister for Medical Research, the Honourable Ray Williams, Minister for Multiculturalism and Minister for Disability Services, Ms Kate Washington, Shadow Minister for Early Childhood Education and Shadow Minister for the Hunter, Mr Alister Henskens SC, Member for Ku-ring-gai, Mr James Griffin, Member for Manly, Ms Leisl Tesch, Member for Gosford and Ms Jenny Leong, Member for Newtown.
2. That this House notes that:
- (a) there are almost 1.2 million New South Wales residents who are deaf, hard of hearing or have a balance or chronic disorder of the ear,
 - (b) there are close to 4,000 school aged children who have a hearing loss ranging from mild to profound, and that 9.4 per cent, or 376, of these young people identify as Aboriginal or Torres Strait Islander people,
 - (c) the majority of children are diagnosed in infancy and benefit from the support of early intervention language providers, and today they are attending mainstream schools where they often find themselves the only deaf person in their school,
 - (d) the important work that is performed by the coalition of New South Wales-based deafness and hearing health organisations including Break the Sound Barrier, Hear for You, The Shepherd Centre, Royal Institute for Deaf and Blind Children, The Deaf Society, Cochlear, CICADA, Deafness Forum of Australia and Deafness Support Groups and providers, and
 - (e) the particular support that is provided to the students that spoke at the session by Hear for You, The Shepherd Centre and the Royal Institute of Deaf and Blind Children.
3. That this House notes the importance of promoting hearing health and wellbeing with a view to making it a national health priority throughout Australia, and the role that all New South Wales parliamentarians can play in this respect.

Question put and passed.

5 BEYOND BLUE FOUNDATION (Formal Business)

Mr Amato moved, according to notice:

1. That this House notes that:
- (a) almost half of Australians will experience some form of mental illness during their life time,
 - (b) in any one year, around 1 million Australian adults have depression, and over 2 million have anxiety, and
 - (c) the leading cause of death of Australians aged between 15 and 44 is suicide, with the current death rate to suicide being approximately 3,000 per year.
2. That this House acknowledges:
- (a) the great works of the Beyond Blue Foundation in providing support for people suffering from depression, anxiety and mental illness, the Foundation provides a 24 hour seven days a week telephone and online counselling service, during 2016 more than 150,000, Australians contacted Beyond Blue for emergency counselling services, the Foundation's

mission is to provide information and support to help everyone in Australia achieve their best possible mental health, whatever their age and wherever they live, and

- (b) the many community organisations who support the Beyond Blue Foundation such as Tahmoor Garden Centre which on 14 April 2018 conducted a Beyond Blue fund raising and community awareness event: Tahmoor Garden centre decorated with blue balloons whilst staff wore blue wigs; blue plants and wrist bands were donated for sale by the Garden Centre which also provided blue lolly bags and free sample bags with information inside to help people learn more about the effects of anxiety and depression.

Question put and passed.

6 **DISPUTED CLAIM OF PRIVILEGE—SYDNEY STADIUMS—PRIVILEGED DOCUMENTS (Formal Business)**

Mr Searle sought the leave of the House to amend private members' business item no. 2267 outside the order of precedence by

1. Inserting at the end of paragraph (1) (a): "subject to paragraphs (1) (c) and (1) (d),"
2. Inserting after paragraph (1) (d) (i):
 - “(ii) Schedule 2 in document 0087, and a table referring to information in Schedule 2 in documents 0076, 0077, 0078, 0079 and 0080, returned on 5 April 2018 from Venues NSW,”

No objection taken.

Leave granted.

Mr Searle moved, according to notice, as by leave amended:

