

Votes - 50th Parliament - 1994



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 1

TUESDAY 1 MARCH 1994

1 OPENING OF THE SESSION

The House met at 2.00 p.m., pursuant to a Proclamation of His Excellency the Governor, dated 24 December 1993.

Mr Speaker took the Chair.

Mr Speaker offered the Prayer.

The Clerk, by direction of Mr Speaker, read the Proclamation, as follows:

PROCLAMATION

NEW SOUTH WALES
TO WIT.
(L.S.) P. R. SINCLAIR,
Governor

By His Excellency Rear Admiral Peter Ross
Sinclair, Officer of the Order of Australia,
Governor of the State of New South Wales in
the Commonwealth of Australia.

WHEREAS the Legislative Council and the Legislative Assembly stand adjourned to Tuesday, 24th day of March, 1994: Now I, in pursuance of the power and authority vested in me by the Constitution Act 1902, do today prorogue the said Legislative Council and Legislative Assembly to Tuesday, 1st March, 1994; and I proclaim that the said Legislative Council and Legislative Assembly shall assemble for the despatch of business on the aforesaid Tuesday, 1st day of March, 1994, at 2.00 p.m., in the premises known as Parliament House, Macquarie Street, Sydney; And the Members of the Legislative Council and the Legislative Assembly are hereby required to attend at that time and place.

GIVEN under my Hand and Seal, at Sydney, this 24th day of December, 1993.

By His Excellency's Command,
JOHN J. FAHEY, M.P.,
Premier.

GOD SAVE THE QUEEN!

2 VACANT SEAT—ELECTORAL DISTRICT OF NORTH SHORE

Mr Speaker informed the House that on 21 December 1993, he had received a letter from Phillip Murray Smiles, resigning his seat as member for the electoral district of North Shore.

Mr Speaker also informed the House that he issued a writ on 18 January 1994 for the election of a member to serve in the room of Phillip Murray Smiles, and the writ had been returned, with a certificate endorsed by the returning officer, of the election of Jillian Gell Skinner, to serve as member for the electoral district of North Shore.

Mrs Skinner was introduced, took and subscribed the oath of allegiance and signed the Roll of the House and took her seat as member for the electoral district of North Shore.

3 MESSAGE FROM THE GOVERNOR

The Usher of the Black Rod was admitted and delivered the following message:

"Mr Speaker—

I have it in command to inform you that it is the pleasure of the Governor that this Honourable House attend His Excellency immediately in the Legislative Council Chamber."

The House went, and being returned—

4 LAW OF EVIDENCE BILL

Mr Fahey, presented "A Bill to amend the law of evidence", and moved pro formâ, That this Bill be now read a first time.

Question put and passed.

Bill read a first time.

5 THE GOVERNOR'S OPENING SPEECH

Mr Speaker reported that the House had this day attended the Governor in the Legislative Council Chamber, when His Excellency had been pleased to deliver an Opening Speech to both Houses of Parliament. For greater accuracy, he had obtained a copy of the Speech, which he laid upon the Table and ordered that it be recorded in the Votes and Proceedings, as follows—

HONOURABLE MEMBERS OF PARLIAMENT HERE ASSEMBLED,

You have been called together to consider my Government's legislative and financial proposals for the fourth session of the Fiftieth Parliament of New South Wales.

Events of recent months have demonstrated to the world the marvellous community spirit of the people of New South Wales. The devastating bushfires will be remembered not only for the regrettable destruction of lives and property that resulted, but for the tremendous strength of character and compassion of all those who fought the fires and provided much needed assistance during and after the calamity. I wish to take this opportunity to again express my personal sympathy to those who did suffer loss. I would also mention my admiration for the successful efforts of this State's emergency services personnel and the thousands of volunteers, including some from other States, who ensured that the impact on the people of New South Wales was not greater.

The success of the campaign to bring the Olympic Games to Sydney in 2000 has also brought the people of this city and this State to the attention of the world. The results are already being felt as business and government respond to the opportunities the Games present in the lead up to the year 2000. The confidence engendered by the winning campaign will provide a significant boost to employment, tourism and investment in the New South Wales' economy.

My Government will work in partnership with individuals and communities of this State to ensure that these and other opportunities result in rising living standards and prosperity for New South Wales.

The Family and Community Services

My Government is committed to improving the services which are available to assist families and communities, in coping with the rapid social and economic changes which are a fact of life in our modern society.

The Government is continuing to improve coordination in the provision of these services, and the International Year of the Family provides an excellent opportunity to focus on the importance of the family as the foundation of our Australian community.

The Government will be participating fully in the Year of the Family and will review Government policy and programs which support families in New South Wales. My Government is committed to supporting and strengthening family life to ensure a better future for our children.

During 1994 the Government will be announcing a number of special initiatives in this area and an Advisory Committee has been established to assist it in consulting widely on family issues.

The Government will announce a Work and Family Strategy that recognises the need to combine employment with family responsibilities. It will allow employers and employees to benefit from the increased productivity, decline in absenteeism and increased commitment of workers who are able to achieve a better balance between their work and family responsibilities.

The Strategy will address issues such as the active promotion of flexible work arrangements with employer groups and union organisations; initiatives that will encourage greater provision of child care; proposals for innovative projects, jointly funded with the private sector, to balance work and family care arrangements; and the issuing of comprehensive guidelines on flexible work practices for the public sector.

Ageing

New South Wales continues to lead the nation in its approach to the needs of older people.

Following the release in October last year of the Premier's Statement on Positive Ageing, the Government will be implementing major initiatives including employment and training strategies for older workers, pilot projects on integrated community aged care, and a wider range of housing and care options for older people.

A priority for the Government will be in reinforcing the spirit of age discrimination legislation through positive measures to improve community attitudes on ageing.

A range of strategies will be developed to increase the housing choices available to older people. These strategies will include innovative public and community housing projects, a review of government regulations affecting the development of retirement housing, and the provision of quality information about housing choices.

Education and Training

My Government is concentrating on schools as the centre of the public education system. The focus on support for classroom teachers, syllabus development - especially the K6 English syllabus with an emphasis on grammar, the piloting of programs such as parents as teachers, and the underlying philosophy of excellence and equity in education, all highlight the priority and importance which is being placed on the early years of schooling.

Unprecedented capital and maintenance expenditure on the public education system is providing world class teaching and learning environments in New South Wales as we approach the final year of the Schools Renewal Program.

My Government is committed to further reform of the vocational education and training system. A sound education and training system is a necessary foundation to improving the employment prospects of young people.

Proposed reforms include improvements to apprenticeships and traineeships, expansion of employment-based training options, the application of national competency standards, and resource development to enhance the quality of employment based training.

The Government will introduce legislation to complement the Commonwealth's Australian National Training Authority Act, which will confirm this State's commitment to the national agreement on training reforms.

Another major initiative is the implementation of the TAFE HSC Pathway to education, training and employment for young people after Year 10, which was outlined last year in the Government's "Directions" Policy Statement. The TAFE HSC Pathway will equip students in Years 11 and 12 with skills for entry to further vocational education and training, or direct to employment. It will also provide students with a credential or credit transfer that would enable them to continue their education and training at a TAFE college or university.

One of the major focuses of the "Directions" policy is the removal of barriers between schools and other education and training providers. The Joint Secondary Schools TAFE Program is at the forefront in this area and has been growing rapidly since 1985. In 1993, 15,626 students enrolled in 1,019 courses. This Program is another initiative which will enable students to remain at school in Years 11 and 12 and to undertake vocational education as part of their HSC.

A New South Wales policy framework will be developed for equity in education and training. The Special Education Policy 1993 and the Special Education Plan for 1993-1997, launched by the Government last year, provide clear direction for improvements to the quality and structure of Special Education in Government schools, so that people with disabilities can achieve opportunities, life styles and living conditions approximating those enjoyed by the rest of the community.

The Government will build on the success of 1993 as the International Year for Indigenous People and will continue its initiatives to address the curriculum, community education and development, literacy, numeracy and cultural education needs of Aboriginal children. Of particular note is the continued implementation of the 2 Unit Aboriginal Studies Syllabus in over 80 schools and the expansion of the Aboriginal pre-school program.

Initiatives for Women

My Government has made a major commitment to the women of this State and has been the first State Government to appoint a Minister for the Status of Women and a Ministry for the Status and Advancement of Women.

In concert with the community and the private sector the Government wants to improve the status of women and it has put in place a major action plan to achieve this.

In December 1993 the Premier launched the New South Wales Women's Policy Statement. Action flowing from this Statement to be taken in 1994 includes:

- the development by the Police Service of a Community Safety Plan with a view to Community groups being able to monitor the personal safety of residents
- ensuring equity of educational outcomes for girls in all aspects of school life
- a major campaign to assist women to integrate work and family interests

- an increase in the range of resources available for women in business, and
- the enhancement of opportunities for rural women by the development and facilitation of effective and efficient rural women's programs.

Policy development and research activities will focus on issues concerning violence against women and on the experiences women have in their contacts with the legal system.

A new Women's Consultative Committee has also been established which seeks to enhance women's choices in relation to parenting, workplace participation and economic independence.

Employment and Economic Development

My Government recognises the distress caused to the community by the current high levels of unemployment. State Government funded programs aimed at assisting the most disadvantaged in the labour market enabled nearly 40,000 people to find work or work-related training placements in 1992-93. The Government will maintain its commitment to enable community-based organisations to assist those who are at greatest risk of unemployment.

Major steps are being taken to promote private sector investment in New South Wales.

In 1993 my Government restructured the economic development portfolio to more effectively address the need for sustained growth in output and employment. The Premier has taken on the role of Minister for Economic Development and created the Office of Economic Development within the Premier's Department to coordinate international business development and major, complex and strategic investments in New South Wales.

Stronger linkages have been forged with industry and community leaders. The Economic Development Council has been reconstituted to advise the Government on impediments to investment, competitiveness and growth. The Council will work closely with the Cabinet Standing Committee on Economic Development, thereby providing a direct path into Government for the business community.

The Government has received the Report of the Red Tape Inquiry and will be giving the Report its full consideration.

The Government has already addressed the particular concerns of small business on matters such as State taxes and charges, deregulation issues, and local charges. Additionally, a strategy is now being developed to assist the small business sector by increasing opportunities for small business to sell and to supply to government, and by better coordinating and marketing government services for small business.

Retail tenants and landlords in the small business sector will enjoy greater certainty and confidence from legislation to be introduced to define the rights of parties to retail tenancies.

The importance of Western Sydney as an employment and manufacturing centre has been recognised with the establishment of the Greater Western Sydney Economic Development Board. The Board will foster internationally competitive and sustainable economic development in the Greater Western Sydney region.

Country New South Wales is also benefiting from the appointment of new Regional Development Boards throughout the State. These Boards advise the Government, through its newly created portfolio of Business and Regional Development, of the economic development needs of regional New South Wales.

My Government remains committed to ensuring that returns are generated to the community from the Government's investment in a number of key industries.

In mining, the provision of an extensive geological framework and investment opportunities in New South Wales will be promoted to the exploration industry in Australia and overseas. The direct return in royalties alone to the community is expected to be over \$150 million in 1993-94.

The creation of the Manufacturing Industry Advisory Board as part of the Government's Manufacturing Industries Statement is also a key to the promotion and development of the manufacturing sector in this State.

A Film Production Investment Fund to be administered by the New South Wales Film and Television Office has been established to promote film production in New South Wales.

An unprecedented additional \$8.2 million allocation to the New South Wales Tourism Commission in 1993-94 is being used to stimulate growth in domestic and international tourism to New South Wales, and has already increased sales through New South Wales Tourism Travel Centres by 24%.

Public Sector Reform

The reform of Government Trading Enterprises will continue to improve the quality and efficiency of their customer services. My Government's program in this area has prevented higher taxes or cuts in priority social services whilst enhancing the commercial discipline and performance of these agencies.

This year the Government will introduce legislation to corporatise the Water Board. This will be another significant step in the continued reform of the Water Board. The Board will be able to concentrate on its core business, and maximise the efficiency of its operations. It will make the Board more accountable to Government and the community.

