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MEETING OF THE HOUSE

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

ANTI–POVERTY WEEK 2014 (Formal Business)

Mr Shoebridge (on behalf of Ms Barham) moved, according to notice:

1. That this House notes that:
   
   (a) Anti-Poverty Week 2014 runs from 12 to 18 October, and
   
   (b) the main aims of Anti-Poverty Week are to:
       (i) strengthen public understanding of the causes and consequences of poverty and hardship,
       (ii) encourage research, discussion and action by individuals, communities, organisations and governments to address poverty.

2. That this House notes that the Australian Council of Social Service’s Poverty in Australia 2014 report and the Council of Social Service New South Wales’s Poverty in New South Wales 2014 report, both released at the beginning of Anti-Poverty Week, show that:
   
   (a) almost 900,000 people in New South Wales are living in poverty, more than any other state or territory,
   
   (b) this represents a poverty rate in New South Wales of 14.6 per cent, with a further 7 per cent of the population near or at risk of poverty,
   
   (c) the most at-risk groups are women, children, older people, sole parents, people affected by domestic and family violence, people born overseas and from non-English speaking backgrounds, Aboriginal and Torres Strait Islander peoples and people with a disability, and
   
   (d) poverty and disadvantage limit people’s opportunities and inhibit their wellbeing through a range of factors, including:
       (i) the severe impact of rising costs of living on those with the lowest incomes,
       (ii) the shortage of affordable housing and incidence of homelessness,
       (iii) the lack of opportunity to access employment, education, health and other support services, and social connections associated with neighbourhood and transport disadvantage,
       (iv) the limited accessibility of support services due to their lack of resources and high demand.

3. That this House:
   
   (a) acknowledges that poverty limits the opportunity for people to participate in social, economic and cultural aspects of our society and harms the wellbeing of our communities, and
   
   (b) commits to addressing poverty and disadvantage to improve the quality of life and opportunity for all people in this State.

Question put and passed.
CARERS WEEK 2014 (Formal Business)

Mr Shoebridge (on behalf of Ms Barham) moved, according to notice:

1. That this House notes that:
   (a) Carers Week, a national week to recognise and celebrate the contributions of unpaid carers, runs from 12 to 18 October,
   (b) the theme for Carers Week 2014 is to ‘Take a break and raise your voice to support our carers’,
   (c) a key activity for this year’s Carers Week is Careroke, with Carers Australia inviting people to pay creative tribute to carers by filming themselves and their friends, colleagues and family performing a song dedicated to carers, ‘Time to Take a Break’, and
   (d) a range of events to celebrate Carers Week are being held across New South Wales, including the Carers Day Out at Circular Quay on Tuesday, 14 October.

2. That this House notes that:
   (a) there are more than 850,000 unpaid carers in New South Wales and around 2.7 million across Australia,
   (b) the collective unpaid contribution of carers in Australia has been estimated at being worth around $40 billion per year, and
   (c) more than 300,000 carers are aged under 24 years.

3. That this House acknowledges the dedication and effort of people who provide unpaid care to their family members and friends, and commits to promoting the wellbeing of carers across New South Wales.

Question put and passed.

THE HONOURABLE BARRY O’KEEFE AM QC KGCSG (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes the passing of the Hon Barry Stanley John O’Keefe, AM QC KGCSG, who was born on the 20 May 1933 and passed away on the 24 April 2014.

2. That this House further notes:
   (a) the Hon Barry Stanley John O’Keefe, AM QC KGCSG was a much-loved and respected man throughout many circles,
   (b) the Hon Barry Stanley John O’Keefe, AM QC KGCSG made a name for himself throughout his prolific career, serving as:
      (i) Queen’s Counsel,
      (ii) Chief Justice of the Commercial Division of the Supreme Court of New South Wales and Judge in the Court of Criminal Appeal,
      (iii) Commissioner of the Independent Commission Against Corruption from 1994 to 1999,
      (iv) a consultant at Clayton Utz,
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(c) throughout his lifetime the Hon Barry Stanley John O’Keefe, AM QC KGCSG was of great service to his local community and to the wider Australian community, serving as:
(i) Alderman on Mosman Council from 1968 to 1991,
(ii) Mayor of Mosman for 10 years,
(iii) President of the Local Government Association of NSW,
(iv) President of the National Trust of Australia in New South Wales for 15 years,
(v) a member of the Sydney Harbour Federation Trust,
(vi) an active member in the charitable works of the Knights Hospitaller of St Lazarus of Jerusalem, of which he became a pioneer and Grand Prior in Australia,
(vii) Chairman of the Truth, Justice and Healing Council,
(viii) President of the NSW Bar Association,
(ix) an Executive Member on the Law Council of Australia,
(x) Chairman of Interpol’s International Group of Experts on Corruption,
(xi) Chairman of the International Anti-Corruption Conference,
(xii) a founding member of the Austrian-based International Anti-Corruption Academy,
(xiii) the driving force behind the erection of the spires and crosses atop St Mary’s Cathedral, and