1. That, in view of the report of the Independent Legal Arbiter, the Hon Keith Mason AC QC, dated 22 May 2018, on the disputed claim of privilege on documents relating to Sydney Stadiums, this House:
 - (a) orders that the documents considered by the Independent Legal Arbiter not to be privileged be laid upon the table by the Clerk, subject to paragraphs (1) (c) and (1) (d),
 - (b) orders that the documents in relation to which Sydney Cricket and Sports Ground Trust, Venues NSW, Infrastructure NSW, and the Office of Sport advised in submissions dated 4 May 2018 and 18 May 2018 that claims of privilege were no longer being pressed, be laid upon the table by the Clerk,
 - (c) orders that two folders appended to the submission lodged by the Department of Premier and Cabinet, dated 4 May 2018, containing redacted documents provided by the Office of Sport and Infrastructure NSW, received by Mr Mason during his evaluation of the disputed claim of privilege, be laid upon the table by the Clerk, and
 - (d) orders that Venues NSW and Sydney Cricket and Sports Ground Trust produce, within 14 days of the date of passing of this resolution, redacted versions of documents considered by the Independent Legal Arbiter not to be privileged with the following information omitted:
 - (i) Table 1 in documents 570-575 of documents returned on 19 April 2018 from Venues NSW,
 - (ii) Schedule 2 in document 0087, and a table referring to information in Schedule 2 in documents 0076, 0077, 0078, 0079 and 0080, returned on 5 April 2018 from Venues NSW,

- (iii) hourly rates of consultants,
- (iv) personal and private information such as email, postal and residential addresses, telephone numbers, membership numbers, credit card details, banking details, and other personal identifiers relating to members of the public,
- (v) URLs and related Dropbox folders of government departments,
- (vi) banking and credit card details of businesses or companies.

2. That, on tabling, the documents are authorised to be published.

Question put and passed.

7 PRINTING OF TABLED PAPERS

According to standing order, Mr Farlow tabled a list of all papers tabled and not ordered to be printed in the previous month.

8 LEGISLATION REVIEW COMMITTEE—REPORT

Mrs Maclaren-Jones tabled a report of the Legislation Review Committee entitled “Legislation Review Digest No. 56/56”, dated 5 June 2018.

Ordered: That the report be printed.

9 STANDING COMMITTEE ON STATE DEVELOPMENT—REPORT

The Chair (Mr Martin) tabled Report No. 44 of the Standing Committee on State Development entitled “Provisions of the Forestry Legislation Amendment Bill 2018”, dated 5 June 2018, together with transcripts of evidence, submissions, tabled documents, minutes of proceedings and correspondence.

Ordered: That the report be printed.

10 SELECTION OF BILLS COMMITTEE—REPORT

The Chair (Mrs Maclaren-Jones) tabled Report No. 8 of the Selection of Bills Committee, dated 5 June 2018.

Ordered: That the report be printed.

Mrs Maclaren-Jones moved, according to paragraph 4(1) of the resolution establishing the Selection of Bills Committee: That the following bills not be referred to a standing committee for inquiry and report, this day:

- (a) Companion Animals and Other Legislation Amendment Bill 2018,
- (b) Justice Legislation Amendment Bill (No 2) 2018,
- (c) Kosciuszko Wild Horse Heritage Bill 2018,
- (d) Miscellaneous Acts Amendment (Marriages) Bill 2018,
- (e) Statute Law (Miscellaneous Provisions) Bill 2018,
- (f) Anti-Discrimination Amendment (Religious Freedoms) Bill 2018,

- (g) Government Sector Finance Bill 2018,
- (h) Government Sector Finance Legislation (Repeal and Amendment) Bill 2018, and
- (i) Public Accountability Legislation Amendment (Sydney Motorway Corporation) Bill 2018.

Debate ensued.

Ms Sharpe moved: That the question be amended by:

1. Omitting “Kosciuszko Wild Horse Heritage Bill 2018” from paragraph (c).
2. Inserting after paragraph (i):

“2. That:

- (a) the provisions of the Kosciuszko Wild Horse Heritage Bill 2018 be referred to the Standing Committee on State Development for inquiry and report,
- (b) the bill be referred to the committee upon receipt of the message on the bill from the Legislative Assembly, and
- (c) the committee report by 10 August 2018.”

Debate continued.

Question put: That the amendment of Ms Sharpe be agreed to.

The House divided.

