



LEGISLATIVE COUNCIL

DAILY PROGRAM

THURSDAY 22 NOVEMBER 2018

The House meets this day at 10.00 am

PRESIDENT TAKES THE CHAIR AND READS PRAYERS

MESSAGES

FORMAL BUSINESS

Item no.	Member with carriage	Subject
2473	Dr Phelps	SO52—Order for Papers—Advice on Exploration Licence 7270 at Doyle's Creek
2543	Mr Martin	Dyslexia Awareness Month
2642	Mr Mallard	Brent Kelly Foundation
2648	Mr Mallard	Marsden Law Group 50th anniversary
2666	Dr Phelps	Cruise ship terminals
2676	Mr Searle	The Honourable Murray Wilcox AO QC
2677	Mr Searle	The Honourable Natasha Maclaren-Jones MLC
2678	Mrs Houssos	Asbestos Disease Awareness Day 2018
2679	Mr Pearson	Opera Australia non-use of fur
2680	Mr Franklin	121st Bangalow Agricultural Show
2682	Mrs Ward	Dr Abby Bloom "Innovation at any Age"
2684	Mr MacDonald	25th anniversary of the return of Xplorer services to Armidale and Moree
2686	Ms Faehrmann	The Tropical Fruits Inc

2473. Dr Phelps to move—

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 between 5 September 2008 and 4 December 2009 in the possession, custody or control of the Premier, the Department of Premier and Cabinet, and

NSW State Archives and Records: all documents created by the Department of Premier and Cabinet relating to advice for Premier Nathan Rees on the probity of the allocation of Exploration Licence 7270 at Doyle's Creek.

(Notice given 20 September 2018—expires Notice Paper No. 189)

2543. Mr Martin to move—

That this House notes that:

- (a) October marks Dyslexia Awareness Month and aims to raise public awareness of the most common form of learning difficulty,
- (b) dyslexia occurs on a continuum from mild to severe and according to the Australian Dyslexia Association, approximately 10 per cent of the school age population has dyslexia,
- (c) individuals with dyslexia have trouble with reading and spelling despite having the ability to learn, and
- (d) despite individuals with dyslexia being capable of learning, 80 per cent of people still associate dyslexia with low intelligence.

(Notice given 18 October 2018—expires Notice Paper No. 195)

2642. Mr Mallard to move—

1. That this House notes that:

- (a) on Saturday 10 November 2018 the Brent Kelly Foundation held their inaugural 'Hearts Under the Stars' Foundation dinner at the Australian National Maritime Museum,
- (b) the Brent Kelly Foundation is a registered national charity formed to raise community awareness and access to life saving defibrillators,
- (c) the charity was formed by Lisa Kelly after her husband Brent Kelly, aged 39, passed away, suffering a severe heart attack at Fagan Park May 2017 whilst running with his daughter,
- (d) the Foundation's purpose is to collaborate, assist and influence all levels of Government, the health, medical and research industry, corporations and community groups to allow every Australian access to a life-saving defibrillator when having a sudden cardiac arrest,
- (e) more than 33,000 Australians experience cardiac arrest every year and early access to CPR and defibrillation can influence survival rates by up to 75 per cent,
- (f) more than 2,500 defibrillators will be installed at community sporting facilities over the next four years as part of the \$4 million Local Sport Defibrillator Grant Program introduced by Minister Ayres in 2017, and
- (g) those who attended as special guests included:
 - (i) the Honourable Shayne Mallard MLC, representing the Minister for Sport and Western Sydney the Honourable Stuart Ayres MP,
 - (ii) Mr John Alexander MP, Federal Member for Bennelong,
 - (iii) Professor Jamie Vandenberg, Victor Chang Cardiac Research Institute,
 - (iv) Mrs Lisa Kelly, Brent Kelly Foundation,
 - (v) Ms Juleen McTaggart, Brent, Kelly Foundation.

2. That this House congratulates:

- (a) the Minister for Sport on the Local Sport Defibrillator Grant Program which is saving lives, and

- (b) the Brent Kelly Foundation for their work in raising public awareness, and its advocacy for wider availability of defibrillators.

