



LEGISLATIVE ASSEMBLY

2015-16-17

FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT

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# VOTES AND PROCEEDINGS

**No. 104**

WEDNESDAY 22 FEBRUARY 2017

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**1 MEETING OF THE HOUSE**

The House met at 10.00 am pursuant to adjournment. The Speaker took the Chair, read the prayer and acknowledged the traditional owners, thanking them for their custodianship of country.

**2 MESSAGES FROM THE LEGISLATIVE COUNCIL**

The Speaker reported messages from the Legislative Council returning the following bills without amendment:

21 February 2017

Aboriginal Land Rights Amendment (Local Aboriginal Land Councils) Bill  
Retail Leases Amendment (Review) Bill.

**3 NOTICES OF MOTIONS (GENERAL NOTICES)**

**4 SPORTING VENUES AUTHORITIES AMENDMENT BILL**

The order of the day was read for the resumption of the adjourned debate, on the motion of Mr Stuart Ayres, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

The House divided.

## AYES 51

Mr Anderson, Mr Aplin, Mr Ayres, Mr Barilaro, Ms Berejiklian, Mr Brookes, Mr Conolly, Mr Constance, Mr Coure, Mr Crouch, Mrs Davies, Mr Dominello, Mr Donato, Mr Elliott, Mr Fraser, Mr George, Ms Gibbons, Ms Goward, Mr Grant, Mr Greenwich, Mr Gulaptis, Mr Hazzard, Mr Henskens, Ms Hodgkinson, Mr Humphries, Mr Johnsen, Mr Kean, Dr Lee, Mr Maguire, Mr Marshall, Mr Notley-Smith, Mr O’Dea, Mrs Pavey, Mr Perrottet, Ms Petinos, Mr Piccoli, Mr Piper, Mr Provest, Mr Roberts, Mr Rowell, Mr Sidoti, Mr Speakman, Mr Stokes, Mr Taylor, Mr Toole, Mr Tudehope, Ms Upton, Mr Williams and Mrs Williams.

Tellers: Mr Bromhead and Mr Patterson.

## NOES 36

Ms Aitchison, Mr Atalla, Mr Barr, Ms Car, Ms Catley, Mr Chanthivong, Ms Cotsis, Mr Crakanthorp, Mr Daley, Mr Dib, Ms Doyle, Ms Finn, Mr Foley, Mr Harris, Ms Harrison, Ms Haylen, Mr Hoenig, Ms Hornery, Mr Kamper, Ms Leong, Mr Lynch, Dr McDermott, Ms McKay, Mr Mehan, Ms Mihailuk, Mr Minns, Mr Park, Mr Parker, Mr Robertson, Mr Scully, Ms T.F. Smith, Mr Warren, Ms Washington and Mr Zangari.

Tellers: Mr Lalich and Ms Watson.

In the Chair: Mr Evans.

Question passed.

Bill read a second time.

Mr Stuart Ayres moved, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

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It being after 1.00 pm—

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5 **INAUGURAL SPEECH**

An inaugural speech was made by Mr Philip Donato.

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It being after 1.15 pm, community recognition statements proceeded with.

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6 **COMMUNITY RECOGNITION STATEMENTS**

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The Temporary Speaker (Mr Lee Evans) left the Chair at 1.51 pm.

The Speaker resumed the Chair at 2.15 pm.

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7 **NOTICES OF MOTIONS**

**8 NOTICES OF MOTIONS SOUGHT TO BE ACCORDED PRIORITY**

Mr Kevin Anderson—Government Service Delivery.  
Mr Luke Foley—Campaign Donations.

**9 QUESTION TIME**

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(1) Following a request from Mr Daryl Maguire pursuant to standing order 131 (3), the Premier provided additional information.

(2) Following a request from Mr Thomas George pursuant to standing order 131 (3), the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business provided additional information.

(3) Following a request from Mr Kevin Humphries pursuant to standing order 131 (3), the Minister for Police, and Minister for Emergency Services provided additional information.

(4) Following a request from Mr Mark Taylor pursuant to standing order 131 (3), the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault provided additional information.

(5) Following a request from Mr John Sidoti pursuant to standing order 131 (3), the Treasurer, and Minister for Industrial Relations provided additional information.