Ayes 18

Mr Buckingham
Mr Donnelly *
Dr Faruqi
Mr Field
Mr Graham
Mrs Houssos

Mr Mookhey
Mr Moselmane *
Mr Pearson
Mr Primrose
Mr Searle
Mr Secord

Ms Sharpe
Mr Shoebridge
Mr Veitch
Ms Voltz
Ms Walker
Mr Wong

* Tellers

Noes 23

Mr Amato
Mr Blair
Mr Borsak
Mr Brown
Mr Clarke
Mr Colless
Ms Cusack
Mr Fang *

Mr Farlow
Mr Franklin
Mr Green
Mr Harwin
Mr Khan
Mr MacDonald
Mrs Maclaren-Jones *
Mr Mallard

Mr Martin
Mr Mason-Cox
Mrs Mitchell
Revd Mr Nile
Dr Phelps
Mrs Taylor
Ms Ward

* Tellers

Question resolved in the negative.

Original question put and passed.

11 PAPERS—PRESENTED TO PARLIAMENT OUT OF SESSION

The Clerk announced receipt of the following reports presented since the last sitting of the House:

- (1) Annual Reports (Departments) Act 1985—Report of the NSW Department of Education for year ended 31 December 2017.
- (2) Workplace Injury Management and Workers Compensation Act 1998—Workers Compensation Commission Rules 2011.

12 STATUTORY RULES AND INSTRUMENTS—TABLED BY THE CLERK

The Clerk tabled the following statutory rules and instruments, published on the NSW Legislation website or in the Government Gazette to Friday 1 June 2018:

- (1) Children (Detention Centres) Act 1987—Children (Detention Centres) Amendment (Savings and Transitional) Regulation 2018 (LW 25/05/2018).
- (2) Civil Procedure Act 2005—Practice Note SC CL 5 (Gazette 52, 25/05/2018, n2018-1815).
- (3) Crimes (Administration of Sentences) Act 1999—Crimes (Administration of Sentences) Amendment (Re-integration Home Detention) Regulation 2018 (LW 25/05/2018).
- (4) Crown Land Management Act 2016—Crown Land Management Amendment Regulation 2018 (LW 01/06/2018).
- (5) Environmental Planning and Assessment Act 1979—Environmental Planning and Assessment Amendment (ePlanning—Complying Development Certificates) Regulation 2018 (LW 01/06/2018).
- (6) Fines Act 1996—Fines Amendment (Vehicle Offences) Regulation 2018 (LW 25/05/2018).
- (7) Liquor Act 2007—
 - (a) Liquor Amendment (Special Events Extended Trading) Regulation (No 2) 2018 (LW 25/05/2018)
 - (b) Liquor Amendment (Special Licence Conditions) Regulation 2018 (LW 25/05/2018).
- (8) Marine Estate Management Act 2014—Marine Estate Management (Management Rules) Amendment (Prohibited Fishing Activities) Regulation 2018 (LW 25/05/2018).
- (9) Mental Health Act 2007—Mental Health Amendment (Fees) Regulation 2018 (LW 01/06/2018).
- (10) Motor Accidents Compensation Act 1999—Motor Accident Permanent Impairment Guidelines (Gazette 52, 25/05/2018, n2018-1716).
- (11) Poisons and Therapeutic Goods Act 1966—Poisons and Therapeutic Goods Amendment (Fees) Regulation 2018 (LW 01/06/2018).
- (12) Police Act 1990—Police Amendment (Promotion Lists) Regulation 2018 (LW 25/05/2018).
- (13) Private Health Facilities Act 2007—Private Health Facilities Amendment (Fees) Regulation 2018 (LW 01/06/2018).
- (14) Public Health Act 2010—Public Health Amendment (Fees) Regulation 2018 (LW 01/06/2018).

(15) Roads Act 1993—

- (a) Roads Amendment (Incomplete Crown Road Purchases) Regulation 2018 (LW 01/06/2018)
- (b) Roads Amendment (Toll Services) Regulation 2018 (LW 25/05/2018).

13 DISPUTED CLAIM OF PRIVILEGE—SYDNEY STADIUMS—CORRESPONDENCE REGARDING THE REPORT OF THE INDEPENDENT LEGAL ARBITER

The Clerk, according to resolution of the House of Thursday 15 March 2018, tabled correspondence regarding the implementation of the report of the Independent Legal Arbiter on the disputed claim of privilege relating to Sydney Stadiums received from:

- (a) the Independent Legal Arbiter, the Honourable Keith Mason AC QC, dated 30 May 2018 and 31 May 2018, and
- (b) the Department of Premier and Cabinet, dated 31 May 2018, 1 June 2018 and 5 June 2018.

