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## LEGISLATIVE COUNCIL

### ORDER FOR PAPERS

Mr Borsak says—

Mr PRESIDENT:

I give notice that on the next sitting day I will move:

1. That this House notes that:

- (a) on 17 February 2017, at a public hearing of Portfolio Committee No. 4 – Legal Affairs for the purposes of its inquiry into museums and galleries, several witnesses declined to answer questions regarding the preliminary business case for the relocation of the Powerhouse Museum, on the grounds that answering those questions would involve breaching cabinet confidentiality, and
- (b) on 9 March 2017, Portfolio Committee No. 4 – Legal Affairs resolved that the Chair give notice of motion for an order for papers to order the production of all documents related to the preliminary business case for the relocation of the Powerhouse Museum.

2. That this House notes the following comments in the judgements of Chief Justice Spigelman and Justices Meagher and Priestley in the Court of Appeal in *Egan v Chadwick* (1999) concerning cabinet documents:

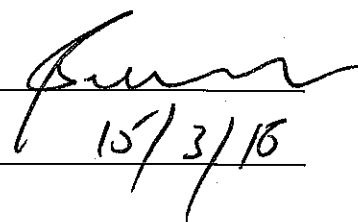
- (a) Spigelman CJ held that it is not reasonably necessary for the proper exercise of the functions of the Council to call for documents the production of which would conflict with the doctrine of collective ministerial responsibility by revealing the ‘actual deliberations of Cabinet’; that a distinction must be made between documents which disclose the actual deliberations within cabinet and those which are described as “Cabinet documents”, but which are in the nature of reports or submissions prepared for the assistance of cabinet; and that the production of documents prepared outside cabinet for submission to cabinet may, or may not, depending on their content, be inconsistent with the doctrine of collective ministerial responsibility to cabinet,

~~Meagher~~ (B) Meagher JA took the view that the immunity of cabinet documents from production was ‘complete’, arguing that the Legislative Council could not compel their production without subverting the doctrine of responsible government, but without exploring the distinction between different types of cabinet documents drawn by Spigelman CJ, and

- (c) Priestley JA took a different view, noting that a court has 'the power to compel production to itself even of Cabinet documents' and that the 'function and status of the Council in the system of government in New South Wales require and justify the same degree of trust being reposed in the Council', and that 'notwithstanding the great respect that must be paid to such incidents of responsible government as cabinet confidentiality and collective responsibility, no legal right to absolute secrecy is given to any group of men and women in government'.
3. That this House notes that in Report No. 69 of the Privileges Committee entitled 'The 2009 Mt Penny return to order', dated October 2013, in relation to the issue of cabinet documents the committee:
- (a) stated that '... the Committee does not necessarily accept that Egan v Chadwick is the final word on this matter, and that the Council does not have the power to order cabinet documents. The three Justices in Egan v Chadwick, Spigelman, Meagher and Priestly, took significantly different approaches to this issue. The Committee believes that the dissenting judgment of Justice Priestley is instructive', and
- (b) specifically rejected the definition of 'cabinet information' in the Government Information (Public Access) Act 2009 as an appropriate definition of cabinet documents for the purposes of responding to orders for papers made by the Legislative Council under standing order 52.
4. 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 January 2013 in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Minister for the Arts or the Department of Justice, related to the relocation of the Powerhouse Museum:
- (a) all documents setting out a preliminary business case for the relocation of the Powerhouse Museum from Ultimo to Parramatta, 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.
5. That in the event that any documents are not provided to the House in response to this order on the basis of a claim of cabinet confidentiality, the return list all relevant documents and identify how the provision of those documents to the House would breach the immunity attaching to cabinet documents as variously articulated in Egan v Chadwick.
6. That this House regards failure to comply fully with an order of this House for the production of documents as an unacceptable interference with the capacity of this House and its committees to fulfill their constitutional roles.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

  
15/3/16



## LEGISLATIVE COUNCIL

### NOTICE OF MOTION

Mrs Houssos says -

Mr President:

I give notice that on the next sitting day I will move:

1. That this House notes that:
  - (a) Sunday 11 March 2018 marked the 3 year anniversary since then-Premier Mike Baird and now Deputy Premier John Barilaro committed \$15 million to build a new police station in Queanbeyan,
  - (b) no specific funding was allocated to the project in the 2015-16 budget papers,
  - (c) the \$2.4 million allocated in the 2017-18 budget barely covered the increase in the project cost to \$17 million,
  - (d) on 28 June 2016, the Deputy Premier announced that the new police station would be on the existing site at 8 Farrer Place,
  - (e) on 31 August 2017, in the 2017-18 Budget Estimates hearings, the Minister for Police, Troy Grant confirmed that the police station would move to the proposed council building at 50 Lowe St, Queanbeyan as a result of a secret, "non-binding heads of agreement", instead of a rebuild on the existing site, and
  - (f) on 28 September 2017, in comments to WIN TV in Wagga Wagga, Commissioner Mick Fuller confirmed that the police station would not be moving and would be rebuilt on the existing site, which he confirmed in questioning in supplementary budget estimates hearing.
2. That this House further notes that this project has been hopelessly delayed and bungled and this project's delay has been compounded by needlessly trying to move the station to the new Council building.

3. That this House congratulates Police Commissioner Mick Fuller for intervening to ensure that the new Queanbeyan Police station will remain on its current site, located adjacent to the Queanbeyan Courthouse.

Signed: Coulthart

Dated: 15/3/18.



## LEGISLATIVE COUNCIL

### NOTICE OF MOTION

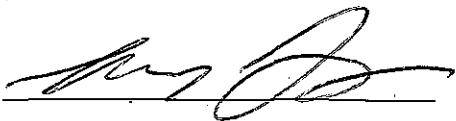
Mr Fang says—

Mr PRESIDENT:

I give notice that on the next sitting day I will move:

1. That this House notes that:
  - (a) the Committee 4 Wagga launched their annual Wagga School Leaders Program (WSLP) on 21 February 2018 at Charles Sturt University,
  - (b) the WSLP develops young, aspiring high school students into positive, successful ambassadors for the community,
  - (c) the program engages students in a series of challenging exercises including workshops, lectures, regional industry excursions, physical activities and mentoring sessions to develop their capacity to become successful leaders and community representatives, and
  - (d) schools involved in the WSLP include Wagga Wagga High School, Mater Dei Catholic College, Kildare Catholic College, The Riverina Anglican College, Koorinal High School and the Wagga Wagga Christian College.
2. That this House congratulate Chris Fitzpatrick, immediate past CEO of the Committee 4 Wagga, and Phil May, newly appointed CEO of Committee 4 Wagga, for their hard work and dedication to this local initiative. *CHAD POLSON JUST GALLOWAY*
3. That this House thank the mentors, presenters and management team of the WSLP.
4. That this House acknowledges the contribution of sponsors and supporters to this program:
  - (a) Enirgi Power Storage recycling,
  - (b) Bush and Campbell Accountants,
  - (c) Sureway,
  - (d) Estella Rise Wagga Wagga,

- (e) Wagga Motors,
  - (f) Charles Sturt University, and
  - (g) Army Recruit Training Centre Kapooka.
5. That this House wish all future students involved in the 2018 program the very best of luck.

Signed 

Dated 15 MAR 18



## LEGISLATIVE COUNCIL

### NOTICE OF MOTION

Dr Faruqi says—

Mr PRESIDENT:

I give notice that on the next sitting day I will move:

1. That this House notes that:
  - (a) the Western Sydney Parklands were established in 2006 as the ‘lungs of Sydney’, to provide much needed green space for the people of Western Sydney, with more than 1.6 million people visiting the parklands in 2016/2017,
  - (b) the Western Sydney Parklands have been continually chipped away at, with new industrial areas being declared that were never envisaged in the original plan,
  - (c) the latest proposal is a motor oil manufacturing facility to be built on Bringelly Road, which would include storage and use of a significant amount of combustible materials, and
  - (d) the local community is deeply concerned and opposed to the development, which they fear will impact their local environment, their health and their safety.
2. That this House calls upon the NSW Government to refuse approval for the motor oil manufacturing facility and to commit to preserving and enhancing the Western Sydney Parklands for environmental and community recreation purposes.

Signed Mubeen Faruqi

Dated 15/3/2018





## LEGISLATIVE COUNCIL

### NOTICE OF MOTION

Mr Franklin says—

Mr PRESIDENT:

I give notice that on the next sitting day I will move:

1. That this House notes:
  - (a) the Eat the Street festival was held in Lismore on Saturday, 10 March 2018,
  - (b) the festival is a celebration of the North Coast fresh produce and talented chefs, and
  - (c) The festival included a local farm gate tour, cooking classes by guest chefs, a latte art competition and entertainment by local musicians.
2. That this House congratulates Lismore City Council for organising the wonderful event to promote the quality food industry in Northern NSW.

Signed

A handwritten signature in black ink, appearing to be 'John Franklin', written over a horizontal line.