In cooperation with the State's irrigators, the Government will introduce legislation to separate irrigation boards from Government control. The reforms in this area will enable irrigator boards to be responsible for the management and operation of irrigation systems, autonomous from Government.

The Government has led the development of an interstate competitive market in electricity through the National Grid Management Council, and will introduce legislation to implement those reforms. Legislation will also be introduced to enable Pacific Power to form its network business into a legally separate subsidiary by the end of June 1994.

The Government will introduce legislation to improve fisheries management in New South Wales.

As well as modernising the State's fisheries legislation, my Government will liaise with the fishing industry with a view to introducing a system of property rights into fisheries management. Such statutory rights would enable fishermen to conduct their fishing operations increasingly as a business, and would ensure more comprehensive management of the industry, whilst protecting fisheries resources for the future.

The Government has already announced its intention to sell the State Bank. The sale will reduce the State's debt by \$18.4 billion, remove a potential financial exposure and enable the Government to focus more clearly on its core functions. The Government continues to be fully committed to its micro-economic reform agenda and this is another example of the significant progress that is being made in that area.

It is generally accepted in the community and by all Australian governments that governments should not own banks. My Government is approaching the sale in a highly responsible way and will present legislation to Parliament this year to facilitate the sale.

Olympics

The Board of the Sydney Organising Committee for the Olympic Games is now meeting regularly. Over the next year the Government and its agencies will be contributing to the preparations for, and ensuring the coordination of, all activities associated with the Games.

The choice of Sydney as the venue for the Year 2000 Olympic Games has already raised the prospect of new investment in the building, construction and related service industries. This is an immediate boost to confidence which will raise demand for business and residential accommodation, especially in the city CBD and within a 30 kilometre radius from Homebush Bay.

State Environmental Planning Policy No.38 - Olympic Games Projects, gazetted in November 1993, will provide the basis for consistent environmental assessment in line with the principles of ecologically sustainable development.

My Government will provide support through the International Sporting Events Council for a number of major sporting competitions being staged in 1994. A new Institute of Sport will also be established to further enhance high performance sport development in New South Wales.

Police and Emergency Services

In the wake of the recent bushfires a comprehensive review of New South Wales fire management and legislation is being undertaken by a Cabinet Sub-Committee chaired by the Deputy Premier. Following wide consultation, the Sub-Committee will report to Cabinet and any necessary changes to existing legislation will be introduced in the Autumn Session.

The Police Service remains under intense public scrutiny. The Government has embarked on a comprehensive reform program designed to make the Police Service more efficient, open and accountable.

During 1993, the Minister for Police and Emergency Services instituted a wide range of legislative and other reforms in the areas of accountability, integrity and management. However, more needs to be done.

This year the Government's reforms will focus on addressing the major issues of drug security and the handling of complaints against police officers. Major legislative changes in both areas are planned for introduction this year.

In addition, a comprehensive review of the police discipline system is being undertaken. Significant amendments to the role of the New South Wales Crime Commission are also being considered following the recommendations of the Joint Select Committee upon Police Administration.

Law and Justice

The Government is moving quickly with the implementation of the package of reforms to the legal profession passed in the last session of Parliament. Appointment of a Legal Services Commissioner is in process and the office is being established. Guidelines for the investigation of consumer complaints are being prepared.

Legislation will be introduced to prohibit discrimination on the grounds of mental illness and HIV status. This will further enhance the rights of people with disabilities. Penalties for racial vilification which incites violence against particular ethnic groups will be increased and the racial vilification provisions will be extended to cover ethno-religious groups.

The Government will examine the report of the Public Accounts Committee on Public Defenders and following on from that report is planning to introduce legislation dealing with the appointment, responsibilities and work of public defenders.

The Government will introduce a comprehensive package of reforms following the review of the implementation of the Victims Compensation Act by Mr. Cec Brahe, Deputy Chief Magistrate and former Chairman of the Victims Compensation Tribunal. The reforms aim to clarify the definition of an "act of violence" and the nature and determination of compensation.

Substantial reforms to the law of evidence will be introduced following public consideration of an exposure draft Bill.

The Government will release the White Paper on future directions in juvenile justice this year. The White Paper addresses issues such as youth crime prevention, legal services for juveniles, the children's court and sentencing. Health and education issues will also be addressed in the context of examining ways in which juvenile offenders can be prevented from entering into a life of crime.

Last year New South Wales played a leading role in reaching national agreement on new uniform credit laws. Those laws will be introduced into Parliament this session, as well as in all other States and Territories. This landmark legislation will extend the principles of "truth-in-lending" to all consumer credit contracts, including housing and will apply to all credit providers.

The Charter of Principles launched in March 1993 marks the commitment of the Government to New South Wales' culturally diverse society. My Government took a further positive step in recognising the value of this diversity by establishing the portfolio of Multicultural and Ethnic Affairs in May 1993. During 1994 the Government will develop strategies and initiatives to pursue the implementation of the Charter across all portfolios.

Agriculture

My Government recognises that a healthy and economically viable local agricultural industry is vital to the future prosperity of the New South Wales and Australian community.

Last financial year New South Wales and Australian farmers grossed an estimated \$5.8 billion and \$21.5 billion respectively - a rise of nearly 6% on 1991-92. Improved marketing, greater production efficiency and better business priorities will remain the key factors in the improved long term profitability of the food and fibre industries.

In this regard, of special note is the recent launch of the State-wide campaign entitled "Farming for the Future". This innovative program, costing \$17 million over three years, focuses on the need to assist farm families to improve their business management practices, be more self-reliant, better able to manage risk and to have the capacity and skill to implement agricultural and land management practices that will be sustainable in the future.

Environment

The environmental policy of my Government rests upon a balanced approach towards environmental protection and economic development of the State. Its various programs recognise the need for greater certainty, predicability, flexibility and innovation, as well as the need to work closely with industry and in partnership with the community.

The first New South Wales "State of the Environment Report" was published in October 1993. The report provides the people of New South Wales with initial information about their environment, its current condition, emerging issues and how the environment is being managed.

A sound forestry policy for New South Wales, drawing upon the National Forest Policy and balancing the needs for the environment and development will be a high priority for the Government. The structural changes to bring this about are already in place with the formation of a Forestry Policy Unit within the Department of Conservation and Land Management. This will provide the Government with an independent forest policy capacity. The Unit will receive support from a Forestry Policy Advisory Committee comprising government, industry, conservation and community interests.

The identification and reservation of high conservation value old growth forest is a subject of considerable importance to the community and to Government. It is a task which has been embraced in the National Forest Policy Statement signed in 1992 by State, Territory and Commonwealth Governments.

This matter will also be addressed by the recently formed Natural Resources Audit Council. It is proposed that a major project will be sponsored and funded through this Council in 1994 to collect the data essential to the identification of old growth forest.

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1 March 1994

The National Forest Policy Statement also calls for the development of an internationally competitive timber industry. Fundamental to this is the removal of uncertainty surrounding resource access. Accordingly, the Government is currently investigating options for enhancing resource security for the industry.

The Government recognises the need to develop supplementary timber resources in the interests of the long term viability of the timber industry. To this end, an additional \$1 million of government funding will allow State Forests to double the area of eucalypt plantation to be established this year.

State Forests is spending over \$2 million this financial year on silvicultural programs aimed at adding value to its pine plantations. These programs, which have created 80 additional seasonal jobs in rural centres, are expected to dramatically improve the quality of pine sawlogs, in response to increasingly buoyant softwood markets.

My Government will be announcing major reforms to improve the management and regulation of water in New South Wales, and to address the environmental issues currently affecting our waterways. The reforms will ensure that agreed water quality standards are set and that clear accountabilities exist to ensure these standards are met.

The Government has embarked on an extensive Algal Management Program to examine the problems of blue-green algae in the State's waterways. The program includes a phosphorous awareness and reduction campaign and nutrient control works.

An important element of achieving healthy rivers in New South Wales is heightening the awareness of the community as to how water use can impact on the natural environment. The Government has adopted the Waterwise program as a way of informing people of these impacts and the role they can play individually and in community groups in the management of natural systems.

Motor vehicles are a major contributor to air quality problems in populated areas. The Government has announced initiatives to reduce on-road vehicle emissions. These initiatives, including development of an in-service emission test program for vehicles, will be pursued during 1994.

Concerted efforts will continue to be made by the Environment Protection Authority to negotiate pollution reduction programs for major industrial licensees, resulting in changes to industrial practices and, ultimately, reduced environmental impact, especially on air and water quality.

A major concern for the community recently has been the levels of lead in the environment. The Government's Taskforce on Lead will be outlining, this year, both immediate and long term action plans with emphasis on controlling lead in petrol and dust. There will be a major education and awareness campaign for the community on lead. The Government has already announced a program to lower blood lead levels in Broken Hill children.

The Government will be responding to the findings of the Parliamentary Joint Select Committee on Waste this year, with an expected emphasis on regional waste planning.

The Government will proceed with Protection of the Environment legislation which will aim to consolidate and streamline the five core pieces of environmental legislation - the Pollution Control Act, Clean Waters Act, Clean Air Act, Noise Control Act and, in part, the Waste Disposal Act.

Urban Renewal and Infrastructure

My Government is planning strategically for sustainable urban development. To this end, two discussion papers, Sydney's Future and an Integrated Transport Strategy, were released in October 1993 for public comment. The key strategic directions presented in the reports will enable a better environment to be created in response to water and air quality concerns and will support the maintenance of a competitive regional economy. Final strategies will be completed during 1994.

The State Government has successfully negotiated a Building Better Cities Agreement with the Commonwealth Government which establishes a program of urban renewal projects for the period 1992-93 to 1995-96. The program will total \$520 million with up to \$270 million being provided by the Commonwealth. It is based upon four Area Strategies at Ultimo/Pymont, Transit West, Eveleigh, and Honeysuckle and Environs.

Areas of population growth in New South Wales will receive additional funding for sporting facilities under the new \$2.5 million Developing Areas Assistance Scheme.

Major reforms to the Building Services Corporation will be introduced as a result of the Dodd Inquiry. Legislation will also be introduced to extend the range of funding activities of the Real Estate Services Council under the Property, Stock and Business Agents Act.

Legislation will be introduced transferring the approval of subdivisions from the Local Government system to the Planning system. This was foreshadowed during the introduction of the Local Government Bill 1993 and it will complete the package of legislative reform for Local Government.

Transport

Completion of the Government's Integrated Transport Strategy will provide the framework for regional transport strategies for Central Sydney and the Lower Hunter. Delivery of new Endeavour railcars will commence bringing a new era of quality travel to the South Coast, Southern Highlands and the Hunter Valley. Outer suburban Tangaras have commenced service, allowing the 30 year old single deck inter-city trains to be withdrawn.

My Government, working with the bus industry, the Federal Government and other States, will develop a package that will improve safety on both new buses and those already in service. Upgrading safety in the vicinity of schools has been a major initiative of the Government over the past 12 months with the installation of school zones and wombat crossings, education programs in schools and special emphasis on bus safety for school children.

The horrific road toll of the 1980's has been substantially reduced in recent years with the 1992 record low of 649 being reduced further to 587 in 1993. Publicity campaigns warning drivers

of the dangers of fatigue, speeding, and drink driving will continue to keep road safety in the forefront of community awareness.

Health

My Government is committed to building on the significant gains that have been achieved in delivering a high quality customer focussed health service to the people of New South Wales.

The continuation of the State's commitment to hospital construction will ensure that resources are placed close to where people live. High priority will continue to be given to the provision of community health services, and to services aimed at promoting good health and at preventing the development of illness.

Provision of effective mental health care is a priority for the Government and will proceed from the firm base already established. The New South Wales Mental Health Act is pathfinder legislation for all Australian jurisdictions, while New South Wales leads Australia in its ongoing program for the development of community mental health services.

The range of housing options for people with a mental illness and other people with long term support needs, will be improved.

Indigenous People

The major part of the Commonwealth Native Title Act 1993 commenced operation on 1 January 1994. New South Wales has pressed for a national resolution to the issues raised by the High Court's judgement in Mabo v Queensland. The Commonwealth legislation is extremely complex and does not represent an optimal resolution to the issues raised. The State, however, has the opportunity to ensure that all land titles and other dealings granted before 1 January 1994 are valid, and State legislation necessary to achieve that result will be introduced.