14 DISPUTED CLAIM OF PRIVILEGE—SYDNEY STADIUMS—TABLING OF PRIVILEGED DOCUMENTS

The Clerk, according to resolution of the House this day, tabled certain redacted documents identified as not privileged in the report of the Independent Legal Arbiter, the Honourable Keith Mason AC QC, dated 22 May 2018, on the disputed claim of privilege on documents relating to Sydney Stadiums.

15 NOTICES OF MOTIONS

Point of order: Mr Harwin took a point of order regarding the content of a notice of motion.

The President reserved his ruling.

16 BUSINESS POSTPONED

Notices of motions nos 1 and 2 on the Notice Paper of Government business postponed, on motion of Mr Harwin, until a later hour.

17 MINISTERIAL STATEMENT—PARLIAMENTARY SECRETARY

Mr Harwin informed the House that, on 24 May 2018, the Premier appointed Mr Chris Patterson, MP as Parliamentary Secretary for Youth Employment in Western Sydney.

**18 SELECT COMMITTEE ON HUMAN TRAFFICKING IN NEW SOUTH WALES—
CORRESPONDENCE CONCERNING THE GOVERNMENT’S RESPONSE TO REPORT**

The Clerk tabled correspondence from the Honourable Pru Goward MP, Minister for Family and Community Services, Minister for Social Housing, Minister for the Prevention of Domestic Violence and Sexual Assault, advising that the Government’s response to the report of the Select Committee on Human Trafficking in New South Wales entitled “Human trafficking in New South Wales”, tabled 19 October 2017, which was due on 19 April 2018, will be provided in the coming months, noting that a private member’s bill relating to modern slavery and human trafficking is currently before the Parliament.

**19 STANDING COMMITTEE ON LAW AND JUSTICE—GOVERNMENT’S RESPONSE TO
REPORT**

The Clerk, according to standing order, announced receipt of the Government’s response to Report No. 50 of the Standing Committee on Law and Justice entitled “Racial vilification law in New South Wales”, tabled 3 December 2013, received out of session and authorised to be printed this day.

20 PORTFOLIO COMMITTEE NO. 4 – LEGAL AFFAIRS—EXTENSION OF REPORTING DATE

The Chair (Mr Borsak), according to paragraph 2(6) of the resolution establishing the Portfolio Committees, informed the House that on 28 May 2018, Portfolio Committee No. 4 – Legal Affairs resolved to extend the reporting date for its inquiry into museums and galleries in New South Wales to 17 October 2018.

21 CONDUCT OF BUSINESS

Mr Searle moved, according to sessional order: That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of the business of the House this day.

Question put and passed.

Mr Searle then moved: That debate on private member’s business item no. 2254 outside the order of precedence standing in the name of Mr Searle take precedence of all other business until Questions and then after Questions until adjourned or concluded.

Question put and passed.

**22 GOVERNMENT FAILURE TO COMPLY WITH ORDERS OF THE HOUSE—CENSURE OF
LEADER OF THE GOVERNMENT**

Mr Searle moved, according to notice:

1. That this House notes the failure of the Government to comply with the following orders of the House:
 - (a) the resolution of the House of 15 March 2018 relating to Sydney stadiums in respect of certain documents, including business cases,
 - (b) the resolution of the House of 12 April 2018 relating to the preliminary and final business cases for the relocation of the Powerhouse Museum from Ultimo to Parramatta, and
 - (c) the resolution of the House of 17 May 2018 relating to the final report and final draft report of the independent review of the out of home care system in New South Wales.