(d) the outstanding service and work of the Hon Barry Stanley John O’Keefe, AM QC KGCSG has been recognised on numerous occasions, including by the conferral of:
(i) an Honorary Doctorate by the Australian Catholic University,
(ii) an Honorary Doctorate by the University of Notre Dame Australia,
(iii) a Papal Knighthood of the Grand Cross (First Class) of the Order of St Gregory the Great,
(iv) membership of the Order of Australia.

3. That this House:
   (a) acknowledges and commends the outstanding service of the Hon Barry Stanley John O’Keefe, AM QC KGCSG, both in his professional capacity and as an active community member over fifty years, and
   (b) extends its sympathy to the family of the Hon Barry Stanley John O’Keefe, AM QC KGCSG, including his wife Janette, his children Philip, Vanessa, Roger, Andrew and Sophie, and seven grandchildren.

Question put and passed.

5 WARRINGAH AMATEUR SWIMMING ASSOCIATION’S 50TH ANNIVERSARY (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes that:
   (a) on Saturday 26 October 2014 the Warringah Amateur Swimming Association (WASA) will celebrate its 50th anniversary,
   (b) over the past 50 years the following WASA swimmers have represented Australia: Mark Anderson, Ben Austin, Kate Bailey, James Beasley, Robert Bruce, Sheridan Burge-Lopez, Adam Bugladish, Priya Cooper, Peter Dawson, Michael Delany, Melanie Dodd, Tim Dodd, Brendan Foley, Lisa Forrest, Carolyn Gorrick, Johanna Griggs, Brooke Hanson, Michael Higgins, Matthew Levy, Holly Lincoln–Smith (Water Polo), Chris Meakin, Scott Miller, Melissa Mitchell, Peter Montgomery (Water Polo), Mark Morgan, Georgina Parkes, Mitchell Patterson, Sarah Rose, Jenny Turrell, Lucie Williams, Anna Windsor, Richard Upton and Simon Upton; Coaches: Terry Gathercole, Paul Hardman, Narelle Simpson, Ben
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Davies and Graham Carroll; Officials: Ann Hatton BEM, Isa Wye MBE OAM, Evelyn Dill-Macky AM and Sunny Bidner, and

(c) in recognition of outstanding service to swimming the following have been conferred life membership of WASA: Stuart Somerville OAM, Maude Miller, Isa Wye MBE OAM, Ann Hatton MBE, Don Roberts, Jamie Jenkins, Marjorie Smith OAM, Ray O’Brien, Howard Hanson, John Cahalan, Margaret Bardwell, Roy Longley, Sunny Bidner, Jenny Oates, Joan Somerville OAM, Richard Gallie, Ann Gallie, Wendy Osborn, Vickie Hyland, Max Purvis, Judy Tier, Beryl Auld, Betty Swinbourne, Ian Dodd, Lois Clarke, Sue Perry, Ann Manley, Colin Casey, Morna Hill, Richard Vander Reyden and John Rourke.

2. That this House:

(a) congratulates and commends the WASA on its 50th anniversary and its outstanding service to the community over the last five decades,

(b) acknowledges those involved over the last 50 years in making the WASA so successful, and

(c) acknowledges and commends the current WA SA Executive Committee for their service to swimming: Lois Clarke, President, Lyn Foley, Vice President, Morna Hill, Secretary, Toby Williams, Assistant Secretary and Richard Vander Reyden, Treasurer.

Question put and passed.