The Government will focus its attention on the application of arrangements contained in the National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders. It is anticipated that bi-lateral agreements will be concluded with the Commonwealth during 1994.

A further initiative will be the establishment of an Aboriginal Cultural Centre at Walsh Bay.

Conclusion

In conclusion, my Government's program of reform for this session demonstrates a continued commitment to ensuring that the people of this State receive appropriate high quality services which are provided in a financially responsible and efficient manner.

Honourable Members of the Parliament of New South Wales, having presented to you my Government's proposals, I now leave you to your important responsibilities to further the welfare of all citizens in New South Wales.

Mr Speaker left the Chair at 3.12 p.m. until the ringing of one long bell at 5.00 p.m.
Mr Speaker resumed the Chair at 5.04 p.m.

6 DEATH OF EDWARD HARRIS HUMPHRIES, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Speaker informed the House of the death on 27 January 1994, of Edward Harris Humphries, a former member of the Legislative Assembly and that, on behalf of the House, he had extended to Mrs Humphries and family the deep sympathy of Members of the Legislative Assembly in the loss sustained.

Members and Officers stood as a mark of respect.

7 VACANCIES IN THE REPRESENTATION OF THE STATE IN THE SENATE OF THE COMMONWEALTH OF AUSTRALIA

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

P. R. SINCLAIR
Governor

Government House,
Sydney

The Governor transmits to the Legislative Assembly copy of a despatch dated 1 February 1994, received from the President of the Senate, notifying that a vacancy has happened in the representation of the State of New South Wales in the Senate of the Commonwealth of Australia through the resignation of Senator Kerry Walter Sibraa which occurred on 1 February 1994.

3 February 1994.

Parliament House,
Canberra.

1 February 1994

Your Excellency,

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I notify Your Excellency that a vacancy has happened in the representation of the State of New South Wales through the resignation of Senator Kerry Walter Sibraa on this day.

Yours sincerely,
MICHAEL BEAHAN

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Mr Speaker also reported the following message from His Excellency the Governor:

P. R. SINCLAIR
Governor

Government House,
Sydney

The Governor transmits to the Legislative Assembly copy of a despatch dated 24 February 1994, received from the President of the Senate, notifying that a vacancy has happened in the representation of the State of New South Wales in the Senate of the Commonwealth of Australia through the resignation of Senator Bronwyn Kathleen Bishop which occurred on 24 February 1994.

28 February 1994.

Parliament House,
Canberra.

24 February 1994

Your Excellency,

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I notify Your Excellency that a vacancy has happened in the representation of the State of New South Wales through the resignation of Senator Bronwyn Kathleen Bishop on this day.

Yours sincerely,
MICHAEL BEAHAN

8 CHAIRMAN OF COMMITTEE'S COMMISSION TO ADMINISTER THE OATH OR
AFFIRMATION OF ALLEGIANCE

Mr Speaker reported that he had received the following Commission:

By His Excellency Rear Admiral Peter Ross Sinclair, companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

To all to whom these presents shall come,

Greeting:

Pursuant to the power and authority vested in me by the Constitution Act 1902, I hereby authorise John Harcourt Turner, Dip. Law, Chairman of Committees of the Legislative Assembly, in the absence of the Honourable the Speaker of the Legislative Assembly, to administer from time to time as occasion may require, to any Member of the Legislative Assembly to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, required by law to be taken or made and subscribed by every such Member before he or she shall be permitted to sit or vote in the said Legislative Assembly.

Given under my hand and the Public Seal of the said State, this 15th day of December, 1993.

By His Excellency's Command,
JOHN FAHEY

P. R. SINCLAIR,
Governor

9 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message from His Excellency the Governor dated 24 December 1993, assenting to the HomeFund Restructuring Bill.

10 APPOINTMENT OF TEMPORARY CHAIRMEN OF COMMITTEES

Mr Speaker, pursuant to Standing Order 28A, nominated the following Members as Temporary Chairmen of Committees for the present Session:

Mr Hazzard
Mr Moss
Mr Rixon
Mr Tink
Mr Yeadon.

11 INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker, pursuant to section 78 (1) of the Independent Commission Against Corruption Act 1988, announced receipt of the following papers:

28 January 1994

Report of the Independent Commission Against Corruption on Investigation into Collins v Ryan, dated January 1994, made public pursuant to section 78 (2) of the Act.

24 February 1994

Report of the Independent Commission Against Corruption on Investigation into the Relationship Between Police and Criminals, First Report, dated February 1994, made public pursuant to section 78 (2) of the Act.

12 REPORTS RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Departments) Act 1985, announced receipt of the following reports—

18 January 1994

Report of the Office of Juvenile Justice for the year ended 30 June 1993.

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following papers—

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15 December 1993

Report of the Heritage Council for the year ended 30 June 1993.

20 December 1993

Report of the Police Board for the year ended 30 June 1993.

23 December 1993

Report of the Board of Surveyors for the year ended 30 June 1993.

6 January 1994

Report of the Chiropractors and Osteopaths Registration Board for the year ended 30 June 1993.

Report of the Dental Technicians Registration Board for the year ended 30 June 1993.

Report of the Newcastle International Sports Centre Trust for the year ended 30 June 1993.

Report of the Nurses Registration Board for the year ended 30 June 1993.

Report of the Optical Dispensers Licensing Board for the year ended 30 June 1993.

Report of the Board of Optometrical Registration for the year ended 30 June 1993.

Report of the Physiotherapists Registration Board for the year ended 30 June 1993.

Report of the Podiatrists Registration Board for the year ended 30 June 1993.

Report of the Psychologists Registration Board for the year ended 30 June 1993.

21 January 1994

Report of the M.I.A. Citrus Fruit Marketing Committee for the year ended 30 June 1993.

15 February 1994

Report of the Dental Board for the year ended 30 September 1993.

16 February 1994

Report of the Director of Marketing of Agriculture for the year ended 30 June 1993.

Report of the Pharmacy Board for the year ended 30 September 1993.

Report of the Processing Tomato Marketing Committee for the year ended 31 May 1993.

Report of the Wine Grapes Marketing Board for 1992.

13 STATE OWNED CORPORATIONS

The Clerk, pursuant to section 27 of the State Owned Corporations Act 1989, announced receipt of the following papers—

9 February 1994

Report of the Hunter Water Corporation for the period 1 July to 31 December 1993.

10 February 1994

Report of the State Bank for the year ended 30 September 1993.

14 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following papers—

1 February 1994

Report of the Public Accounts Committee on Proceedings of the Conference on Risk & Return — Traditional & Innovative Financing for Infrastructure Projects, held on 7 December 1993, dated January 1994.

3 February 1994

Report of the Public Accounts Committee on Proceedings of the Seminar on Internal Audit — Implementation of Change, held on 12 November 1993, dated February 1994.

8 February 1994

Report of the Public Accounts Committee concerning Expansion of Hawkesbury District Health Services, dated February 1994.

14 February 1994

Minutes of Evidence and Submissions taken before the Public Accounts Committee concerning the Expansion of Hawkesbury District Health Services, dated February 1994.

28 February 1994

Report of the Public Accounts Committee concerning Infrastructure Management and Financing in New South Wales Volume 2: Public - Private Partnerships - Risk and Return in Infrastructure Financing, dated February 1994.

15 SELECT COMMITTEE UPON THE PORT MACQUARIE BASE HOSPITAL PROJECT

The Clerk, pursuant to the resolution of the House of 7 May 1992, announced receipt of the following paper—

14 February 1994

Minutes of Evidence of the Select Committee upon the Port Macquarie Base Hospital Project concerning the Funding of Health Infrastructure and Services in New South Wales.

16 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of, the following statutory instruments:

Architects Act 1921—Regulation (Relating to fees). (Gazette 138, 17 December 1993, page 7283.)

Bail Act 1978—

(a) Regulation (Relating to the form of bail undertakings). (Gazette 142, 24 December 1993, page 7420.)

(b) Regulation (Relating to the making of applications for bail, notice of bail decisions and miscellaneous matters). (Gazette 138, 17 December 1993, page 7284.)

Bookmakers (Taxation) Act 1917—Regulation (Relating to penalties and to rebates of betting tax). (Gazette 138, 17 December 1993, page 7286.)

Business Licences Act 1990—Business Licences (Fees) Order 1994 No. 1. (Gazette 31, 4 February 1994, page 557.)

Centennial Park and Moore Park Trust Act 1993—Centennial Park and Moore Park Trust Regulation 1993. (Gazette 140, 17 December 1993, page 7390.)

Charitable Fundraising Act 1991—Regulation (Relating to the Buddhist Council of NSW Inc.). (Gazette 142, 24 December 1993, page 7421.)

Chiropractors and Osteopaths Act 1991—Regulation (Relating to persons exempt from registration). (Gazette 142, 24 December 1993, page 7422.)

Clean Waters Act 1970—Regulation (Relating to the storage, treatment or disposal of liquid wastes from cattle feedlots). (Gazette 27, 28 January 1994, page 341.)

Construction Safety Act 1912—

(a) Regulation (Relating to fees for the registration of certain lifts, escalators and moving walks). (Gazette 31, 4 February 1994, page 464.)

(b) Regulation (Relating to scaffolding and formwork). (Gazette 27, 28 January 1994, page 342.)

Crimes Act 1900—

(a) Crimes (Domestic Violence and Child Assault) Regulation 1994. (Gazette 24, 21 January 1994, page 227.)

(b) Regulation (Relating to the form of complaint for an apprehended violence order and the form of such an order). (Gazette 138, 17 December 1993, page 7288.)

Crown Lands Act 1989—Proposed revocation of dedication under section 84. (Gazette 19, 14 January 1994, page 160.)

Dairy Industry Act 1979—Regulation (Relating to certain milk products, to the Dynamite Schools Milk Program and the Distribution Sector Rationalisation Scheme). (Gazette 35, 11 February 1994, page 604.)

Disability Services Act 1993—Regulation (Relating to eligible organisations). (Gazette 8, 7 January 1994, page 30.)

District Court Act 1973—Amendment to District Court Rules 1973. (Gazette 35, 11 February 1994, page 681.)

Dog Act 1966—Regulation (Relating to lands vested in the Centennial Park and Moore Park Trust). (Gazette 35, 11 February 1994, page 606.)

Dried Fruits Act 1939—Regulation (Relating to standards for dried prunes). (Gazette 24, 21 January 1994, page 232.)

Electricity Act 1945—Regulation (Relating to notification of variation of charges etc. for electricity). (Gazette 27, 28 January 1994, page 344.)

Entertainment Industry Act 1989—Regulation (Relating to delegations). (Gazette 142, 24 December 1993, page 7423.)

Exhibited Animals Protection Act 1986—Regulation (Relating to circumstances in which authorisation to keep or display an animal is not required). (Gazette 142, 24 December 1993, page 7424.)

Fair Trading Act 1987—

(a) Regulation (Relating to child restraints). (Gazette 27, 28 January 1994, page 345.)

(b) Regulation (Relating to the product safety standard for sunglasses and fashion spectacles). (Gazette 27, 28 January 1994, page 347.)

Firearms Act 1989—Regulation (Relating to apprehended violence orders and interim apprehended violence orders). (Gazette 138, 17 December 1993, page 7289.)

First State Superannuation Act 1992—Regulation (First State Superannuation Transitional Regulation 1994). (Gazette 31, 4 February 1994, page 465.)

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Fish River Water Supply Administration Act 1945—Regulation (Relating to the price of water supplied by the Administrator of Fish River Water Supply). (Gazette 138, 17 December 1993, page 7291.)

Fisheries and Oyster Farms Act 1935—

(a) Regulation (Correction notice appearing in Government Gazette 127, 19 November 1993, page 6829). (Gazette 138, 17 December 1993, page 7304.)

(b) Regulation (Relating to rentals and annual contributions payable in respect of oyster leases). (Gazette 27, 28 January 1994, page 348.)

Forestry Act 1916—Regulation (Relating to fees and authorisations to take timber etc.). (Gazette 142, 24 December 1993, page 7426.)

Guardianship Act 1987—Regulation (Relating to medical and dental treatment). (Gazette 27, 28 January 1994, page 350.)