2. That this House censures the Leader of the Government as the representative of the Government in this House for the Government's failure to comply with the orders of the House of 15 March 2018, 12 April 2018 and 17 May 2018.
3. That, under standing order 52, there be laid upon the table of the House by 9.30 am on the day following the passing of this resolution:
 - (a) the following documents in the possession, custody or control of the Department of Premier and Cabinet, Infrastructure NSW, the Office of Sport, Sydney Olympic Park Authority, Sydney Cricket and Sports Ground Trust, Venues NSW, the Minister for Sport, and the Minister for Transport and Infrastructure:
 - (i) the Final Business Case for the proposed redevelopment of the Sydney Football Stadium at Moore Park referred to on page 2 of the "Final Business Case Summary: Sydney Football Stadium Redevelopment" published by Infrastructure New South Wales, dated March 2018,
 - (ii) the Strategic Business Case for the redevelopment of Stadium Australia referred to on page 2 of the "Strategic Business Case Summary: Stadium Australia Redevelopment" published by Infrastructure New South Wales, dated March 2018,
 - (b) the following documents in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Treasurer, NSW Treasury, the Minister for the Arts, Create NSW, the Minister for Planning, the Minister for the Environment, the Department of Planning and Environment or Infrastructure NSW:
 - (i) the draft Business Case reviewed by Infrastructure NSW in February 2017 referred to on page 3 of the "Final Business Case Summary: Powerhouse Museum in Western Sydney" published by Infrastructure New South Wales, dated April 2018,
 - (ii) the Final Business Case for the Powerhouse Museum in Western Sydney Project referred to on page 2 of the "Final Business Case Summary: Powerhouse Museum in Western Sydney" published by Infrastructure New South Wales, dated April 2018,
 - (c) the following documents in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Minister for Family and Community Services, or the Department of Family and Community Services: the final report and final draft report of the independent review of the out of home care system in New South Wales conducted by Mr David Tune AO PSM, and
 - (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.
4. That, should the Leader of the Government fail to table the documents in compliance with this resolution, this House orders the Leader of the Government to attend in his place at the Table at the conclusion of prayers, on the next sitting day following the passing of this resolution to explain his reasons for continued non-compliance.

Debate ensued.

According to sessional order, proceedings interrupted at 4.00 pm for Questions.

24 PETITION—MINISTER’S RESPONSE

Mr Harwin, according to sessional order, tabled a ministerial response from the Hon Mark Speakman, Attorney-General to petitions presented by Mr Green on 2 May 2018 and 3 May 2018 concerning the Modern Slavery Bill 2018.

Ordered: That the document be printed.

25 GOVERNMENT FAILURE TO COMPLY WITH ORDERS OF THE HOUSE—CENSURE OF LEADER OF THE GOVERNMENT

Order of the day read for resumption of the interrupted debate of the question on the motion of Mr Searle:

1. That this House notes the failure of the Government to comply with the following orders of the House:
 - (a) the resolution of the House of 15 March 2018 relating to Sydney stadiums in respect of certain documents, including business cases,
 - (b) the resolution of the House of 12 April 2018 relating to the preliminary and final business cases for the relocation of the Powerhouse Museum from Ultimo to Parramatta, and
 - (c) the resolution of the House of 17 May 2018 relating to the final report and final draft report of the independent review of the out of home care system in New South Wales.
2. That this House censures the Leader of the Government as the representative of the Government in this House for the Government’s failure to comply with the orders of the House of 15 March 2018, 12 April 2018 and 17 May 2018.
3. That, under standing order 52, there be laid upon the table of the House by 9.30 am on the day following the passing of this resolution:
 - (a) the following documents in the possession, custody or control of the Department of Premier and Cabinet, Infrastructure NSW, the Office of Sport, Sydney Olympic Park Authority, Sydney Cricket and Sports Ground Trust, Venues NSW, the Minister for Sport, and the Minister for Transport and Infrastructure:
 - (i) the Final Business Case for the proposed redevelopment of the Sydney Football Stadium at Moore Park referred to on page 2 of the “Final Business Case Summary: Sydney Football Stadium Redevelopment” published by Infrastructure New South Wales, dated March 2018,
 - (ii) the Strategic Business Case for the redevelopment of Stadium Australia referred to on page 2 of the “Strategic Business Case Summary: Stadium Australia Redevelopment” published by Infrastructure New South Wales, dated March 2018,
 - (b) the following documents in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Treasurer, NSW Treasury, the Minister for the Arts, Create NSW, the Minister for Planning, the Minister for the Environment, the Department of Planning and Environment or Infrastructure NSW:
 - (iii) the draft Business Case reviewed by Infrastructure NSW in February 2017 referred to on page 3 of the “Final Business Case Summary: Powerhouse Museum in Western Sydney” published by Infrastructure New South Wales, dated April 2018,
 - (iv) the Final Business Case for the Powerhouse Museum in Western Sydney Project referred to on page 2 of the “Final Business Case Summary: Powerhouse Museum in Western Sydney” published by Infrastructure New South Wales, dated April 2018,
 - (c) the following documents in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Minister for Family and Community Services, or