(Notice given 15 November 2018—expires Notice Paper No. 201)

2648. Mr Mallard to move—

1. That this House notes that:
 - (a) on Friday 10 November 2018, the Marsden Law Group celebrated their 50th anniversary at the Cube, Campbelltown,
 - (b) Marsdens was established by the late John Marsden AM in a newly emerging township of Campbelltown in 1968,
 - (c) Marsdens went on to grow along with the rapidly growing suburbs of South West Sydney and the Macarthur region,
 - (d) Marsdens early partners were John Marsden AM, Jim Marsden AM and former New South Wales Premier John Fahey AC,
 - (e) John Marsden AM was a strong social justice advocate campaigning for homosexual law reforms, affordable access to justice and indigenous recognition,
 - (f) today Marsdens is still proudly deeply rooted in the South Western communities with five offices and 180 personnel,
 - (g) the Marsdens Law group is now headed by Jim Marsden AM who received a medal of the Order of Australia for his community work in 2013,
 - (h) Marsdens has always exemplified the Marsden family philosophy of giving back to the community and care for social justice,
 - (i) Marsdens has had a long partnership with the Western Sydney University supporting students through the John Marsden Memorial Awards, and
 - (j) attending the 50th Anniversary function were over 500 guests including:
 - (i) the Honourable Gladys Berejiklian MP, Premier,
 - (ii) the Honourable Shayne Mallard MLC,
 - (iii) Mr Chris Patterson MP, Member for Camden,
 - (iv) the Honourable Stuart Ayres MP, Minister for Western Sydney, Sport and WestConnex,
 - (v) Senator the Honourable Marise Payne, Foreign Minister,
 - (vi) Mr Greg Warren MP, Member for Campbelltown,
 - (vii) Councillor Peter Sidgreaves, Mayor, Camden Council,
 - (viii) Councillor Lara Symkowiak, Camden Council,
 - (ix) Councillor Wendy Waller, Mayor, Liverpool Council.
2. That this House congratulates the Marsden Law Group on their success and on celebrating their 50th anniversary.

(Notice given 15 November 2018—expires Notice Paper No. 201)

2666. Dr Phelps to move—

1. That this House notes:
 - (a) the opposition of The Greens Member for Balmain to the location of a cruise ship terminal at White Bay, and

- (b) the opposition of The Greens NSW to the creation of a new cruise ship terminal at Botany Bay.
2. That this House calls on The Greens NSW to make up their minds.
- (Notice given 20 November 2018—expires Notice Paper No. 202)

2676. Mr Searle to move—

1. That this House notes:
- (a) the loss sustained to the State of New South Wales by the death on 8 November 2018 of the Honourable Murray Wilcox AO QC,
 - (b) that Murray Wilcox:
 - (i) was a committed environmentalist, serving as President of the Australian Conservation Foundation from 1979 to 1984,
 - (ii) was an outstanding advocate and jurist,
 - (iii) served as a Justice of the Federal Court of Australia from 1984 to 2006,
 - (iv) served as an additional judge of the Supreme Court of the Australian Capital Territory from 1983 to 2006,
 - (v) served as Chief Justice of the Industrial Relations Court of Australia from 1994 until his retirement in 2006,
 - (c) that as a Justice of the Federal Court, Murray Wilcox handed down the important Noongar Native Title decision in *Bennell v State of Western Australia* [2006] FCA 1243:
 - (i) which provided an insight into Aboriginal life, including laws and customs, around the time of settlement in 1829 and into the beginning of the last century,
 - (ii) which found that laws and customs governing land throughout the whole Single Noongar Claim, taking in Perth, and many other towns in the greater South West, were those of a single community,
 - (iii) that the claimants shared a language and constituted a united society which had continued to exist despite the disruption resulting from being forced off their land and dispersed to other areas as a result white settlement and later Government policies, and
 - (d) that Murray Wilcox was appointed an Officer of the Order of Australia in the 2010 Australia Day Honours "for service to the law as a Judge and a Law Reform Commissioner, particularly in the areas of environmental, native title and industrial law".
2. That this House also notes that, since his retirement from judicial office, Murray Wilcox was active on a range of Aboriginal justice and environmental issues, and was a well-respected and active member of the community in the Blue Mountains.
3. That this House extends its condolences the family of Murray Wilcox: his wife, Christina, his daughters Felicity and Anne, his daughter-in-law Wendy, son-in-law David, his grandchildren Philip, Kate, Joanna, Elijah, Mahalia, Tallis and Griffin, and his great-grandson, Sonny.