Justices Act 1902—

(a) Centennial Park and Moore Park Trust (Short Description of Offences) Regulation 1993. (Gazette 140, 17 December 1993, page 7403.)

(b) Regulation (Relating to short descriptions of offences under the Roads Act 1993). (Gazette 142, 24 December 1993, page 7430.)

Legal Profession Act 1987—Rule (Amending Barristers and Solicitors Admission Rules 1989). (Gazette 8, 7 January 1994, page 62.)

Liquor Act 1982—Regulation (Relating to notices displayed on licensed premises). (Gazette 138, 17 December 1993, page 7292.)

Local Courts (Civil Claims) Act 1970—Amendments to Local Court (Civil Claims) Rules 1988 (2). (Gazette 37, 18 February 1994, pages 754 and 755.)

Local Government Act 1993—Regulation (Containing further savings and transitional provisions consequential on the commencement of the Local Government Act 1993 on 1 July 1993). (Gazette 136, 10 December 1993, page 7175.)

Macquarie University Act 1989—By-law (Relating to the election of Council members who are members of Convocation). (Gazette 8, 7 January 1994, page 32.)

Mine Rescue Act 1925—Regulation (Relating to contributions to Central Mines Rescue Fund). (Gazette 19, 14 January 1994, page 136.)

Mine Subsidence Compensation Act 1961—Regulation (Relating to the rates of contribution to the Mine Subsidence Compensation Fund for 1993). (Gazette 142, 24 December 1993, page 7433.)

Mining Act 1992—Regulation (Relating to ventilation shafts). (Gazette 136, 10 December 1993, page 7179.)

Motor Vehicle Repairs Act 1980—

(a) Regulation (Relating to fees). (Gazette 35, 11 February 1994, page 607.)

(b) Regulation (Relating to records to be kept by licensed repairers in respect of certain motor vehicle parts). (Gazette 35, 11 February 1994, page 608.)

National Parks and Wildlife Act 1974—proclamations reserving certain lands as part of—

Budgalung National Park. (Gazette 146, 31 December 1993, page 7612.)

Garigal National Park. (Gazette 35, 11 February 1994, page 684.)

Myall Lakes National Park. (Gazette 35, 11 February 1994, page 684.)

Scabby Range Nature Reserve. (Gazette 35, 11 February 1994, page 684.)

Nurses Act 1991—Regulation (Relating to exemptions from registration requirements). (Gazette 138, 17 December 1993, page 7294.)

Nursing Homes Act 1988—Regulation (Relating to fees). (Gazette 138, 17 December 1993, page 7295.)

Pipelines Act 1967—Regulation (Relating to pipeline search fees). (Gazette 136, 10 December 1993, page 7179.)

Poisons Act 1966—Proclamation, pursuant to section 8, amending the poisons list (6). (Gazette 136, 10 December 1993, page 7223.)

Private Hospitals and Day Procedure Centres Act 1988—Regulation (Relating to fees) (2). (Gazette 138, 17 December 1993, pages 7296 and 7297.)

Public Authorities (Financial Arrangements) Act 1987—

(a) Regulation (Relating to the borrowing powers of the Luna Park Reserve Trust). (Gazette 8, 7 January 1994, page 31.)

(b) Regulation (Relating to the investment powers of the Darling Harbour Authority). (Gazette 24, 21 January 1994, page 233.)

Registered Clubs Act 1976—Registered Clubs (Transitional) Regulation 1993. (Gazette 138, 17 December 1993, page 7298.)

Roads Act 1993—Regulation (Relating to weight restrictions for vehicles using public roads). (Gazette 146, 31 December 1993, page 7589.)

South-West Tablelands Water Supply Administration Act 1941—Regulation (Relating to the price of water). (Gazette 138, 17 December 1993, page 7300.)

Stamp Duties Act 1920—Regulation (Relating to prescribed rate of interest payable on refunds). (Gazette 19, 14 January 1994, page 138.)

State Authorities Superannuation Act 1987—

(a) State Authorities Superannuation (FINCOM Employees) Transitional Regulation 1993. (Gazette 142, 24 December 1993, page 7436.)

(b) State Authorities Superannuation (Government Cleaning Service Employees Transfer) Regulation 1994. (Gazette 35, 11 February 1994, page 611.)

Stock Diseases Act 1923—Regulation (Relating to particulars of identification of stock). (Gazette 27, 28 January 1994, page 355.)

Superannuation Act 1916—

(a) Superannuation (FINCOM Employees) Transitional Regulation 1993. (Gazette 142, 24 December 1993, page 7439.)

(b) Superannuation (Government Cleaning Service Employees Transfer) Regulation 1994. (Gazette 35, 11 February 1994, page 614.)

Supreme Court Act 1970—

(a) Rules (Amendment No. 281). (Gazette 136, 10 December 1993, page 7224.)

(b) Rules (Correction notice to Amendment No. 281 published in Government Gazette 136, 10 December 1993, page 7224). (Gazette 142, 24 December 1993, page 7526.)

Trade Measurement Act 1989—Regulation (Relating to the sale of certain beer and spirits by volume). (Gazette 27, 28 January 1994, page 358.)

Traffic Act 1909—

(a) Regulation (Relating to penalty notices for clearway or transit lane offences). (Gazette 138, 17 December 1993, page 7301.)

(b) Regulation (Relating to penalty notices). (Gazette 146, 31 December 1993, page 7591.)

(c) Regulation (Relating to signs and lights for school buses). (Gazette 27, 28 January 1994, page 359.)

(d) Regulation (Relating to special mobility vehicles and driving on the footpath). (Gazette 136, 10 December 1993, page 7180.)

Treasury Corporation Act 1983—Treasury Corporation (Objections to Replacement of Securities Regulation 1993. (Gazette 138, 17 December 1993, page 7302.)

University of New South Wales Act 1989—By-law (Relating to the terms of office of the Chancellor and Deputy Chancellor). (Gazette 8, 7 January 1994, page 33.)

Water Supply Authorities Act 1987—Regulation (Relating to the functions of the Upper Parramatta River Catchment Trust). (Gazette 142, 24 December 1993, page 7441.)

17 SUSPENSION OF STANDING ORDERS—PRIVATE MEMBERS' STATEMENTS

Mr West moved (by leave), That Standing Orders be suspended so that Private Members' Statements not be taken at this sitting.

Question put and passed.

18 LEAVE OF ABSENCE

Mr Beckroge moved, That leave of absence for the present session be granted to Andrew Charles Ziolkowski, Member for Parramatta, on account of illness.

Question put and passed.

19 LEGISLATION COMMITTEE ON THE ENDANGERED AND OTHER THREATENED SPECIES CONSERVATION BILL

Mr West moved (by leave), That the reporting date for the Legislation Committee on the Endangered and Other Threatened Species Conservation Bill be extended to 3 May 1994.

Question put and passed.

20 COMMITTEE ON THE OFFICE OF THE OMBUDSMAN

Mr West moved (by leave),

(1) That Malcolm John Kerr be discharged from the Committee on the Office of the Ombudsman and that Michael John Richardson be appointed to serve on the Committee.

(2) That a message be sent informing the Legislative Council of the resolution.

Question put and passed.

21 SESSIONAL ORDERS—GENERAL BUSINESS

Mr West moved (by leave), That the following Sessional Order relating to General Business be adopted—

GENERAL BUSINESS

For the current session, unless otherwise ordered, on the last sitting day of each week:

(1) From 9.00 a.m. Notice of Motions (for Bills) shall be dealt with.

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(2) At the Placing or Disposal of Business on the previous sitting day any 2 private members may move to suspend standing and sessional orders to allow the Order of the Day for the resumption of debate on that Member's bill to be granted precedence on the following sitting day.

(3) The carrying of one such motion prevents another Member moving a subsequent motion.

(4) On the motion for suspension, the Member in charge of the bill shall be permitted to make a statement of up to 3 minutes and one other member may reply for up to 3 minutes.

(5) At 11.30 a.m. any General Business Order of the Day for Bills under discussion shall be interrupted and set down as an Order of the Day for tomorrow.

(6) No later than 11.30 a.m. the House shall consider General Notices of Motions or Orders of the Day (not being for bills) as follows:

(a) No debate shall exceed 45 minutes.

(b) In each debate the following time limits shall apply

Mover	10 minutes
Member next speaking	10 minutes
4 Members	5 minutes each
Reply	5 minutes

Mr Whelan moved, That the proposed Sessional Order be amended to read as follows:

GENERAL BUSINESS

For the current session, unless otherwise ordered:

(1) At the Placing or Disposal of Business on the second last sitting day of each week:

(a) Any 2 private members may move to re-order the Order of the Day for the resumption of debate on that Member's bill to be granted precedence on the following sitting day.

(b) Any 2 private members may move to re-order the Member's General Business Notice of Motion to be granted precedence on the following sitting day.

(c) The carrying of one motion in (a) or (b) above prevents another Member moving a subsequent motion.

(d) On a motion for re-ordering, the Member in charge of the bill or Notice of Motion shall be permitted to make a statement of up to 3 minutes and one other member may reply for up to 3 minutes.

(2) From 9.00 a.m. Notice of Motions (for Bills) shall be dealt with.

(3) At 11.30 a.m. any General Business Order of the Day for Bills under discussion shall be interrupted and set down as an Order of the Day for tomorrow.

(4) No later than 11.30 a.m. the House shall consider General Notices of Motions or Orders of the Day (not being for bills) as follows:

- (a) No debate shall exceed 45 minutes.
- (b) In each debate the following time limits shall apply

Mover	10 minutes
Member next speaking	10 minutes
4 Members	5 minutes each
Reply	5 minutes

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion as amended be agreed to—put and passed.

22 SESSIONAL ORDER—ROUTINE OF BUSINESS

Mr West moved (by leave), That the following Sessional Order relating to Routine of Business be adopted—

ROUTINE OF BUSINESS

For the current session, unless otherwise ordered, Standing Order 74 is amended to read:

74.(1) The House shall conduct its business in the following routine on each sitting day except the last sitting day in each week:

- 1 Ministerial Statements
- 2 Questions
- 3 Notice of Motions
- 4 Papers (on the first sitting day of each week)
- 5 Presentation of Petitions
- 6 Placing or Disposal of Business (including the re-ordering of General Business Orders of the Day (for Bills))
- 7 Formal Business
- 8 Ministerial Statements
- 9 Committee Reports - tabling
- 10 Motions for Urgent Consideration
- 11 Matters of Public Importance
- 12 Notice of Motions and Orders of the Day or vice versa, as set down on the Business Paper or otherwise provided.

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(2) On the last sitting day in each week the following routine shall be followed:

- 1 General Business Notices of Motions for Bills (concluding not later than 9.30 a.m.)
- 2 General Business Orders of the Day for Bills (concluding not later than 11.30 a.m.)
- 3 General Business Notices of Motions or Orders of the Day (not being for Bills) concluding at 1.00 p.m.

Any item of business not concluded shall be set down as an Order of the Day for tomorrow with precedence of other General Business (not for Bills).

- 4 1.00 p.m. to 2.00 p.m. consideration of Committee Reports presented (Speaker leaves Chair).
- 5 At 2.15 p.m. (Speaker resumes Chair)
- 6 Ministerial Statements
- 7 Questions
- 8 Notice of Motions
- 9 Petitions
- 10 Placing or Disposal of Business
- 11 Formal Business
- 12 Ministerial Statements
- 13 Committee Reports - tabling
- 14 Motions for Urgent Consideration
- 15 Matters of Public Importance
- 16 Business of the House
- 17 Prior to 5.15 p.m. - Government Business or
 - (a) If no Government Business - Private Members' Statements or
 - (b) If no Government Business or Private Members' Statements - General Business Notices of Motions or Orders of the Day (not being for Bills). General Business commenced but not concluded at 5.15 p.m. shall lapse.
- 18 At 5.15 p.m. - Private Members' Statements.
- 19 At 7.30 p.m. - Government Business.

Mr Whelan moved, That (1) 6 of the proposed Sessional Order be amended to read:

- 6 Placing or Disposal of Business (including the re-ordering of General Business Orders of the Day (for Bills) and General Business Notices of Motions)

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion as amended be agreed to—put and passed.