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Disorder: By direction of the Speaker, Mr Clayton Barr was removed from the Chamber by the Deputy Serjeant-at-Arms.

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**10 MESSAGE FROM THE GOVERNOR**

The Speaker reported the following message from His Excellency the Governor:

DAVID HURLEY  
Governor

Government House  
Sydney, 22 February 2017

I, General The Honourable DAVID HURLEY AC DSC (Ret'd), in pursuance of the power and authority vested in me as Governor of the State of New South Wales, do hereby convene a joint sitting of the Members of the Legislative Council and the Legislative Assembly for the purpose of the election of a person to fill the seat in the Legislative Council vacated by Ms Jan Barham, and I do hereby announce and declare that such Members shall assemble for such purpose on Wednesday the 22nd day of February 2017 at 3:45 pm in the building known as the Legislative Council Chamber situated in Macquarie Street in the City of Sydney; and the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

In order that the Members of both Houses of Parliament may be duly informed of the convening of the joint sitting, I have this day addressed a like message to the President of the Legislative Council.

Ordered by the Speaker, That the joint sitting be set down as an order of the day for 3.45 pm today as appointed in His Excellency's message.

**11 PAPERS**

Mr Paul Toole tabled:

Crown Lands Act 1989—Proposed Revocation of Dedication of Crown Lands from the reserve

Dedication 570118 and Extension of 9 September 1908 of Sandgate Cemetery for General Cemetery Purposes, pursuant to section 84 of the Act (GG No. 111, 9 December 2016, p 3514).

Crown Lands Act 1989—Proposed Dedication of Crown Land at Sandgate Cemetery for Cemetery and crematorium purposes at Sandgate, Newcastle, pursuant to section 82 of the Act (GG No. 111, 9 December 2016, p 3515).

12 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—AUSLAN INTERPRETER**

Mr Anthony Roberts moved, That standing and sessional orders be suspended at this sitting to permit an accredited AUSLAN interpreter to be present on the floor of the House for the purpose of translating the inaugural speech of the member for Canterbury.

Question put and passed.

13 **PETITIONS**

(1) The Clerk announced that the following members had each lodged petitions for presentation:

Mr Alex Greenwich—from certain citizens opposing the sale of animals in pet shops.

Mr Alex Greenwich—from certain citizens requesting that museum services be expanded around New South Wales and the Powerhouse Museum remain in Ultimo.

Mr Alex Greenwich—from certain citizens requesting new inner city ferries.

Mr Alex Greenwich—from certain citizens requesting the inclusion of a new ferry service as part of the Elizabeth Bay Marina upgrade.

Mr Alex Greenwich—from certain citizens requesting that the Sirius building be retained and continue to function as social housing.

Mr Alex Greenwich—from certain citizens opposing the sale of public housing in Millers Point, Dawes Point and The Rocks.

Mr Kevin Humphries—from certain citizens requesting that the Government establish a real time air quality monitoring system and position a monitor at Boggabri.

(2) The Clerk also announced that the following member had lodged a petition for presentation signed by 500 or more persons:

Mr Adam Marshall—from certain citizens requesting that the daylight savings period be reduced by one month to conclude on the first Sunday in March each year.

14 **RE-ORDERING OF GENERAL BUSINESS**

Ms Melanie Gibbons moved, That the general business notice of motion (general notice) given by her this day (Rod Stowe – Commissioner for Fair Trading) have precedence on Thursday 23 February 2017.

Debate ensued.

Question put.

The House divided.

## AYES 50

Mr Anderson, Mr Aplin, Mr Ayres, Mr Barilaro, Ms Berejiklian, Mr Brookes, Mr Conolly, Mr Constance, Mr Coure, Mr Crouch, Mrs Davies, Mr Dominello, Mr Elliott, Mr Evans, Mr Fraser, Mr George, Ms Gibbons, Ms Goward, Mr Grant, Mr Gulaptis, Mr Hazzard, Mr Henskens, Ms Hodgkinson, Mr Humphries, Mr Johnsen, Mr Kean, Dr Lee, Mr Maguire, Mr Marshall, Mr Notley-Smith, Mr O’Dea, Mrs Pavey, Mr Perrottet, Ms Petinos, Mr Piccoli, Mr Provest, Mr Roberts, Mr Rowell, Mr Sidoti, Mr Speakman, Mr Stokes, Mr Taylor, Mr Toole, Mr Tudehope, Ms Upton, Mr Ward, Mr Williams and Mrs Williams.