(Notice given 21 November 2018—expires Notice Paper No. 203)

2677. Mr Searle to move—

1. That this House notes that:
- (a) the Leader of the Opposition wrote to the Clerk of the Parliaments on 5 November 2018, requesting an investigation of Sydney Allowance eligibility claims by the Honourable Natasha Maclaren-Jones, and
 - (b) the Clerk of the Parliaments replied to the Leader of the Opposition on 21 November 2018.

2. That this House refers the correspondence and the matter to the Privileges Committee of the House for inquiry and report.

(Notice given 21 November 2018—expires Notice Paper No. 203)

2678. Mrs Houssos to move—

1. That this House notes that:
 - (a) Friday 30 November 2018 is Asbestos Disease Awareness Day,
 - (b) asbestos related diseases include mesothelioma, asbestosis, pleural plaques and lung cancer, which may take between 10 and 50 years to appear after exposure to asbestos fibres, and
 - (c) over 700 Australians are diagnosed with mesothelioma every year, in 2016 there were 672 deaths caused by mesothelioma in Australia, with the five-year survival rate being as low as 6 per cent.
2. That this House:
 - (a) congratulates the Asbestos Diseases Foundation of Australia for their vitally important work on raising awareness of the dangers that exposure to asbestos fibres can do to an individual, and for providing support to those suffering from asbestos related diseases and their families, especially Barry Robson, their long-serving and very passionate President, and
 - (b) supports the Asbestos Disease Awareness Day on Friday 30 November 2018.

(Notice given 21 November 2018—expires Notice Paper No. 203)

2679. Mr Pearson to move—

1. That this House highly commends Opera Australia for taking the decision not to use any animal fur in its productions.
2. That this House notes that the Chief Executive Officer stated the following in a letter to the Honourable Mark Pearson: “Please let me assure you unequivocally that we do not use real fur in any way and do not support fur farming. Real fur presents ethical as well as practical issues. In addition [it is] our moral stance.”

(Notice given 21 November 2018—expires Notice Paper No. 203)

2680. Mr Franklin to move—

1. That this House notes that:
 - (a) the Bangalow Agricultural and Industrial Society held their 121st Show on Friday 16 and Saturday 17 November 2018,
 - (b) the theme for this year’s show was ‘chooks’, and focused on celebrating everything poultry related, and
 - (c) this year’s show included ride-on-mower races, horse-riding musical chairs, the Tart of the Show cooking competition, the Marathong – a sausage carrying, thong wearing relay, and the team stockman ironman events.

2. That this House acknowledges and thanks the Bangalow Agricultural and Industrial Society President Ivan Ewert and all of the Show Society Committee for their hard work and dedication to making the Bangalow Show an incredible success.

(Notice given 21 November 2018—expires Notice Paper No. 203)

2682. Mrs Ward to move—

1. That this House notes that:
 - (a) on 29 October 2018 the Spark Festival 2018, Ageless: Innovation at any Age, was held at Stone and Chalk, Sydney Startup Hub,
 - (b) a major organiser of the event, Dr Abby Bloom, is also a founding board member of the Longevity Innovation Hub, a not-for-profit institution with the sole purpose of placing policies before all three levels of government that will lay the foundations of a prosperous and compassionate society that ages well,
 - (c) the 2018 Spark Innovation Festival connects people, ideas and resources across the entire innovation and startup ecosystem and is inclusive of startups, small business, corporates, government universities, students and investors, to celebrate Australian innovation, and
 - (d) the event was attended by Ms Kathryn Greiner AO, also a forum member of the Longevity Innovation Hub and the Honourable Natalie Ward MLC, representing the Minister for Innovation and Better Regulation, the Honourable Matt Kean MP.
2. That this House acknowledges:
 - (a) the keynote speaker, Stuart Anderson of FloHive, Byron Bay who, with his son Cedar Anderson, invented the Flow Hive system,
 - (b) the State Government's support as one of the sponsors of the Spark Festival 2018, and
 - (c) the Berejiklian Government's support and investment in innovation and entrepreneurship that helps drive economic growth for New South Wales.