23 SESSIONAL ORDER—ESTIMATES COMMITTEES

Mr West moved (by leave), That the following Sessional Order relating to Estimates Committees be adopted—

ESTIMATES COMMITTEES

For the current session, unless otherwise ordered:

(1) During the second reading debate on the Appropriation Bill on motion of a Minister, the House shall appoint Estimates Committees.

(2) The Estimates Committees shall examine and report on proposed expenditures from the Consolidated Fund for each organisational unit for each Minister listed in the tabled Estimates, and the corresponding clauses and schedules of the Appropriation Bill and the Parliamentary Appropriation Bill which shall stand referred to the appropriate Committee.

(3) The Report of each Estimates Committee shall state whether the Votes of each organisational unit in the Estimates and the corresponding clauses and schedules in the Appropriation Bill are recommended or otherwise.

The failure of an Estimates Committee to report on any part of the votes shall be deemed to be a report recommending the proposed expenditure.

(4) The Chairman of each Committee or a Member deputed by the Chairman shall, after the committee has concluded its deliberations and after the question on the second reading of the Appropriation Bill and the Parliamentary Appropriation Bill has been agreed to, shall present the Committee's Report to the Speaker in the House.

The Speaker shall set down consideration of the Reports in Committee of the Whole on the Appropriation Bill and the Parliamentary Appropriation Bill respectively.

(5) Consideration of a Report in the Committee of the Whole House shall be deemed to be consideration of those clauses and schedules of the Appropriation Bill and the Parliamentary Appropriation Bill referred to that Estimates Committee.

(6) In the Committee of the Whole:

- (a) The Chairman shall put the Question in respect of each Committee Report, "That the Report of the (name of the Committee) be adopted".
- (b) A Member may speak for a maximum of 5 minutes and the Minister in reply may speak for a maximum of 15 minutes on each of the Questions.
- (c) Those clauses and schedules of the Appropriation Bill and the Parliamentary Appropriation Bill not referred to an Estimates Committee shall be considered as one question, "That the remaining clauses and schedules of the Bill be agreed to".
- (d) At the conclusion of proceedings in Committee the Chairman shall report to the Speaker that the Committee has or has not adopted the Reports from the Estimates Committees.

Question put and passed.

24 SESSIONAL ORDER—LEGISLATION COMMITTEES

Mr West moved (by leave), That the following Sessional Order relating to Legislation Committees be adopted—

LEGISLATION COMMITTEES

For the current session, unless otherwise ordered:

(1) Immediately after a motion for the second reading of a bill has been agreed to, any Member may move without notice "That the (name of the bill) be referred to a legislation committee for consideration and report."

(2) A legislation committee shall consider and report to the House on amendments to the clauses and schedules of the bill which it considers could be proposed to the Committee of the Whole on the bill, together with a schedule of amendments which should be proposed.

(3) A committee shall have a maximum of 6 members - 3 shall be Members representing the Government and 3 shall be non-Government Members.

(4) The chairman shall be elected by the committee and shall be a Government Member.

(5) A quorum shall be 4 Members.

(6) The chairman shall exercise a deliberative vote and, in the event of an equality of votes, a casting vote.

(7) The committee may meet during the sittings or any adjournment of the House and shall have power to take evidence and call for persons, papers and exhibits and to report from time to time.

(8) In all other respects the committee shall be conducted in accordance with the Standing Orders relating to Standing and Select Committees.

(9) The committee does not have leave to travel.

(10) The Minister having portfolio responsibility for the bill shall provide the committee with such drafting and support services as requested by the committee.

(11) The committee shall table its final report no later than 6 months from the date of the committee's establishment.

(12) When the chairman tables the final Report of the committee, the Speaker shall set down its consideration in the Committee of the Whole on the bill as an Order of the Day with the bill.

(13) If the House is not sitting at the time of report the Chairman shall forward such Report to the Speaker for report at the next sitting of the House.

Debate ensued.

Question put and passed.

25 SESSIONAL ORDER—REPORTS FROM COMMITTEES

Mr West moved (by leave), That the following Sessional Order relating to Reports from Committees be adopted—

REPORTS FROM COMMITTEES

For the current session, unless otherwise ordered, Standing Order 372 is amended to read:

372. (1) The Report and associated documents of any committee (not being a legislation committee) shall be presented at the time provided in the routine of business, or at any other time with the leave of the House.

(2) The Member presenting the Report may move "That the document be printed". This question shall be decided without debate or amendment.

(3) Reports from committees shall be set down by the Speaker for consideration in the order in which they are presented (or reported by the Clerk when received during an adjournment) as Orders of the Day "That the House take note of the Report".

(4) Such Orders of the Day shall have precedence between 1.00 p.m. and 2.00 p.m. on the last sitting day of each week.

(5) The Member tabling the Report may speak for up to 10 minutes and any other Member may speak for up to 5 minutes to the question "That the House take note of the Report" with the question being put after 30 minutes. No reply is permitted.

Question put and passed.

26 SESSIONAL ORDERS

Mr West moved (by leave), That the following Sessional Orders relating to Consequential Divisions, Successive Divisions, Matters of Public Importance, Printing of Papers and Private Member's Business be adopted—

CONSEQUENTIAL DIVISIONS ON CLOSURE

For the current session, unless otherwise ordered:

When the House or the Committee has carried the question "That the question be now put":

The Speaker or the Chairman may, with the leave of the House or Committee, order the bells to be rung to deal with any divisions on any questions that are consequential on the closure motion.

SUCCESSIVE DIVISIONS

For the current session, unless otherwise ordered:

If a second division is called for and the bells rung following limited or no intervening debate after an earlier division and sufficient time has elapsed after the division bell has been rung, the Speaker or Chairman may, with the leave of the House or Committee, order the doors to be locked and the vote taken.

MATTERS OF PUBLIC IMPORTANCE

For the current session, unless otherwise ordered, Standing Order 49 is amended to read:

49. The procedure for moving a motion that the House notes as a matter of public importance a certain matter is as follows:

(1) The matter, which must be definite, shall be handed in writing to the Speaker no later than 1.00 p.m. on any sitting day and immediately published.

(2) The Speaker, in the event that more than one proposition is submitted, shall determine which matter is of the greatest public importance.

(3) At least 30 minutes prior to the time for Questions without Notice -

(a) the Premier, the Leader of the Government, the Leader of the Opposition, the responsible Minister in the House, Members submitting matters and the Independent Members shall be informed in writing by the Speaker of the matter determined by the Speaker to be discussed.

(b) the Speaker, by placing a notice on notice boards, shall inform Members of the matter.

(4) If the Speaker decides that any matter proposed is in order it shall be announced to the House by the Speaker before the calling of Questions.

(5) As provided in the routine of business the Speaker shall call the Member concerned to move the motion as submitted. The question cannot be amended nor be the subject of a closure motion.

(6) The mover of the motion and the Member next speaking may speak for up to 15 minutes each, 4 other members may speak for up to 5 minutes each and the mover in reply may speak for up to 10 minutes.

(7) There shall be no dissent from the ruling of the Speaker in relation to the operation of this Sessional Order.

TABLING AND PRINTING OF PAPERS

For the current session, unless otherwise ordered:

The following procedure shall apply for the tabling and printing of papers:

- (1) Ministers shall table papers at the time provided in the routine of business on the first sitting day of each week or at other times only by leave of the House.
- (2) The Leader of the House, on the next sitting day, shall give a notice of motion regarding the printing of papers tabled. Consideration of this motion shall have precedence as Business of the House.
- (3) The question on the motion is open to amendment and debate.
- (4) Any Member may speak on the motion for up to 3 minutes, including the Minister in reply.
- (5) The Speaker may call the Minister in reply if the debate exceeds 30 minutes.

PRIVATE MEMBER'S BUSINESS

For the current session, unless otherwise ordered:

Any General Business Notice of Motion or Order of the Day standing in the name of a current sitting private Member undisposed of at the prorogation of the previous session of the current Parliament shall be restored to the Business Paper at the same stage and order of precedence it had reached at the date of prorogation.

General Business restored under this Sessional Order shall have precedence of other General Business.

Debate ensued.

Question put and passed.

27 SESSIONAL ORDERS—QUESTIONS ON NOTICE

Mr West moved (by leave), That the following Sessional Orders relating to Questions on Notice be now adopted—

QUESTIONS ON NOTICE

For the current session, unless otherwise ordered, Standing Order 80 is amended to read:

80. The procedure for lodging Questions on Notice is as follows:

- (1) Questions for the next sitting day shall be handed to one of the Clerks at the Table before the commencement of formal business.

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(2) Members shall be permitted to lodge all questions remaining unanswered as at the prorogation of the previous session of the same Parliament without effecting any limit.

(3) The number of questions able to be lodged accumulative over one sitting week are:

- (a) Members - 3 questions per sitting day
- (b) The Leader of the Opposition - 4 questions per sitting day

(4) Ministers shall lodge answers to Questions on Notice within 15 sitting days after the Question is first published (including any Question re-submitted from the previous session) and the answers shall be published. Each calendar day upon which Estimates Committees sit shall be deemed to be sitting days for the purpose of submitting answers to Questions on Notice.

(5) If an answer to a Question on Notice is not be received within 15 sitting days the Speaker shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.

(6) If the Minister, after explanation in the House, has not submitted an answer within 3 further sitting days the Speaker shall again inform the House and the Minister shall again be called to explain with such procedure continuing until a written answer is submitted.

Mr Whelan moved, That paragraphs 4, 5 and 6 of the proposed Sessional Order be amended to read as follows:

(4) Ministers shall lodge answers to Questions on Notice within 35 calendar days after the Question is first published (including any Question re-submitted from the previous session) and the answers shall be published.

(5) If an answer to a Question on Notice is not received within 35 calendar days the Speaker, at the next sitting day after the expiry date, shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.

(6) If the Minister, after explanation in the House, has not submitted an answer within 3 sitting days the Speaker shall again inform the House and the Minister shall again be called to explain with such procedure continuing until a written answer is submitted.

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion as amended be agreed to—put and passed.

28 SESSIONAL ORDERS

Mr West moved (by leave), That Sessional Orders relating to Questions without Notice, Suspension of Standing Orders, Time Limit of Speeches, Unproclaimed Legislation and Consideration of Urgent Motions be adopted—

QUESTIONS WITHOUT NOTICE

For the current session, unless otherwise ordered, Standing Order 79 is amended to read:

79. The procedure for Questions without Notice is as follows:

- (1) Questions may be read and are subject to the same rules as questions on notice but shall not be recorded in the Questions and Answers Paper.
- (2) No Question shall be asked after 45 minutes from the Speaker calling on questions or the answering of ten questions whichever is the later.
- (3) One supplementary question, which shall count towards the 10 answers, may be asked immediately by the Member asking the original question.
- (4) The Leader of the Opposition is entitled to be called first by the Speaker at the commencement of the period for questions.
- (5) Ministers seeking to provide additional information to questions already answered shall do so at the conclusion of the question period.

SUSPENSION OF STANDING ORDERS

For the current session, unless otherwise ordered, Standing Order 395 is amended to read:

395. (1) A Member may, at any time, seek the leave of the House to move a motion to suspend standing and sessional orders.
- (2) If leave is granted, the mover and one Member in reply shall be entitled to speak to the motion for suspension for up to 5 minutes each.
 - (3) When the mover is a Member not supporting the Government, the reply shall be by a Minister and, when the mover is a Member supporting the Government the reply shall be by the Leader of the Opposition or a member deputed.
 - (4) Such motions shall not be entertained during the period set aside for questions without notice.
 - (5) The closure shall not apply.