Tellers: Mr Bromhead and Mr Patterson.

## NOES 37

Ms Aitchison, Mr Atalla, Ms Car, Ms Catley, Mr Chanthivong, Ms Cotsis, Mr Crakanthorp, Mr Daley, Mr Dib, Mr Donato, Ms Doyle, Ms Finn, Mr Foley, Mr Greenwich, Mr Harris, Ms Harrison, Ms Haylen, Ms Hornery, Mr Kamper, Ms Leong, Mr Lynch, Dr McDermott, Ms McKay, Mr Mehan, Ms Mihailuk, Mr Minns, Mr Park, Mr Parker, Mr Piper, Mr Robertson, Mr Scully, Ms T.F. Smith, Mr Warren, Ms Washington and Mr Zangari.

Tellers: Mr Lalich and Ms Watson.

In the Chair: Mrs Hancock.

Question passed.

15 **NOTICES OF MOTIONS SOUGHT TO BE ACCORDED PRIORITY**

(1) Mr Kevin Anderson made a statement in support of his notice being accorded priority over the other business of the House.

(2) Mr Luke Foley also made a statement in support of his notice being accorded priority—

That this House:

(1) Condemns the New South Wales Liberal Party for its addiction to prohibited donations and illegal fundraising scams.

(2) Condemns the Premier for her weakness and inability to lead a Government with integrity.

Question—That the motion of the member for Tamworth be accorded priority—put and passed.

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It being before 3.45 pm—

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16 **JOINT SITTING—VACANCY IN THE LEGISLATIVE COUNCIL**

The order of the day was read and the Speaker informed the House that the time had arrived for the House to proceed to the Legislative Council Chamber to elect a person to fill the seat in the Legislative Council vacated by Ms Jan Barham.

The House proceeded to the Legislative Council Chamber.

The House returned and the Speaker resumed the Chair.

The Speaker reported that Dawn Elizabeth Walker had been elected.

The Speaker tabled the “Minutes of the Proceedings of the Joint Sitting of the Houses of Parliament of the State of New South Wales held on Wednesday 22 February 2017 to choose a person to fill the vacancy in the Legislative Council caused by the resignation of Ms Jan Barham.”

Ordered to be printed.

17 **MOTION ACCORDED PRIORITY—GOVERNMENT SERVICE DELIVERY**

Mr Kevin Anderson moved, pursuant to notice, That this House:

- (1) Notes that only with a strong economy can vital service be delivered across New South Wales.
- (2) Recognises the Government’s record investment in frontline services, including a record number of nurses, teachers and police.

Upon which Mr David Harris moved, That the motion be amended by leaving out paragraph (2) with a view to inserting instead:

- “(2) Recognises that families across regional New South Wales are doing it increasingly tough with non-government organisations having to step in because of the Government’s indifference.”

Question proposed—That the amendment be agreed to.

Debate continued.

Question put.

The House divided.

AYES 36

Ms Aitchison, Mr Atalla, Ms Car, Ms Catley, Mr Chanthivong, Ms Cotsis, Mr Crakanthorp, Mr Daley, Mr Dib, Ms Doyle, Ms Finn, Mr Foley, Mr Greenwich, Mr Harris, Ms Harrison, Ms Haylen, Ms Horner, Mr Kamper, Ms Leong, Mr Lynch, Dr McDermott, Ms McKay, Mr Mehan, Ms Mihailuk, Mr Minns, Mr Park, Mr Parker, Mr Piper, Mr Robertson, Mr Scully, Ms T.F. Smith, Mr Warren, Ms Washington and Mr Zangari.

Tellers: Mr Lalich and Ms Watson.