Dated

15/3/18



## LEGISLATIVE COUNCIL

### NOTICE OF MOTION

Mr Mallard says—

Mr PRESIDENT:

I give notice that on the next sitting day I will move:

1. That this House notes that:
  - (a) On Sunday 4 March 2018 the Prime Minister and Premier presided over the signing ceremony that finalised the Western Sydney City Deal,
  - (b) the Western Sydney City Deal sets out to deliver a game changing vision for the Western City,
  - (c) The Western Sydney City Deal is a ground-breaking partnership between the Turnbull and Berejiklian Governments and the local governments of Camden, Campbelltown, Liverpool, Penrith, Wollondilly, the Blue Mountains, Hawkesbury and Fairfield,
  - (d) the Australian and New South Wales governments have come together with local governments in agreeing on a set of commitments that will unlock opportunities in education, business and employment for the Western City and its people,
  - (e) at the centre of this potential is a new city, supported by the construction of the new Western Sydney Airport that will connect the region and the people of Western Sydney to the world, and
  - (f) this investment will create world-class jobs and deliver on a number of important projects for Western Sydney including:
    - (i) North South Rail Link from St Marys to Badgerys Creek Aerotropolis via the Western Sydney Airport,
    - (ii) world-class Aerotropolis including Commonwealth-owned land at North Bringelly,
    - (iii) an Investment Attraction Office to attract investment to the Western Parkland City,
    - (iv) new planning regime for Western Sydney to cut development costs and boost housing supply,
    - (v) a \$150m Western Parkland City Liveability Program to deliver community facilities,

- (vi) new STEM-focussed education facilities to train skilled workers needed for the Aerotropolis,
- (vii) a plan to embed smart digital technology in the Western City.

2. That this House congratulates the Turnbull and Berejiklian governments as well as the local councils of Camden, Campbelltown, Liverpool, Penrith, Wollondilly, the Blue Mountains, Hawkesbury and Fairfield on signing the Western Sydney City Deal.

Signed Payne Mallard

Dated 15/3/18.



## LEGISLATIVE COUNCIL

### NOTICE OF MOTION

Mr Franklin says—

Mr PRESIDENT:

I give notice that on the next sitting day I will move:

1. That this House notes:
  - (a) that on Friday, 9 March 2018 the Arctic Inspirations and More print exhibition was opened at the Gunnedah Bicentennial Creative Arts Gallery,
  - (b) more than 50 people turned out to view more than 50 art works,
  - (c) the exhibition features works by Sydney based artists Margaret Vickers and Bernhardine Mueller, along with 14 other local artists including Anne Pickett, Eileen Mair and works by the late Pat Rowley, and
  - (d) Arctic Inspirations and More is on show until 8<sup>th</sup> April 2018.
2. That this House congratulate all the artists who have taken part in the show, and for showing their creativity to the Gunnedah community.
3. That this House acknowledges the important role the arts play in celebrating the identity of communities and the talent of artists.

Signed

A handwritten signature in black ink, appearing to be 'J. Franklin', written over a horizontal line.

Dated

15/3/18



## **LEGISLATIVE COUNCIL**

### **NOTICE OF MOTION**

Mr Mallard says—

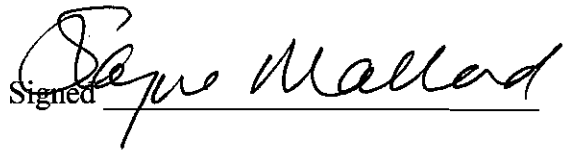
Mr PRESIDENT:

I give notice that on the next sitting day I will move:

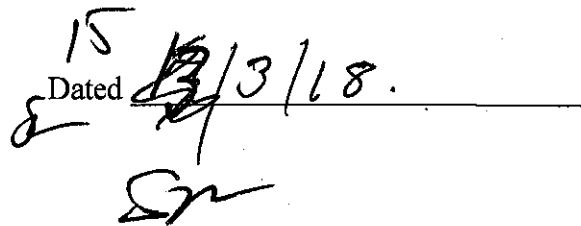
1. That this House notes that:
  - (a) on Friday 23 February 2018 the Blue Mountains State Emergency Service volunteer awards was held at the New South Wales SES Blue Mountains Unit in Katoomba,
  - (b) the SES Blue Mountains Unit has 107 active volunteer members who respond 24/7 to storm and flood events, and regularly provide support to other emergency services such as the New South Wales Police by participating in land search operations for missing people and highly skilled cliff rescues,
  - (c) the SES volunteers of the Sydney Western Region have a long and proud history of assisting their community with invaluable emergency response during floods, storms and other emergencies,
  - (d) recipients of the awards included:
    - (i) David Loong,
    - (ii) Gary Coleborn,
    - (iii) Gerard Balkin,
    - (iv) Chris Djekic,
    - (v) Kerrie Gash,
    - (vi) Kevin Craze,
    - (vii) Nicole Bordes,
    - (viii) John Hughes,
    - (ix) Keith Roberts,
    - (x) John Powell,
    - (xi) Arianwen Roberts,
    - (xii) Chris Webber,
    - (xiii) Joan Wheeler,
    - (xiv) Cheryl Isles,
    - (xv) Ken Dunn, and
  - (e) those who attended as special guests included:

- (i) the Honourable Shayne Mallard MLC representing the Minister for Emergency Services, the Honourable Troy Grant MP,
  - (ii) Federal Member for Macquarie, Ms Susan Templeman MP,
  - (iii) Member for Blue Mountains, Ms Trish Doyle MP,
  - (iv) Blue Mountains City Council Deputy Mayor, Councillor Chris Van der Kley,
  - (v) Commissioner Mark Smethurst,
  - (vi) Region Controller Peter Cinque,
  - (vii) other leaders of emergency services.
2. That this House acknowledges the hard work and commitment of these dedicated volunteers and sincerely thanks them for their service.
3. That this House congratulates the recipients of the SES Volunteer Awards.

Signed



Dated

<sup>15</sup>  




## LEGISLATIVE COUNCIL

### NOTICE OF MOTION

Mr Franklin says—

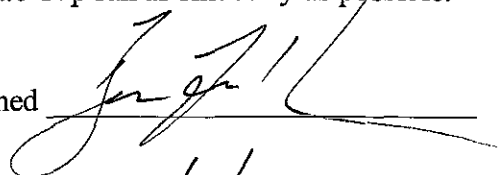
Mr PRESIDENT:

I give notice that on the next sitting day I will move:

1. That this House notes that:
  - (a) The 2018 NSW Touch Football Junior State Cup was held in Port Macquarie on the weekend of Friday 16<sup>th</sup>, Saturday 17<sup>th</sup> and Sunday 18<sup>th</sup> of February,
  - (b) The competition comprised of girls and boys teams competing in divisions from Under 10 to Under 18 with round robin competitions as well as knockout rounds,
  - (c) Games were played at the Port Macquarie Regional Stadium and at the Tuffins Lane playing fields,
  - (d) 358 teams, a total of approximately 20,000 people, travelled to Port Macquarie to compete in and spectate the competition, the largest turnout of any Junior State Cup in the competition's 30-year history,
  - (e) Due to the high number of participants in the competition, a northern and southern conference system will begin from next year as part of a restructure implemented by the NSW Touch Football Association,
  - (f) The 2019 Junior State Cup Northern Conference will be held from Friday 15<sup>th</sup> to Sunday 17<sup>th</sup> February 2019 at the Port Macquarie Regional Stadium and the Tuffins Lane playing fields, and
  - (g) The 2019 Junior State Cup Southern Conference will be held from Friday 22<sup>nd</sup> to Sunday 24<sup>th</sup> February 2019 at Jubilee Park in Wagga Wagga.
2. That this House congratulates:
  - (a) 2018 JSC McCall Cup Under 10 Boys winners Manly Sea Eagles

- (b) 2018 JSC Tirado Cup Under 10 Girls winners Sea Eagles
- (c) 2018 JSC Zabiello Cup Under 12 Boys winners Manly Sea Eagles
- (d) 2018 JSC Vassallo Cup Under 12 Girls winners Penrith Panthers
- (e) 2018 JSC Yiangou Cup Under 14 Boys winners Central Coast Dolphins
- (f) 2018 JSC Taylor Cup Under 14 Girls winners Parramatta Eels
- (g) 2018 JSC Wall Cup Under 16 Boys winners Wests Magpies
- (h) 2018 JSC Toohey Cup Under 16 Girls winners Wagga Wagga Vipers
- (i) 2018 JSC Galea Cup Under 18 Boys winners Central Coast Dolphins
- (j) 2018 JSC Rose Cup Under 18 Girls winners Manly Sea Eagles
- (k) NSW Touch Football Association for facilitating the weekend's events,
- (l) Mr Keith Lee, the NSW Junior State Cup Event Coordinator, for his efforts in organising another successful conference, and
- (m) The large number of volunteers and supporters who gave up their weekend and donated their time to help ensure the Junior State Cup ran as smoothly as possible.

Signed



Dated

15/3/18