TIME LIMIT OF SPEECHES

For the current session, unless otherwise ordered, Standing Order 142A is amended to read:

142A. The following maximum time limits shall apply:

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
1 March 1994

Address in Reply

Premier	- unspecified
Leader of the Opposition	- unspecified
Mover	- 20 minutes*
Any other Member	- 20 minutes*
Reply	- 20 minutes*

Adjournment - Special

Mover	- 30 minutes
Member next speaking	- 30 minutes
Any other Member	- 10 minutes
Reply	- 10 minutes

Censure or want of confidence

Mover	- unspecified
Member next speaking	- unspecified
Any other Member	- 20 minutes*
Reply	- 20 minutes*

Substantive Motion

Mover	- 30 minutes*
Member next speaking	- 30 minutes*
Any other Member	- 20 minutes*
Reply	- 20 minutes*

Private Members' Motions - Pursuant to S.O. 122A

Mover	- 30 minutes
Member next speaking	- 30 minutes
Any other Member	- 15 minutes
Reply	- 15 minutes

- * A Member may request and the Speaker shall put, without debate or amendment, a question that the Member be allowed to continue that speech for a further period of up to 10 minutes.

Bills**Second Reading:****(i) Introduced by a Minister**

Mover	- unspecified
Leader of the Opposition or one Member deputed by him, next speaking	- unspecified
Any other Member	- 15 minutes +
Reply	- unspecified

+ A Member may request and the Speaker shall put, without debate or amendment, a question that the Member be allowed to continue that speech for a further period of up to 5 minutes.

(ii) Appropriation Bill

Mover	- unspecified
Party Leaders	- unspecified
Any other Member	- 20 minutes*
Reply	- unspecified

* A Member may request and the Speaker shall put, without debate or amendment, a question that the Member be allowed to continue that speech for a further period of up to 10 minutes.

(iii) Introduced by a Private Member

Mover	- unspecified
Premier or one Minister deputed by him	- unspecified
Leader of the Opposition or one Member deputed by him	- unspecified
Any other Member	- 15 minutes +
Reply	- unspecified

+ A Member may request and the Speaker shall put, without debate or amendment, a question that the Member be allowed to continue that speech for a further period of up to 5 minutes.

Suspension of Standing Orders

Mover	- 5 minutes
One other Member	- 5 minutes

Suspension of Standing Orders - Public Bill Introduced by Private Member

Mover - Member in charge of the Bill	- 3 minutes
One other Member	- 3 minutes

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
1 March 1994

Private Members' Statements

10 Members	- 5 minutes
Replies by Ministers	- 2 minutes

Printing of Papers

All Members, including reply	- 3 minutes
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(The Speaker may call the Minister in reply if debate exceeds 30 minutes)

Consideration of Urgent Motions

Mover	- 10 minutes
Member next speaking	- 10 minutes
Other Members (limited to 3)	- 5 minutes
Reply	- 5 minutes

Matters of Public Importance

Mover	- 15 minutes
Member next speaking	- 15 minutes
Other Members (limited to 4)	- 5 minutes
Reply	- 10 minutes

After Consideration of Urgent Motions :

Mover	- 10 minutes
Member next speaking	- 10 minutes
One other Member	- 5 minutes
Reply	- 5 minutes

Reports from Committees—Take note debate

Chairman or Member tabling the Report	- 10 minutes
Any other Member	- 5 minutes

(Question being put after 30 minutes)

Election of Speaker or Chairman of Committees (S.O.'s 9 & 28)

All Members	- 10 minutes
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Accommodation for representatives of the Press (S.O. 62A)

All Members - 10 minutes

(The Speaker shall be entitled to put the question after 30 minutes of debate)

Disallowance of Statutory Instruments (S.O. 113A)

All Members, including reply - 10 minutes

(The Speaker shall be entitled to put the question after 60 minutes of debate)

Privilege (S.O. 158)

The Member may speak for 10 minutes to establish a prima facie case.

Objections to the rulings of the Speaker (S.O. 161)

All Members - 10 minutes

(The Speaker shall be entitled to put the question after 30 minutes of debate)

Objections to decisions of the Chairman of Committees (S.O. 162)

The Member may speak for 5 minutes.

Debates not otherwise provided for

All Members - 20 minutes*

Committee of the Whole

Minister - Unspecified number of periods limited to 20 minutes each.

Leader of the Opposition or one Member deputed - Unspecified number of periods limited to 20 minutes each.

Any other Member:

Three periods each on any one question not exceeding—

- (a) first occasion - 15 minutes
- (b) subsequent occasions - 10 minutes then 5 minutes

UNPROCLAIMED LEGISLATION

For the current session, unless otherwise ordered:

From the first sitting Tuesday after the adoption of this Sessional Order and then every 15th sitting day, the Speaker shall table a list of legislation remaining unproclaimed 90 days after assent.

CONSIDERATION OF URGENT MOTIONS

For the current session, unless otherwise ordered:

The procedure for consideration of urgent motions shall be as follows:

- (1) Prior to calling on Questions without Notice the Speaker shall ask for written notices of motions for urgent consideration.
- (2) No more than 3 notices shall be accepted at any one sitting of the House.
- (3) The notices shall be set down for consideration immediately after the conclusion of formal business with precedence of all other business.
- (4) If only one notice is given the Member may proceed to move the motion without the question "That the notice for urgent consideration of the Honourable Member for be proceeded with" being put.
- (5) If more than one notice is given:
 - (a) The Members giving the notices shall each be permitted to make statements of up to 5 minutes so the House may establish the priority of such matters.
 - (b) At the conclusion of the 5 minute statements the Speaker shall put the question on the first notice "That the motion for urgent consideration of the Honourable Member for be proceeded with".
 - (c) If this motion is carried the Member may proceed.
 - (d) If the motion is not carried the question "That the motion for urgent consideration of the Honourable Member for be proceeded with" is then put on the next motion.
- (6) When the motion for urgent consideration is determined and the motion is moved, the following time limits shall apply:

Mover	10 minutes
Member next speaking	10 minutes
Other Members (limited to 3)	5 minutes
Reply	5 minutes

(7) Where an urgent motion has been considered by the House then any Matter of Public Importance listed for consideration that day shall be limited in duration to the following speaking times:

Mover	10 minutes
Member next speaking	10 minutes
One other Member	5 minutes
Reply	5 minutes

Debate ensued.

Question put and passed.

29 SITTINGS OF THE HOUSE

Mr West moved (by leave), That unless otherwise ordered, the House shall meet during the autumn sittings as follows—

Wednesday 2 March 1994 at 2.15 p.m.;
Thursday 3 March 1994 at 9.00 a.m.;

Tuesday 8 March 1994 at 2.15 p.m.;
Wednesday 9 March 1994 at 2.15 p.m.;
Thursday 10 March 1994 at 9.00 a.m.;

Tuesday 15 March 1994 at 2.15 p.m.;
Wednesday 16 March 1994 at 2.15 p.m.;
Thursday 17 March 1994 at 9.00 a.m.;

Tuesday 12 April 1994 at 2.15 p.m.;
Wednesday 13 April 1994 at 2.15 p.m.;
Thursday 14 April 1994 at 9.00 a.m.;

Tuesday 19 April 1994 at 2.15 p.m.;
Wednesday 20 April 1994 at 2.15 p.m.;
Thursday 21 April 1994 at 9.00 a.m.;

Tuesday 3 May 1994 at 2.15 p.m.;
Wednesday 4 May 1994 at 2.15 p.m.;
Thursday 5 May 1994 at 9.00 a.m.;

Tuesday 10 May 1994 at 2.15 p.m.;
Wednesday 11 May 1994 at 2.15 p.m.;
Thursday 12 May 1994 at 9.00 a.m.;

Tuesday 17 May 1994 at 2.15 p.m.;
Wednesday 18 May 1994 at 2.15 p.m.;
Thursday 19 May 1994 at 9.00 a.m.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
1 March 1994

Question put and passed.

30 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 5.50 p.m., until tomorrow, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 2

WEDNESDAY 2 MARCH 1994

1 MOTION FOR URGENT CONSIDERATION

Mr Carr gave notice of a motion concerning Wilderness Protection Policy.

2 QUESTIONS

PAPER:

Mr Baird (by leave) tabled—

Report on the Special Compliance Inspection of the State Rail Authority's Signalling System,
dated 25 February 1994.

3 NOTICES OF MOTIONS

4 UNPROCLAIMED LEGISLATION

Mr Speaker tabled a list of legislation unproclaimed 90 days after assent as at 2 March 1994.

5 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Windsor—from certain citizens requesting a referendum on the reintroduction of the option for capital punishment.

Mr Kerr—from certain citizens requesting the prohibition of certain street parades.

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Mr Kerr—from certain citizens requesting the full enforcement of the Disorderly Houses Act.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting that the Berkeley police station be staffed on a 24 hour basis.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Fraser, Mr Peacocke, Mr Rozzoli, Mr Sullivan and Mr Windsor—from certain citizens requesting increased assistance for the Home and Community Care program.

6 PLACING OR DISPOSAL OF BUSINESS

(1) Notice of Motions of General Business (for Bills):

- No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).
- No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, postponed (Mr Martin).
- No. 3 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 4 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 March 1994

(2) Orders of the Day of General Business (for Bills)

No. 1 Data Protection Bill, postponed (Mr Tink).

No. 2 Government Publicity Control Bill, postponed (Mr Carr).

No. 3 Forestry (Amendment) Bill, postponed (Dr Macdonald).

No. 4 Domestic Dingo Protection Bill

(1) Ms Allan moved, That the Order of the Day be discharged.

Question put and passed.

(2) Ms Allan moved, That the Bill be withdrawn.

Question put and passed.

No. 5 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).

No. 7 Western Sydney (Tree Preservation) Bill

(1) Ms Allan moved, That the Order of the Day be discharged.

Question put and passed.

(2) Ms Allan moved, That the Bill be withdrawn.

Question put and passed.

No. 9 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).

No. 10. South Tweed TAFE College Land Bill, postponed (Mr Face).

No. 11 Education Reform (School Violence) Amendment Bill

(1) Mr Aquilina moved, That the Order of the Day be discharged.

Question put and passed.

(2) Mr Aquilina moved, That the Bill be withdrawn.

Question put and passed.

No. 12 Post-conviction Inquiries (Quashing of Conviction) (Johann Ernst Siegfried Pohl) Bill

(1) Mr Thompson moved, That the Order of the Day be discharged.

Question put and passed.

(2) Mr Thompson moved, That the Bill be withdrawn.

Question put and passed.

No. 17 Threatened Species Conservation Bill, postponed (Dr Macdonald).

No. 21 Retail Tenancies (Code of Practice) Bill, postponed (Mr Peacocke).

(3) Notice of Motions of General Business (General Notices):

No. 2 Motor Accidents Authority, withdrawn (Mr Amery).

No. 4 Strathfield Electorate Office, withdrawn (Mr Zammit).

No. 5 Western Suburbs Hospital, withdrawn (Mr Whelan).

No. 7 Joint Select Committee upon Fire, Rescue and Emergency Services, withdrawn (Mr Anderson).

No. 8 Filming of Proceedings of the House, withdrawn (Mr Whelan).

No. 10 Compensation for Douglas Harry Rendell, withdrawn (Mr Whelan).

No. 11 Tomago Shipyard, withdrawn (Mr Mills).

No. 12 Standing Orders Committee, withdrawn (Mr Whelan).

No. 13 Coal Mining Jobs, withdrawn (Mr Hunter).

No. 16 Newvale Coal Mine, withdrawn (Mr Face).

No. 17 Toomelah Community, withdrawn (Mr Markham).

No. 20 Balmain and Western Suburbs Hospitals, withdrawn (Mr J. H. Murray).

No. 22 Kingsford Smith Airport Curfew, withdrawn (Mr J. H. Murray).

No. 24 Minister for Transport, withdrawn (Mr Langton).

No. 25 Prospect County Council Document, withdrawn (Mr Rogan).

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 March 1994

No. 28 Lidcombe Hospital, withdrawn (Mr Nagle).

No. 33 Canterbury Hospital, withdrawn (Mr Moss).

7 RE-ORDERING OF GENERAL BUSINESS—SYDNEY HELIPORT BILL

Ms Nori moved, That General Business Order of the Day (for Bills) No. 18 (Sydney Heliport Bill) be re-ordered to take precedence on Thursday 3 March 1994.

Question put and passed.

8 REGULATION REVIEW COMMITTEE

Mr Cruickshank tabled Report No. 24 of the Regulation Review Committee, dated March 1994.

Ordered to be printed.