the Department of Family and Community Services: the final report and final draft report of the independent review of the out of home care system in New South Wales conducted by Mr David Tune AO PSM, and

- (d) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.
4. That, should the Leader of the Government fail to table the documents in compliance with this resolution, this House orders the Leader of the Government to attend in his place at the Table at the conclusion of prayers, on the next sitting day following the passing of this resolution to explain his reasons for continued non-compliance.

Debate resumed.

Upon the President interrupting proceedings to allow the mover to speak in reply, Mrs Maclaren-Jones moved, according to sessional order: That

- (a) the time for debate on this motion be extended for 10 minutes,
- (b) the member speaking prior to the interruption of the debate be permitted to complete his contribution, and
- (c) the mover may speak for 5 minutes in reply.

Question put and passed.

Debate continued.

Question put.

The House divided.

Ayes 21

Mr Borsak	Mrs Houssos	Mr Secord
Mr Brown	Mr Mason-Cox	Ms Sharpe
Mr Buckingham	Mr Mookhey	Mr Shoebridge
Mr Donnelly *	Mr Moselmane *	Mr Veitch
Dr Faruqi	Mr Pearson	Ms Voltz
Mr Field	Mr Primrose	Ms Walker
Mr Graham	Mr Searle	Mr Wong

* Tellers

Noes 20

Mr Amato	Mr Franklin	Mr Martin
Mr Blair	Mr Green	Mrs Mitchell
Mr Clarke	Mr Harwin	Revd Mr Nile
Mr Colless	Mr Khan	Dr Phelps
Ms Cusack	Mr MacDonald	Mrs Taylor
Mr Fang *	Mrs Maclaren-Jones *	Ms Ward
Mr Farlow	Mr Mallard	

* Tellers

Question resolved in the affirmative.

26 RULING BY PRESIDENT—LANGUAGE USED IN A MOTION

The President gave a ruling which he had reserved on a point of order taken during the giving of notices of motions this day regarding the compliance of the language used in a notice of motion given by Mr Buckingham with standing order 91(1).

The President directed that the notice of motion not be placed on the Notice Paper.

27 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2018

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

The Temporary Chair of Committees (Mr Mallard) took the Chair.

Leave granted to take the bill as a whole.

Mr Shoebridge moved Greens amendment no. 1 on sheet c2018-063A—

No. 1 **Local Government Act 1993**

Page 12, Schedule 1. Insert after line 40:

1.17 Local Government Act 1993 No 30**Section 291A**

Omit “at its first meeting following that ordinary election of councillors” from section 291A (1) (b).

Insert instead “at any meeting of the council within 18 months after that ordinary election of councillors but before the casual vacancy occurs”.

Debate ensued.

Question put.

The committee divided.

Ayes 18

Mr Buckingham
Mr Donnelly *
Dr Faruqi
Mr Field
Mr Graham
Mrs Houssos

Mr Mookhey
Mr Moselmane *
Mr Pearson
Mr Primrose
Mr Searle
Mr Secord

Ms Sharpe
Mr Shoebridge
Mr Veitch
Ms Voltz
Ms Walker
Mr Wong

* Tellers

Noes 21

Mr Ajaka
Mr Amato
Mr Blair
Mr Clarke
Mr Colless
Ms Cusack
Mr Fang *

Mr Farlow
Mr Franklin
Mr Green
Mr Harwin
Mr Khan
Mr MacDonald
Mrs Maclaren-Jones *

Mr Martin
Mr Mason-Cox
Mrs Mitchell
Revd Mr Nile
Dr Phelps
Mrs Taylor
Ms Ward

* Tellers

Question resolved in the negative.

Amendment negatived.