6 CHARLES CHRISTENSEN OAM (Formal Business)

Ms Ficarra moved, according to notice:

1. That this House notes the recent passing of Charles Christensen OAM, who passed away at 92 years of age, following many years as an esteemed sportsman in cricket, lower-grade rugby league for Eastern Suburbs, St George and Souths as well as partaking in surf club competitions for North Bondi Surf Club.

2. That this House notes that:

(a) Mr Christensen devoted his life to Australia’s surf lifesaving movement through the North Bondi Surf Club,

(b) Mr Christensen became a club member in 1947 aged 27, and continued his membership until his passing,

(c) in 2002 Mr Christensen was awarded the Medal of the Order of Australia for service to surf lifesaving, particularly through the North Bondi Surf Life Saving Club, and

(d) Mr Christensen over his decades of service was Club President for 12 years, a member of the Management Committee for over 50 years and twice served as Club Captain.

3. That this House acknowledges and commends Charles Christensen OAM for his outstanding devotion to the North Bondi Surf Club and the community and extends its sympathy to Mr Christensen’s family on their sad loss.

Question put and passed.
7 **PAPER—TABLED BY MINISTER**


Ordered: That the report be printed.

8 **NOTICES OF MOTIONS**

9 **SELECT COMMITTEE ON GREYHOUND RACING IN NEW SOUTH WALES—REPORT**

Dr Kaye (on behalf of the Chair) tabled the second report of the Select Committee on greyhound racing in New South Wales entitled “Greyhound racing in New South Wales: Second Report”, dated October 2014, together with transcripts of evidence, tabled documents, submissions, correspondence and answers to questions on notice.

Ordered: That the report be printed.

Dr Kaye moved (on behalf of Mr Borsak), according to standing order: That the House take note of the report.

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

10 **BUSINESS POSTPONED**

(1) Notice of motion no. 1 on the Notice Paper of business of the House postponed, on motion of Mr Shoebridge, until Wednesday 22 October 2014.

(2) Private members’ business item no. 3 in the order of precedence postponed, on the motion Ms Voltz (on behalf of Mr Foley), until next sitting day.

(3) Private members’ business item no. 4 in the order of precedence postponed, on the motion Dr Phelps (on behalf of Revd Mr Nile), until next sitting day.

11 **SPECIAL ADJOURNMENT**

Mr Gay moved: That this House at its rising today do adjourn until Tuesday 21 October 2014 at 2.30 pm.

Question put and passed.

12 **SUSPENSION OF STANDING AND SESSIONAL ORDERS—BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT (CHANGE OF SEX) BILL**

On the President calling on the Clerk to read the order of the day, Dr Faruqi 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. 1681 outside the order of precedence relating to the Births, Deaths and Marriages Registration Amendment (Change of Sex) Bill be called on forthwith.

Question put and passed.

Dr Faruqi then moved: That private members’ business item no. 1681 outside the order of precedence be called on forthwith.
BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT (CHANGE OF SEX) BILL 2014

Dr Faruqi moved, according to notice: That leave be given to bring in a bill for an Act to amend the Births, Deaths and Marriages Registration Act 1995 to allow a married person who has undergone a sex affirmation procedure to have the person’s sex registered or to have the record of the person’s sex altered.

Question put and passed.

Bill presented.

Bill read a first time and ordered to be printed.

Dr Faruqi then moved: That this bill be now read a second time.

Debate ensued.

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

SUSPENSION OF STANDING AND SESSIONAL ORDERS—ORDER FOR PAPERS—NEWCASTLE EAST END DEVELOPMENT PROJECT

On the President calling on the Clerk to read the order of the day, Mr Foley 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. 2051 outside the order of precedence relating to an order for papers regarding the Newcastle East End development project be called on forthwith.

Debate ensued.

Question put and passed.

Mr Foley then moved: That private members’ business item no. 2051 outside the order of precedence be called on forthwith.

Question put and passed.

ORDER FOR PAPERS—NEWCASTLE EAST END DEVELOPMENT PROJECT

Mr Foley moved, according to notice: That, under standing order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 January 2013 in the possession, custody or control of the Minister for Planning, the Department of Planning and Environment, UrbanGrowth NSW, the Premier and the Department of Premier and Cabinet, relating to the proposed Newcastle East End development project:

(a) all documents, including but not limited to ministerial briefing notes, email correspondence, memos, file notes, meeting papers and meeting minutes that refer to either of the following persons:
  (i) Mr Tim Owen,
  (ii) Mr Jeff McCloy, and
Debate ensued.