9 VACANCY IN THE REPRESENTATION OF THE STATE IN THE SENATE OF THE COMMONWEALTH OF AUSTRALIA

(1) Mr Fahey moved, That the House meet the Legislative Council for the purpose of sitting and voting together to choose persons to hold the place in the Senate rendered vacant by the resignations of Senator the Honourable Kerry Walter Sibraa and Senator the Honourable Browyn Kathleen Bishop.

Question put and passed.

(2) Mr Fahey moved, That the following message be sent to the Legislative Council:

Question put and passed.

Mr PRESIDENT

The Legislative Assembly having resolved to meet the Legislative Council for the purpose of sitting and voting together to choose persons to hold the place in the Senate rendered vacant by the resignations of Senator the Honourable Kerry Walter Sibraa and Senator the Honourable Browyn Kathleen Bishop, requests the Legislative Council to name the place and hour for such meeting.

Legislative Assembly
2 March 1994

K. R. ROZZOLI
Speaker

10 SUSPENSION OF STANDING ORDERS—PRIVATE MEMBERS' BUSINESS

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow General Business to take precedence of the Address in Reply debate from 9.00 a.m. until 2.15 p.m. on the last sitting day of each week until the adoption of the Address in Reply.

Question put and passed.

11 MOTION FOR URGENT CONSIDERATION—WILDERNESS PROTECTION POLICY

Mr Carr moved, pursuant to notice, "That this House" condemns the Premier for creating two and a half months of confusion on wilderness protection policy; for failing to consult before making the December 23 announcement; and requires him to gazette the proposed wilderness areas by April 12, 1994.

Mr Fahey moved, That the question be amended by omitting all words after "That this House" with a view to inserting instead "commends the Government for its commitment to wilderness, for the public consultation process prior to gazettal to ensure existing interests referred to in section 8 of the Act are not ignored, and for its commitment to adequately resource the control of feral animals, noxious weeds and bushfire management in all our parks and wilderness areas."

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put.

The House divided.

Ayes 45

Mr Armstrong	Mr Hartcher	Mr Richardson
Mr Baird	Mr Hazzard	Mr Rixon
Mr Beck	Mr Humpherson	Mr Schipp
Mr Blackmore	Dr Kernohan	Mr Schultz
Mr Causley	Mr Kinross	Mrs Skinner
Mr Chappell	Mr Longley	Mr Small
Mrs Chikarovski	Ms Machin	Mr Smith
Mr Cochran	Mr Merton	Mr Souris
Mrs Cohen	Mr Morris	Mr Turner
Mr Collins	Mr Murray	Mr West
Mr Cruickshank	Mr O'Doherty	Mr Zammit
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	Tellers
Mr Fraser	Mr Petch	
Mr Glachan	Mr Phillips	Mr Jeffery
Mr Griffiths	Mr Photios	Mr Kerr

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 March 1994

Noes 49

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mrs Lo Po'	Mr Rumble
Mr A. S. Aquilina	Mr McBride	Mr Scully
Mr Bowman	Mr McManus	Mr Shedden
Mr Carr	Dr Macdonald	Mr Sullivan
Mr Clough	Mr Markham	Mr Thompson
Mr Crittenden	Mr Martin	Mr Whelan
Mr Doyle	Mr Mills	Mr Windsor
Mr Face	Ms Moore	Mr Yeadon
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Neilly	Tellers
Mr Hatton	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Davoren

Pairs

Mr Tink	Mr Iemma
Mr Yabsley	Mr Ziolkowski

Question negatived.

Question proposed—That the original motion be agreed to.

Mr Carr sought leave to amend the original motion.

Leave not granted.

Question put.

The House divided.

Ayes 47

Ms Allan	Mr Knight	Mr Page
Mr Amery	Mr Knowles	Mr Price
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mrs Lo Po'	Mr Rogan
Mr A. S. Aquilina	Mr McBride	Mr Rumble
Mr Bowman	Mr McManus	Mr Scully
Mr Carr	Dr Macdonald	Mr Shedden
Mr Clough	Mr Markham	Mr Sullivan
Mr Crittenden	Mr Martin	Mr Thompson
Mr Doyle	Mr Mills	Mr Whelan
Mr Face	Ms Moore	Mr Yeadon
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	Tellers
Mr Harrison	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Irwin	Ms Nori	Mr Davoren

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 March 1994

Noes 47

Mr Armstrong	Mr Hatton	Mr Rixon
Mr Baird	Mr Hazzard	Mr Schipp
Mr Beck	Mr Humpherson	Mr Schultz
Mr Blackmore	Dr Kernohan	Mrs Skinner
Mr Causley	Mr Kinross	Mr Small
Mr Chappell	Mr Longley	Mr Smith
Mrs Chikarovski	Ms Machin	Mr Souris
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Windsor
Mr Cruickshank	Mr O'Doherty	Mr Zammit
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	
Mr Fraser	Mr Petch	Tellers
Mr Glachan	Mr Phillips	
Mr Griffiths	Mr Photios	Mr Jeffery
Mr Hartcher	Mr Richardson	Mr Kerr

Pairs

Mr Iemma	Mr Tink
Mr Ziolkowski	Mr Yabsley

The numbers being equal, Mr Speaker gave his casting vote with the "Noes" and declared the Question negatived.

12 MATTER OF PUBLIC IMPORTANCE—OMBUDSMAN REPORT CONCERNING THE HIGHER SCHOOL CERTIFICATE MARKS OF CHRISTOPHER BARNES

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Aquilina moved, That this House notes, as a matter of public importance:

- (1) The report of the Ombudsman concerning the decision of the Board of Studies to withhold the award of the 1988 HSC Mathematics marks to Christopher Barnes;
- (2) The Government's response to the Ombudsman's report; and
- (3) The failure of the Government to institute an independent management review under section 48 of the Public Sector Management Act.

Debate ensued.

Question put and passed.

It being 5.05 p.m. by consent Mr Speaker proceeded with private members' statements.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 March 1994

13 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

14 THE GOVERNOR'S OPENING SPEECH

Mr Blackmore moved, That the following Address in Reply to the Speech which His Excellency the Governor has addressed to both Houses of Parliament on opening this session of the Parliament of New South Wales be now adopted by this House:

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Ordered, That Mr Blackmore, be allowed to continue his speech for a further period of 10 minutes.

Mr Small seconded the motion.

Ordered, That Mr Small, be allowed to continue his speech for a further period of 10 minutes.

Debate ensued.

Ordered, That Dr Refshauge, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Dr Kernohan, be allowed to continue her speech for a further period of 10 minutes.

Ordered, That Mr Clough, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Murray, be allowed to continue his speech for a further period of 10 minutes.

Mr Beckroge moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand as an Order of the Day for tomorrow.

15 VACANCIES IN THE REPRESENTATION OF THE STATE IN THE SENATE OF THE COMMONWEALTH OF AUSTRALIA

Mr Speaker reported the following message from the Legislative Council—

Mr SPEAKER

The Legislative Council having taken into consideration the Legislative Assembly's Message dated 2 March 1994 agrees to meet the Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Kerry Walter Sibraa, and to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Bronwyn Kathleen Bishop, in the Legislative Council Chamber, on Tuesday 8 March 1994, at 3.30 p.m.

Legislative Council
2 March 1994

M. F. WILLIS
President

Ordered, by Mr Speaker, That the joint sitting with the Legislative Council for the election of Senators of the Commonwealth of Australia be set down as an Order of the Day for Tuesday 8 March 1994 at 3.30 p.m.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 March 1994

16 ADJOURNMENT

Mr Chappell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.54 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 3

THURSDAY 3 MARCH 1994

1 HOMEFUND LEGISLATION (AMENDMENT) BILL

Mrs Grusovin moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the HomeFund Commissioner Act 1993, the HomeFund Restructuring Act 1993 and the Legal Aid Commission Act 1979 with respect to complaints by, and the provision of assistance to, HomeFund borrowers and the HomeFund restructuring scheme; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mrs Grusovin moved, That this bill be now read a second time.

Debate adjourned (Ms Machin) and the resumption of the debate made an Order of the Day for a future day.

It being before 9.30 a.m., and consideration of General Business Notices of Motions (for Bills) having concluded, General Business Orders of the Day (for Bills) proceeded with.

2 SYDNEY HELIPORT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Ms Nori, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

The House divided.

Ayes 46

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Clough
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin

Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Dr Macdonald
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Ms Nori
Mr Page

Mr Price
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

Noes 44

Mr Armstrong
Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mrs Chikarovski
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Griffiths
Mr Hartcher

Mr Hazzard
Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Ms Machin
Mr Merton
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Phillips
Mr Photios
Mr Richardson

Mr Rixon
Mr Schultz
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
3 March 1994

Pairs

Mr Bowman
Mr Iemma
Mr Newman

Mr Chappell
Mr Schipp
Mr Yabsley

Question passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Ms Nori, read a third time.

3 PUBLIC HEALTH (SALE OF TOBACCO TO JUVENILES) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Dr Refshauge, That this bill be now read a second time.

Dr Refshauge, having pre-audience under Standing Order 118, moved That the Order of the Day be postponed until a later hour of the day.

Question put and passed.

4 INDUSTRIAL RELATIONS (PROTECTION FOR EMPLOYEES OF SUBCONTRACTORS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Gibson, That this bill be now read a second time.

Question again proposed and debate resumed.

Mrs Chikarovski speaking—

At 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Notices of Motions and Orders of the Day.

Ordered, That the resumption of the interrupted debate stand an Order of the Day for tomorrow.

5 FIFTIETH ANNIVERSARY OF THE FALL OF SINGAPORE

Mr Cochran moved, pursuant to notice, That this House in commemorating the Fiftieth Anniversary of the Fall of Singapore records its appreciation of the bravery and sacrifice of thousands of the residents of New South Wales in the Singapore and South East Asian campaigns from January to March 1942.

Debate ensued.

Question put and passed.

6 SELECT COMMITTEE ON ELCOM RESUMPTIONS FOR POWER LINES

Mr Rogan moved, pursuant to notice, That a Select Committee be appointed with the following terms of reference to consider and report upon:

- (a) Elcom's practices in relation to the resumption of land for the construction of Elcom high voltage power lines in New South Wales;
 - (b) in particular, to consider and report on the manner and methods used to resume land for the construction of a high voltage power line between Mount Piper and Marulan;
 - (c) the manner in which Elcom offered or failed to offer compensation, and the value of that compensation, to land owners; and
 - (d) any other matter relevant to the committee's inquiry, including any actions taken against any of the land owners.
- (2) That the committee consist of Mr Clough, Mr Glachan, Mr Merton, Mr Nagle, Mr Rogan, Mr Small and Mr Windsor.
- (3) That at any meeting of the committee three members shall constitute a quorum.
- (4) That such committee have leave to meet during any sitting or any adjournment of the House; to adjourn from place to place; to make visits of inspection within New South Wales and the Commonwealth of Australia; and have power to take evidence and send for persons and papers and to report from time to time.

Debate ensued.

Mr West moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

7 BALMAIN HOSPITAL

General Business Notice of Motion (General Notice) No. 3 called on, postponed (Ms Nori).

8 SELECT COMMITTEE UPON LEAD POLLUTION

General Business Notice of Motion (General Notice) No. 4 called on, postponed (Mr Hunter).

9 NORTH EAST FOREST ALLIANCE

General Business Notice of Motion (General Notice) No. 5 called on, postponed (Mr Fraser).

10 MINISTER FOR AGRICULTURE—NARROMINE FEEDLOT CASE

General Business Notice of Motion (General Notice) No. 6 called on, postponed (Mr Martin).

11 SELECT COMMITTEE UPON MOTOR VEHICLE EMISSIONS

General Business Notice of Motion (General Notice) No. 7 called on, postponed (Mr Langton).

12 ROADS AND TRAFFIC AUTHORITY REFERENCE TO THE PUBLIC ACCOUNTS COMMITTEE

General Business Notice of Motion (General Notice) No. 8 called on, postponed (Mr Langton).

13 HOSPITAL FINANCIAL MANAGEMENT REFERENCE TO THE PUBLIC ACCOUNTS COMMITTEE

Dr Refshauge moved, pursuant to notice, That this House hereby refers the following terms of reference to the Public Accounts Committee—

To inquire into and report within six months upon hospital financial management with particular reference to:

(a) the accounting and financing methods of public sector teaching hospitals to ensure they comply with accounting standards;

(b) the reasons for the alleged budget overrun at the Central Sydney Area Health Service;

(c) the adequacy of the existing budget to ensure the viability of Royal Prince Alfred Hospital's continued tertiary referral, teaching and local community roles.