Question: That the bill, as read, be agreed to—put and passed.

Ordered: That the Temporary Chair of Committees leave the Chair and report the bill without amendment.

The President took the Chair.

The Temporary Chair of Committees (Mr Mallard) reported the bill without amendment.

The House adopted the report.

(With concurrence) Bill, on motion of Mr Harwin, read a third time.

Bill forwarded to the Legislative Assembly for concurrence.

28 MESSAGES FROM THE LEGISLATIVE ASSEMBLY—COGNATE BILLS

The President reported receipt of the following messages from the Legislative Assembly:

Cognate Bills—

(1) Government Sector Finance Bill 2018

Mr PRESIDENT

The Legislative Assembly having this day passed a Bill with the long title “An Act to establish a framework for government sector financial and resource management in New South Wales; and for other purposes” presents the bill to the Legislative Council for its concurrence.

Legislative Assembly
5 June 2018

SHELLEY HANCOCK
Speaker

(2) Government Sector Finance Legislation (Repeal and Amendment) Bill 2018

Mr PRESIDENT

The Legislative Assembly having this day passed a Bill with the long title “An Act to repeal, rename and amend certain legislation consequent on the enactment of the Government Sector Finance Act 2018” presents the bill to the Legislative Council for its concurrence.

Legislative Assembly
5 June 2018

SHELLEY HANCOCK
Speaker

Bills, on motion of Mr Harwin, read a first time and ordered to be printed.

According to sessional order, Mr Harwin declared the bills to be urgent bills.

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

Ordered: That the second reading of the bills stand an order of the day for next sitting day.

29 MISCELLANEOUS ACTS AMENDMENT (MARRIAGES) BILL 2018

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

Debate resumed.

Question put.

The House divided.

Ayes 34

Mr Amato	Mrs Houssos	Mr Primrose
Mr Blair	Mr Khan	Mr Searle
Mr Buckingham	Mr MacDonald	Mr Secord
Mr Colless	Mrs Maclaren-Jones *	Ms Sharpe
Ms Cusack	Mr Mallard	Mr Shoebridge
Mr Fang *	Mr Martin	Mrs Taylor
Mr Farlow	Mrs Mitchell	Mr Veitch
Dr Faruqi	Mr Mookhey	Ms Voltz
Mr Field	Mr Moselmane	Ms Walker
Mr Franklin	Mr Pearson	Ms Ward
Mr Graham	Dr Phelps	Mr Wong
Mr Harwin		

* Tellers

Noes 2

Mr Green *	Revd Mr Nile *	* Tellers
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Question resolved in the affirmative.

Bill read a second time.

Leave granted to proceed to the third reading of the bill forthwith.

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

Question put.

The House divided.

Ayes 34

Mr Amato	Mrs Houssos	Mr Primrose
Mr Blair	Mr Khan	Mr Searle
Mr Buckingham	Mr MacDonald	Mr Secord
Mr Colless	Mrs Maclaren-Jones *	Ms Sharpe
Ms Cusack	Mr Mallard	Mr Shoebridge
Mr Fang *	Mr Martin	Mrs Taylor
Mr Farlow	Mrs Mitchell	Mr Veitch
Dr Faruqi	Mr Mookhey	Ms Voltz
Mr Field	Mr Moselmane	Ms Walker
Mr Franklin	Mr Pearson	Ms Ward
Mr Graham	Dr Phelps	Mr Wong
Mr Harwin		

* Tellers

Noes 2

Mr Green *	Revd Mr Nile *	* Tellers
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Question resolved in the affirmative.

Bill read a third time.

Bill forwarded to the Legislative Assembly for concurrence.

30 COMPANION ANIMALS AND OTHER LEGISLATION AMENDMENT BILL 2018

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

Debate resumed.

Bill read a second time.

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

The Chair of Committees took the Chair.

Leave granted to take the bill as a whole.

Dr Faruqi, by leave, moved Greens amendments nos 1, 2 and 3 on sheet c2018-057B, in globo—

No. 1 Removal of requirement to muzzle greyhounds

Page 2, clause 3, line 7. Omit “Schedule 7.3 [5]”. Insert instead “Schedule 7.3 [2]–[5] and 7.4 [6] and [7]”.