Mr Shoebridge moved: That the question be amended by inserting after paragraph (a) (ii):

“(iii) Mr Garry Edwards,
(iv) Mr Andrew Cornwell.”.

Debate continued.

Question put: That the amendment of Mr Shoebridge be agreed to.

The House divided.

Ayes 19

Ms Barham          Mr Green          Mr Shoebridge
Mr Borsak          Dr Kaye           Mr Veitch
Mr Brown           Mr Moselman *     Ms Voltz *
Mr Buckingham      Revd Mr Nile      Ms Westwood
Mr Donnelly        Mr Primrose       Mr Wong
Dr Faruqi          Mr Secord
Mr Foley           Ms Sharpe

* Tellers

Noes 14

Mr Ajaka           Mr Gallacher      Mr Mason-Cox
Mr Blair           Miss Gardiner     Mrs Mitchell
Mr Colless *       Mr Gay            Mr Pearce
Ms Cusack          Mr MacDonald      Dr Phelps *
Ms Ficarra         Mrs Maclaren-Jones

* Tellers

Pairs

Ms Cotsis          Mr Khan
Ms Fazio           Mrs Pavey
Mr Searle          Mr Lynn
Mr Whan            Mr Clarke

Question resolved in the affirmative.

Original question, as amended, put: That, under standing order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 January 2013 in the possession, custody or control of the Minister for Planning, the Department of Planning and Environment, UrbanGrowth NSW, the Premier and the Department of Premier and Cabinet, relating to the proposed Newcastle East End development project:

(a) all documents, including but not limited to ministerial briefing notes, email correspondence, memos, file notes, meeting papers and meeting minutes that refer to the following persons:

(i) Mr Tim Owen,
(ii) Mr Jeff McCloy,
(iii) Mr Garry Edwards,
(iv) Mr Andrew Cornwell, and
(b) 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.

The House divided.

Ayes 19

Ms Barham  Mr Green  Mr Shoebridge
Mr Borsak  Dr Kaye  Mr Veitch
Mr Brown  Mr Moselmane  *  Ms Voltz  *
Mr Buckingham  Revd Mr Nile  Ms Westwood
Mr Donnelly  Mr Primrose  Mr Wong
Dr Faruqi  Mr Secord
Mr Foley  Ms Sharpe  *  Tellers

Noes 14

Mr Ajaka  Mr Gallacher  Mr Mason-Cox
Mr Blair  Miss Gardiner  Mrs Mitchell
Mr Colless  *  Mr Gay  Mr Pearce
Ms Cusack  Mr MacDonald  Dr Phelps  *
Ms Ficarra  Mrs Maclaren-Jones  *  Tellers

Pairs

Ms Cotsis  Mr Clarke
Ms Fazio  Mrs Pavey
Mr Searle  Mr Lynn
Mr Whan  Mr Khan

Question resolved in the affirmative.

Distinguished Visitor

The President invited attention to the presence in his gallery of His Excellency Dr Damir Kusen, Ambassador of Croatia.

16 SUSPENSION OF STANDING AND SESSIONAL ORDERS—ORDER FOR PAPERS—BYRON CENTRAL HOSPITAL AND MAITLAND HOSPITAL

On the President calling on the Clerk to read the order of the day, Mr Secord 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. 2056 outside the order of precedence relating to an order for papers regarding Byron Central Hospital and Maitland Hospital be called on forthwith.

Debate ensued.

Question put.

The House divided.
Mr Secord then moved: That private members’ business item no. 2056 outside the order of precedence be called on forthwith.

Question put.

The House divided.

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Question resolved in the affirmative.
Pairs

Ms Cotsis  Mrs Pavey
Ms Fazio  Mr Lynn
Mr Searle  Mr Clarke
Mr Whan  Mr Khan

Question resolved in the affirmative.