(Notice given 21 November 2018—expires Notice Paper No. 203)

2684. Mr MacDonald to move—

1. That this House notes that:
 - (a) Friday 23 November 2018 marks the 25 year anniversary of the return of passenger trains to Armidale and Moree with the inauguration of the Xplorer service in 1993, during the time of Bruce Baird as Minister for Transport and in response to the concerns of affected communities, and
 - (b) in 2003, the Armidale community had to fight once again, in a campaign led by The Friends of the Northern Railway group to keep its trains, in response to the Parry Report when it proposed to cut regional train services.
2. That this House acknowledges:
 - (a) that a small ceremony will be held on Friday 23 November 2018 to mark the 25 year anniversary of the return of Xplorer services to Armidale and Moree, and
 - (b) the work of Mr Matthew Tierney, founding President of Friends of the Northern Railway, and members of that organisation for their dedication to the cause of maintaining and improving rail transport services in the New England North West.

(Notice given 21 November 2018—expires Notice Paper No. 203)

2686. Ms Faehrmann to move—

1. That this House notes that:
 - (a) the Tropical Fruits Inc., established in 1988, is the premier LGBTIQ community group in the Northern Rivers in New South Wales that holds regular events for diverse members and guests,
 - (b) Fresh Fruits is an initiative of the Tropical Fruits Inc. and is supported by ACON Northern Rivers and Headspace Lismore,
 - (c) the group aims to provide support for LGBTIQ young people through social support, education programs, mentoring and community awareness initiatives, and
 - (d) Tropical Fruits New Year's Eve Festival brings thousands of visitors and tens of millions of dollars to Lismore and surrounding areas and:
 - (i) is kicked off by a parade through Lismore City which is an opportunity for bonds to be formed between the LGBTIQ community and the larger community,
 - (ii) sees thousands of hours from hundreds of volunteers help create one of the safest and most profitable community events in this state,
 - (iii) is an event that attracts national and international visitors to the Lismore area during an otherwise quiet time for local businesses.
2. That this House congratulates Tropical Fruits Inc. for its inspiring work supporting the diverse and inclusive Northern Rivers community.

(Notice given 21 November 2018—expires Notice Paper No. 203)

PAPERS

PETITIONS

NOTICES OF MOTIONS

POSTPONEMENTS

According to sessional order, private members' business given precedence.

BUSINESS OF THE HOUSE

1. Mr Searle to move—

That, under section 41 of the Interpretation Act 1987, this House disallows the Government Sector Employment Amendment (Transfers to Non-Government Sector) Regulation 2016, published on the NSW Legislation website on 17 June 2016.

(Notice given 21 June 2016)

PRIVATE MEMBERS' BUSINESS

(See notice paper for items of business)

LUNCH BREAK AT 1 PM

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

QUESTIONS

According to sessional order, private members' business given precedence.

PRIVATE MEMBERS' BUSINESS (*continues*)

According to sessional order, business interrupted half an hour after the conclusion of Questions to allow a Minister to move the adjournment of the House, if desired.

If the House does not adjourn Government business takes precedence.

GOVERNMENT BUSINESS

1. **Workers Compensation Legislation Amendment (Firefighters) Bill 2018:** second reading—Mr Harwin.

(Bill declared urgent, Wednesday 14 November 2018)

2. **Budget Estimates 2018-2019:** resumption of the adjourned debate (19 June 2018) of the question on the motion of Mr Harwin: That the House take note of the Budget Estimates and related papers for the financial year 2018-2019—Mr Harwin speaking.

ADJOURNMENT

David Blunt
Clerk of the Parliaments

The Running Record, House Papers, and Hansard are accessible via [Legislative Council House Papers](#).