No. 2 Removal of requirement to muzzle greyhounds

Page 2. Insert after line 7:

4 Amendment of Companion Animals Regulation 2008

The *Companion Animals Regulation 2008* is amended by omitting clause 33B (Exemption from muzzling for certain greyhounds).

No. 3 Removal of requirement to muzzle greyhounds

Page 8, Schedule 1. Insert after line 15:

[8] Section 15 Certain breeds of dogs to be muzzled

Omit “greyhound and any other” from section 15 (1).

[9] Section 15 (2)

Omit “greyhound or other” wherever occurring.

[10] Section 15 (3)

Insert “(other than a greyhound)” after “description of dog”.

[11] Section 23 Disqualification from owning or being in charge of dog

Omit “Greyhounds and other breeds” from section 23 (2) (a).
Insert instead “Certain breeds of dogs”.

Question put.

The committee divided.

Ayes 18

Mr Buckingham *	Mr Mookhey	Ms Sharpe
Mr Donnelly	Mr Moselmane	Mr Shoebridge
Dr Faruqi	Mr Pearson	Mr Veitch
Mr Field	Mr Primrose	Ms Voltz
Mr Graham	Mr Searle	Ms Walker *
Mrs Houssos	Mr Secord	Mr Wong

* Tellers

Noes 21

Mr Ajaka	Mr Farlow	Mr Martin
Mr Amato	Mr Franklin	Mr Mason-Cox
Mr Blair	Mr Green	Mrs Mitchell
Mr Clarke	Mr Harwin	Revd Mr Nile
Mr Colless	Mr MacDonald	Dr Phelps
Ms Cusack	Mrs Maclaren-Jones *	Mrs Taylor
Mr Fang *	Mr Mallard	Ms Ward

* Tellers

Question resolved in the negative.

Amendments negatived.

Question: That the bill, as read, be agreed to—put and passed.

Ordered: That the Chair of Committees leave the Chair and report the bill without amendment.

The President took the Chair.

The Chair of Committees reported the bill without amendment.

The House adopted the report.

(With concurrence) Bill, on motion of Mr Blair, read a third time.

Bill forwarded to the Legislative Assembly for concurrence.

31 MESSAGE FROM THE LEGISLATIVE ASSEMBLY—KOSCIUSZKO WILD HORSE HERITAGE BILL 2018

The President reported receipt of the following message from the Legislative Assembly:

Mr PRESIDENT

The Legislative Assembly having this day passed a Bill with the long title “An Act to recognise the heritage value of sustainable wild horse populations within parts of Kosciuszko National Park and to protect that heritage” presents the bill to the Legislative Council for its concurrence.

Legislative Assembly
5 June 2018

THOMAS GEORGE
Deputy Speaker

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

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

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

The House divided.

Ayes 21

Mr Amato	Mr Franklin	Mr Martin
Mr Blair	Mr Green	Mr Mason-Cox
Mr Clarke	Mr Harwin	Mrs Mitchell
Mr Colless	Mr Khan	Revd Mr Nile
Ms Cusack	Mr MacDonald	Dr Phelps
Mr Fang *	Mrs Maclaren-Jones *	Mrs Taylor
Mr Farlow	Mr Mallard	Ms Ward

* Tellers

Noes 18

Mr Buckingham	Mr Mookhey	Ms Sharpe
Mr Donnelly *	Mr Moselmane *	Mr Shoebridge
Dr Faruqi	Mr Pearson	Mr Veitch
Mr Field	Mr Primrose	Ms Voltz
Mr Graham	Mr Searle	Ms Walker
Mrs Houssos	Mr Secord	Mr Wong

* Tellers

Question resolved in the affirmative.

Ordered: That the second reading of the bill stand an order of the day for next sitting day.

32 ADJOURNMENT

Mr Harwin moved: That this House do now adjourn.

Debate ensued.

WEDNESDAY 6 JUNE 2018 AM

Debate continued.

Question put and passed.

The House adjourned at 12.14 am until Wednesday 6 June 2018 at 11.00 am.

33 ATTENDANCE

All members present.

David Blunt
Clerk of the Parliaments

Authorised by the Parliament of New South Wales