17 ORDER FOR PAPERS—BYRON CENTRAL HOSPITAL AND MAITLAND HOSPITAL

Mr Secord moved, according to notice: 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 April 2011 in the possession, custody or control of the Minister for Health, the NSW Ministry of Health, NSW Treasury and the Treasurer:

(a) all documents, including but not limited to ministerial briefing notes, email correspondence, financial documents, memos, file notes, meeting papers and meeting minutes, relating to:
   (i) the new Byron Central Hospital and new Maitland Hospital,
   (ii) the business case of the new Byron Central Hospital and new Maitland Hospital,
   (iii) the public-private partnership agreements of the new Byron Central Hospital and new Maitland Hospital,
   (iv) the relationship between the provision of public health services and private health services at the new Byron Central Hospital and new Maitland Hospital,
   (v) the provision of privately-run surgical and other medical services at the new Byron Central Hospital and the new Maitland Hospital,
   (vi) the marketing sounding process for the provision by private providers at the new Byron Central Hospital and the new Maitland Hospital,
   (vii) the workforce and industrial relations issues including support and administrative staff, nurses, doctors and maintenance and cleaning staff at the new Byron Central Hospital and new Maitland Hospital, and

(b) 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.

Debate ensued.

Mr Blair moved: That the question be amended by omitting “14 days” and inserting instead “21 days”.

Debate continued.

Question: That the amendment of Mr Blair be agreed to—put and passed.

Original question, as amended: That, under standing order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created since 1 April 2011 in the possession, custody or control of the Minister for Health, the NSW Ministry of Health, NSW Treasury and the Treasurer:

(a) all documents, including but not limited to ministerial briefing notes, email correspondence, financial documents, memos, file notes, meeting papers and meeting minutes, relating to:
   (i) the new Byron Central Hospital and new Maitland Hospital,
   (ii) the business case of the new Byron Central Hospital and new Maitland Hospital,
   (iii) the public-private partnership agreements of the new Byron Central Hospital and new Maitland Hospital,
   (iv) the relationship between the provision of public health services and private health services at the new Byron Central Hospital and new Maitland Hospital,
(v) the provision of privately-run surgical and other medical services at the new Byron Central Hospital and the new Maitland Hospital,
(vi) the marketing sounding process for the provision by private providers at the new Byron Central Hospital and the new Maitland Hospital,
(vii) the workforce and industrial relations issues including support and administrative staff, nurses, doctors and maintenance and cleaning staff at the new Byron Central Hospital and new Maitland Hospital, and

(b) 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—put and passed.

18 SELECT COMMITTEE ON THE PLANNING PROCESS IN NEWCASTLE AND THE BROADER HUNTER REGION—DEPUTY CHAIR

The Deputy President (Mr Khan) informed the House that at a meeting held this day Mr Shoebridge was elected Deputy Chair of the Select Committee on the planning process in Newcastle and the broader Hunter region.

19 TRANSFORMING NSW ENERGY SECTOR (TOWARDS 100 PERCENT RENEWABLES) BILL 2014

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

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

20 TRANSPORT ADMINISTRATION AMENDMENT (RAIL TRAILS COMMUNITY MANAGEMENT) BILL 2014

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

Debate resumed.

Question put.

The House divided.

Ayes 14

Ms Cotsis    Revd Mr Nile    Ms Voltz *
Mr Donnelly  Mr Primrose    Ms Westwood
Mr Foley     Mr Secord     Mr Whan
Mr Green     Ms Sharpe     Mr Wong
Mr Mosel mane *  Mr Veitch

* Tellers
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Noes 22

Mr Ajaka       Dr Faruqi       Mr Mason-Cox
Mr Blair       Ms Ficarra      Mrs Mitchell
Mr Borsak      Mr Gallacher    Mrs Pavey
Mr Brown       Miss Gardiner   Mr Pearce
Mr Buckingham  Dr Kaye        Dr Phelps *
Mr Clarke      Mr Khan         Mr Shoebridge
Mr Colless     Mr MacDonald   * Tellers
Ms Cusack      Mrs Maclaren-Jones

Pairs

Ms Fazio       Mr Lynn
Mr Searle      Mr Gay

Question resolved in the negative.

21 BUSINESS POSTPONED

(1) Private members’ business item no. 8 inside the order of precedence postponed, on the motion Dr Phelps (on behalf of Mr Khan), until next sitting day.