NOES 49

Mr Anderson, Mr Aplin, Mr Ayres, Mr Barilaro, Ms Berejiklian, Mr Brookes, Mr Conolly, Mr Constance, Mr Coure, Mr Crouch, Mrs Davies, Mr Dominello, Mr Donato, Mr Elliott, Mr Evans, Mr Fraser, Ms Gibbons, Ms Goward, Mr Grant, Mr Gulaptis, Mr Hazzard, Mr Henskens, Ms Hodgkinson, Mr Johnsen, Mr Kean, Dr Lee, Mr Maguire, Mr Marshall, Mr Notley-Smith, Mr O’Dea, Mrs Pavey, Mr Perrottet, Ms Petinos, Mr Piccoli, Mr Provest, Mr Roberts, Mr Rowell, Mr Sidoti, Mr Speakman, Mr Stokes, Mr Taylor, Mr Toole, Mr Tudehope, Ms Upton, Mr Ward, Mr Williams and Mrs Williams.

Tellers: Mr Bromhead and Mr Patterson.

In the Chair: Mr George.

Pair: Mr Hoenig—Mrs Hancock.

Question negatived.

Question—That the original motion be agreed to—put.

The House divided.

AYES 51

Mr Anderson, Mr Aplin, Mr Ayres, Mr Barilaro, Ms Berejiklian, Mr Brookes, Mr Conolly, Mr Constance, Mr Coure, Mr Crouch, Mrs Davies, Mr Dominello, Mr Donato, Mr Elliott, Mr Evans, Mr Fraser, Ms Gibbons, Ms Goward, Mr Grant, Mr Greenwich, Mr Gulaptis, Mr Hazzard, Mr Henskens, Ms Hodgkinson, Mr Johnsen, Mr Kean, Dr Lee, Mr Maguire, Mr Marshall, Mr Notley-Smith, Mr O’Dea, Mrs Pavey, Mr Perrottet, Ms Petinos, Mr Piccoli, Mr Piper, Mr Provest, Mr Roberts, Mr Rowell, Mr Sidoti, Mr Speakman, Mr Stokes, Mr Taylor, Mr Toole, Mr Tudehope, Ms Upton, Mr Ward, Mr Williams and Mrs Williams.

Tellers: Mr Bromhead and Mr Patterson.

NOES 34

Ms Aitchison, Mr Atalla, Ms Car, Ms Catley, Mr Chanthivong, Ms Cotsis, Mr Crakanthorp, Mr Daley, Mr Dib, Ms Doyle, Ms Finn, Mr Foley, Mr Harris, Ms Harrison, Ms Haylen, Ms Hornery, Mr Kamper, Ms Leong, Mr Lynch, Dr McDermott, Ms McKay, Mr Mehan, Ms Mihailuk, Mr Minns, Mr Park, Mr Parker, Mr Robertson, Mr Scully, Ms T.F. Smith, Mr Warren, Ms Washington and Mr Zangari.

Tellers: Mr Lalich and Ms Watson.

In the Chair: Mr George.

Pair: Mrs Hancock—Mr Hoenig.

Question passed.

18 **PRIVATE MEMBERS’ STATEMENTS**

It being after 5.00 pm, debate interrupted for an inaugural speech.

19 **INAUGURAL SPEECH**

An inaugural speech was made by Ms Sophie Cotsis.

20 **PRIVATE MEMBERS’ STATEMENTS**

21 **MESSAGES FROM THE LEGISLATIVE COUNCIL**

The Temporary Speaker (Mr Geoff Provest) reported messages from the Legislative Council returning the following bills without amendment:

22 February 2017

Motor Racing Legislation Amendment (Newcastle 500) Bill  
 Transport Administration Amendment (Independent Transport Safety Regulator) Bill.

22 **MATTER OF PUBLIC IMPORTANCE—BOWEL CANCER ANNUAL AWARENESS CAMPAIGN**

The Speaker previously informed the House of receipt from Mr Greg Aplin of a notice of a matter of public importance, namely:

Don’t Wait Until It’s Too Late – Bowel Cancer Annual Public Awareness Campaign.

Discussion ensued and concluded.

23 **ADJOURNMENT**

The House adjourned, pursuant to standing and sessional orders, at 5.57 pm, until tomorrow, at 10.00 am.

Attendance: All members present.

HELEN MINNICAN  
Clerk of the Legislative Assembly

SHELLEY HANCOCK  
Speaker