(2) Private members’ business item no. 9 inside the order of precedence postponed, on the motion Mr Buckingham, until next sitting day.

(3) Private members’ business item no. 10 inside the order of precedence postponed, on the motion Ms Voltz (on behalf of Mr Phelps), until next sitting day.

22 PUBLIC HOUSING

On the Clerk reading the order of the day for resumption of the adjourned debate on the question on the motion of Ms Cotsis:

1. That this House notes that:

   (a) recently, New South Wales Labor members and the Shadow Minister for Housing held housing tenants meetings with families and older tenants,

   (b) the tenants are frustrated and concerned at the lack of action on their issues, particularly maintenance,

   (c) the Shadow Minister recently established a NSW Housing tenants advisory committee, made up of representatives of housing estates,

   (d) tenants are concerned about people with mental health issues being located in public housing without adequate support services,

   (e) older tenants are concerned about the inadequate services for older tenants,

   (f) tenants are concerned about the high number of drug addicts and lack of coordinated support services,

   (g) there is concern over allocation strategy and the failure of the O’Farrell Government to undertake a whole of government and agency approach to the needs of housing tenants, particularly the need for health, corrective and education services to work together,
(h) there is concern about security of tenure, and

(i) there is concern about an increase in depression, particularly for tenants who are living in the Urban Activation Precincts, as the O’Farrell Government is not providing certainty of tenure.

2. That this House:

(a) notes that Australia has signed a number of United Nations conventions relating to housing,

(b) calls on the Government to comply with United Nations charters to ensure supply of access to secure housing on equitable basis,

(c) calls on the Government to advocate to the Abbott Government to keep the Housing Affordability Supply Council,

(d) calls on the Government to implement the NSW Auditor General’s recommendations from the report entitled “Making the best use of public housing”,

(e) calls for the formation of an oversight body with strong powers to implement the Auditor General’s recommendations,

(f) notes that the structure could be in the form of an Advisory Board with membership drawn from many sectors, including consumers, who report back either to Parliament or to the Minister, and

(g) notes that NSW Housing tenants have called on Labor to organise a NSW Housing tenants summit in Parliament in early 2014 which will involve stakeholders and peak bodies and be focused on the issues that affect tenants.

Ms Cotsis moved, according to contingent notice: That:

(a) notwithstanding anything to the contrary in the standing or sessional orders, the time for debate on the motion be extended by an additional 30 minutes, and

(b) each subsequent speaker may speak for not more than 5 minutes, including the mover in reply.

Question put and passed.

Debate on motion of Ms Cotsis relating to public housing resumed.

Question put.

The House divided.

Ayes 18

Ms Barham  Dr Kaye  Mr Shoebridge
Mr Buckingham  Mr Moselman *  Mr Veitch
Ms Cotsis  Mr Primrose  Ms Voltz *
Mr Donnelly  Mr Searle  Ms Westwood
Dr Faruqi  Mr Secord  Mr Whan
Mr Foley  Ms Sharpe  Mr Wong

* Tellers
23 SUSPENSION OF STANDING AND SESSIONAL ORDERS—PETROLEUM EXPLORATION LICENCES HELD BY LEICHHARDT RESOURCES

On the Deputy President (Mr Khan) calling on the Clerk to read the order of the day, Mr Buckingham 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. 2058 outside the order of precedence relating to petroleum exploration licences held by Leichhardt Resources be called on forthwith.

Debate ensued.

Question put.

The House divided.

Ayes 18

Ms Barham *  Ms Fazio  Dr Kaye  Mr Shoebridge
Mr Buckingham *  Mr Harwin  Mr Moselmane  Mr Veitch
Ms Cotsis  Mr Donnelly  Mr Primrose  Ms Voltz
Mr Donnelly  Mr Donnelly  Mr Seale  Ms Westwood
Dr Faruqi  Dr Faruqi  Mr Secord  Mr Whan
Mr Foley  Ms Sharpe  Mr Wong

* Tellers

Noes 21

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

* Tellers
Question resolved in the negative.

24 SUSPENSION OF STANDING AND SESSIONAL ORDERS—AUSTRALIA’S THERMAL COAL EXPORTS TO CHINA

On the Deputy President (Mr Khan) calling on the Clerk to read the order of the day, Mr Buckingham 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. 2025 outside the order of precedence relating to Australia’s thermal coal exports to China be called on forthwith.

Debate ensued.

Question put and negatived.

25 SUSPENSION OF STANDING AND SESSIONAL ORDERS—REPORT OF THE SENATE’S COMMUNITY AFFAIRS REFERENCES COMMITTEE ENTITLED “COMMONWEALTH CONTRIBUTION TO FORMER FORCED ADOPTION POLICIES AND PRACTICES”

On the Deputy President (Mr Khan) calling on the Clerk to read the order of the day, Ms Barham 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. 2032 outside the order of precedence relating to the report of the Senate’s Community Affairs References Committee entitled “Commonwealth Contribution to Former Forced Adoption Policies and Practices” be called on forthwith.

Debate ensued.

Question put and passed.

Ms Barham then moved: That private members’ business item no. 2032 outside the order of precedence be called on forthwith.

Question put and passed.

26 REPORT OF THE SENATE’S COMMUNITY AFFAIRS REFERENCES COMMITTEE ENTITLED “COMMONWEALTH CONTRIBUTION TO FORMER FORCED ADOPTION POLICIES AND PRACTICES”

Ms Barham moved, according to notice:

1. That this House notes that in the Federal Parliament on 29 February 2012, the Senate’s Community Affairs References Committee tabled a report entitled ‘Commonwealth Contribution to Former Forced Adoption Policies and Practices’.

2. That this House commends the New South Wales Government for ensuring that its apology, delivered on 20 September 2012, was consistent with the following recommendations from the Senate Committee’s report:

“Recommendation 3: The committee recommends that state and territory governments and non-government institutions that administered adoptions should issue formal statements of apology that acknowledge practices that were illegal or unethical, as well as other practices that contributed to the
harm suffered by many parents whose children were forcibly removed and by the children who were separated from their parents.

Recommendation 4: The committee recommends that apologies by the Commonwealth or by other governments and institutions should satisfy the five criteria for formal apologies set out by the Canadian Law Commission and previously noted by the Senate Community Affairs Committee.

Recommendation 5: The committee recommends that official apologies should include statements that take responsibility for the past policy choices made by institutions’ leaders and staff, and not be qualified by reference to values or professional practice during the period in question.

Recommendation 6: The committee recommends that formal apologies should always be accompanied by undertakings to take concrete actions that offer appropriate redress for past mistakes.”

3. That this House notes that Recommendation 20 of the Senate Committee’s report recommends that “the Commonwealth commission an exhibition documenting the experiences of those affected by former forced adoption policies and practices” and is being implemented through the National Archives of Australia’s Forced Adoptions History Project.

4. That this House, in order to assist with documenting the experiences of those who were affected by forced adoption policies and practices in New South Wales, provides in principle support for the electronic publication of those submissions that were made to the Legislative Council Standing Committee on Social Issues’ inquiry entitled ‘Releasing the Past: Adoption Practices 1950-1998’ that were clearly identified as being for publication or that were clarified in the hearings as being available for publication.

Debate ensued.

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

27 QUESTIONS

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

The House continued to sit.

Questions continued.

28 MESSAGE FROM THE LEGISLATIVE ASSEMBLY—CRIMINAL RECORDS AMENDMENT (HISTORICAL HOMOSEXUAL OFFENCES) BILL 2014

The President reported the following message from the Legislative Assembly:
Mr PRESIDENT

The Legislative Assembly having this day agreed to the Bill with the long title “An Act to amend the Criminal Records Act 1991 to allow convictions for certain homosexual sexual conduct offences to become extinguished; and for related purposes” presents the bill to the Legislative Council for its concurrence.

Legislative Assembly
16 October 2014
SHELLEY HANCOCK
Speaker

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

Mr Khan moved according to contingent notice: That standing orders be suspended to allow the passing of the bill through 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 next sitting day.

29 ADJOURNMENT

Mr Gay moved: That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned at 4.08 pm until Tuesday 21 October 2014 at 2.30 pm.

30 ATTENDANCE

All members present, except Ms Fazio.

David Blunt
Clerk of the Parliaments

Authorised by the Parliament of New South Wales