Mr Phillips moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

14 PRIVATE HOSPITAL BED LICENCES

Dr Refshauge moved, pursuant to notice, That this House calls on the Government to hold public hearings before the granting of private hospital bed licences.

Mr Phillips moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

At 12.50 p.m. by consent, Mr Rixon, Acting Speaker, proceeded with General Business Orders of the Day (Committee Reports).

15 COMMITTEE ON THE OFFICE OF THE OMBUDSMAN—COLLATION OF EVIDENCE OF THE OMBUDSMAN

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

16 PUBLIC ACCOUNTS COMMITTEE—CONFERENCE ON RISK AND RETURN—FINANCING INFRASTRUCTURE PROJECTS

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

17 PUBLIC ACCOUNTS COMMITTEE—SEMINAR ON INTERNAL AUDIT

Question proposed—That the House take note of the Report.

Question put and passed.

18 PUBLIC ACCOUNTS COMMITTEE—EXPANSION OF HAWKESBURY DISTRICT HEALTH SERVICES

Question proposed—That the House take note of the Report.

Question put and passed.

19 PUBLIC ACCOUNTS COMMITTEE—FINANCING INFRASTRUCTURE PROJECTS: VOLUME 2

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

20 REGULATION REVIEW COMMITTEE—REPORT No. 24

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

21 MOTION FOR URGENT CONSIDERATION

Mr Carr gave notice of a motion of condemnation of the Minister for Transport.

22 QUESTIONS

23 NOTICES OF MOTIONS

24 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Windsor—from certain citizens requesting a referendum on the reintroduction of the option for capital punishment.

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Mr Sullivan—from certain citizens requesting continued support for the reading recovery program at Cringila Primary School.

Mr Davoren—from certain citizens opposing any reduction in services or closure of Canterbury Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Knowles—from certain citizens requesting a permanent police station at Ingleburn and upgrade of the existing police station at Macquarie Fields.

Mr Anderson—from certain citizens requesting the safety and welfare of innocent victims of sexual crime.

Mr Fraser—from certain citizens requesting increased assistance for the Home and Community Care program.

25 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk gave notice of the making of, and laid upon the Table, the following statutory instruments:

Associations Incorporation Act 1984—Regulation (Relating to fees). (Gazette 40, 25 February 1994, page 813.)

Business Names Act 1962—Regulation (Relating to fees). (Gazette 40, 25 February 1994, page 814.)

Crown Lands Act 1989—Proposed Revocation of dedication under section 84. (Gazette 35, 11 February 1994, page 622.)

Dairy Industry Act 1979—Proclamation amending schedule 1. (Gazette 35, 11 February 1994, page 602.)

Fisheries and Oyster Farms Act 1935—Regulation (Relating to prawn trawling in the Clarence River). (Gazette 40, 25 February 1994, page 815.)

Meat Industry Act 1978—Regulation (Relating to the calculation of meat industry levy). (Gazette 40, 25 February 1994, page 818.)

Podiatrists Act 1989—Regulation (Relating to the provision of basic foot care). (Gazette 40, 25 February 1994, page 817.)

Poisons Act 1966—Proclamation pursuant to section 8 (c) amending the poisons list. (Gazette 40, 25 February 1994, page 862.)

Supreme Court Act 1970—Rule (Amendment No. 282). (Gazette 40, 25 February 1994, page 934.)

26 REGULATION REVIEW COMMITTEE

Mr Cruickshank tabled Report No. 25 of the Regulation Review Committee, dated March 1994.

Mr Cruickshank moved, That the Report be printed.

Question put and passed.

27 MOTION FOR URGENT CONSIDERATION—CONDEMNATION OF THE MINISTER FOR TRANSPORT

Mr Carr moved, pursuant to notice, That this House condemns the Minister for Transport for his repeated failure to meet major transport promises over the last six years including his failure to implement an integrated transport strategy for the greater Sydney region.

Debate ensued.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
3 March 1994

Question put.

The House divided.

Ayes 45

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rumble
Mr Bowman	Mr McBride	Mr Scully
Mr Carr	Mr McManus	Mr Shedden
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	Tellers
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Neilly	Mr Beckroge
Mr Hunter	Ms Nori	Mr Davoren

Noes 47

Mr Armstrong	Mr Hatton	Mr Richardson
Mr Baird	Mr Hazzard	Mr Rixon
Mr Beck	Mr Humpherson	Mr Schultz
Mr Blackmore	Dr Kernohan	Mrs Skinner
Mr Causley	Mr Kinross	Mr Small
Mr Chappell	Mr Longley	Mr Smith
Mrs Chikarovski	Ms Machin	Mr Souris
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Ms Moore	Mr West
Mr Collins	Mr Morris	Mr Windsor
Mr Cruickshank	Mr Murray	Mr Zammit
Mr Downy	Mr O'Doherty	
Mr Fahey	Mr D. L. Page	
Mr Fraser	Mr Peacocke	Tellers
Mr Glachan	Mr Petch	
Mr Griffiths	Mr Phillips	Mr Jeffery
Mr Hartcher	Mr Photios	Mr Kerr

Pairs

Mr Iemma	Mr Schipp
Mr Newman	Mr Tink
Mr Ziolkowski	Mr Yabsley

Question negatived.

28 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Question again proposed and Debate resumed.

Ordered, That Mr Beckroge be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Photios be allowed to continue his speech for a further period of 10 minutes.

At 5.15 p.m. debate interrupted for private members' statements.

29 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

30 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the interrupted debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Question again proposed and Debate resumed.

Ordered, That Mr Face be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr O'Doherty be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Martin be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Aquilina be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Rixon be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Nagle be allowed to continue his speech for a further period of 10 minutes.

Mr Kerr moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

31 ADJOURNMENT

Mr Hartcher moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.54 p.m., until Tuesday 8 March 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 4

TUESDAY 8 MARCH 1994

1 MOTION FOR URGENT CONSIDERATION

Mr Langton gave notice of a motion of condemnation of the Minister for Transport.

2 QUESTIONS

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Fahey tabled—

Report No. 8 of the Government Pricing Tribunal concerning Charges to Councils by the Valuer-General's Office, dated 10 December 1993.

Statistical Return for the By-Election held in the Electoral District of North Shore on 5 February 1994.

(2) Mr Souris tabled—

Report of the Operations of the Tenancy Commissioner for the year ended 30 June 1993.

Report of the Total Catchment Management for the year ended 30 June 1993.

Murray-Darling Basin Act 1992—Schedule D to the Murray-Darling Basin Agreement: Application of the Agreement to Queensland.

(3) Mrs Chikarovski tabled—

Report of the Industrial and Commercial Training Council for the year ended 30 June 1993.

Report under section 26 of the Ombudsman Act concerning the decision to withhold the award of 1988 Higher School Certificate - mathematics marks to Christopher David Barnes, dated 17 February 1994.

St John's College Act 1857—By-law No. 15.

(4) Mr Causley tabled—

Report of the Agricultural Marketing Finance Agency for the period 1 July 1986 to 30 September 1988.

Report of the Sheep Meats Marketing Board for the period 2 November 1973 to 23 November 1990.

(5) Mr Griffiths tabled—

Report of the National Crime Authority for the year ended 30 June 1993.

Report on the Security (Protection) Industry Act for the year ended 30 June 1993.

(6) Mr Hartcher tabled—

Environmental Impact Statement Strategy Progress Report to Parliament under the Endangered Fauna (Interim Protection) Act, dated 31 December 1993.

Report of the Law Reform Commission for the year ended 30 June 1993.

Report No. 72 of the Law Reform Commission concerning Barristers' Practising Certificates, dated February 1994.

Report to Parliament under section 14 of the Timber Industry (Interim Protection) Act 1992 for the period 1 October to 31 December 1993.

Crown Lands Act 1989—

(a) Proposed addition to a dedication under section 81. (Gazette 127, 19 November 1993, page 6842.)

(b) Proposed revocation of dedications (3) under section 84. (Gazettes 134, 3 December 1993, page 7091; 142, 24 December 1993, page 7469; 19, 14 January 1994, page 160.)

Forestry Act 1916—Copy of proposed agreement, pursuant to section 16A for the exchange of part Bingara State Forest No. 859 an interest in land - Crown Lease 1965/1 Land District of Bingara.

National Parks and Wildlife Act 1974—

Section 120 Licences Status Report, dated 31 December 1993.

National Parks and Wildlife Act 1974—List of Section 120 Licences and section 171 Authorities, as at 6 January 1994.

(7) Ms Machin tabled—

Business Licences Act 1990—Order fixing fees under section 18. (Gazette 61, 18 June 1993, page 2996.)

5 REPORT RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following paper—

28 February 1994

Report of the Earth Exchange for the year ended 30 June 1993.

6 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Hartcher—from a citizen requesting that the Azzopardi Inquiry Bill 1993, if returned by the Legislative Council, not be proceeded with.

Mr Windsor—from certain citizens requesting a referendum on the re-introduction of the option for capital punishment.

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Mr Crittenden—from certain citizens requesting the installation of traffic lights at the intersection of Evans and Main Roads, East Toukley.

Mr Beckroge—from certain citizens requesting the return and maintenance of the original water level at Lake Menindee.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Ms Allan—from certain citizens requesting the safety and welfare of innocent victims of sexual crime.

7 REGULATION REVIEW COMMITTEE

Mr Cruickshank tabled Report No. 26 of the Regulation Review Committee, dated March 1994.

Mr Cruickshank moved, That the Report be printed.

Question put and passed.

8 JOINT STANDING COMMITTEE UPON ROAD SAFETY

Mr Hazzard tabled Report No. 25 of the Joint Standing Committee upon Road Safety entitled "Death and Serious Injury on New South Wales Roads": an Examination of the Provisions of the Crimes Act 1900 (NSW) regarding Dangerous Driving, dated March 1994.

Mr Hazzard moved, That the Report be printed.

Question put and passed.

Mr Hazzard also tabled the Minutes of Evidence taken before the Committee.

Mr Hazzard sought leave of the House to move for the suspension of Standing and Sessional Orders to make a statement in relation to the report.

Leave not granted.

9 JOINT SELECT COMMITTEE UPON THE SYDNEY WATER BOARD

(1) Mr West moved (by leave), That the reporting date for the Joint Select Committee upon the Sydney Water Board be extended until 19 April 1994.

Question put and passed.

(2) Mr West moved, That the following message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly desires to acquaint the Legislative Council that it has this day agreed to the following resolution—

That the reporting date for the Joint Select Committee upon the Sydney Water Board be extended until 19 April 1994.

And the Legislative Assembly requests that the Legislative Council pass a similar resolution.

Legislative Assembly
8 March 1994

K. R. ROZZOLI
Speaker

Question put and passed.

10 VACANCIES IN THE REPRESENTATION OF THE STATE IN THE SENATE OF THE COMMONWEALTH OF AUSTRALIA

(1) The Order of the Day was read and Mr Speaker informed the House that it would now proceed to the Legislative Council Chamber to meet with the Legislative Council for the purpose of sitting and voting together to choose the persons to hold the places in the Senate of the Commonwealth of Australia rendered vacant by the resignations of Senator Kerry Walter Sibraa and Senator Bronwyn Kathleen Bishop.

The House then proceeded to the Legislative Council Chamber.

Mr Speaker resumed the Chair on the ringing of one long bell at 3.49 p.m.

(2) Mr Speaker reported that the House had met with the Legislative Council and that Belinda Jane Neal had been chosen to hold the place rendered vacant by the resignation of Senator Sibraa, and that Dr Robert Leslie Woods has been chosen to hold the place rendered vacant by the resignation of Senator Bishop.

(3) Mr Speaker tabled the Minutes of the Proceedings of the Joint Sitting.

Ordered to be printed

11 MOTION FOR URGENT CONSIDERATION—CONDEMNATION OF THE MINISTER FOR TRANSPORT

Mr Langton moved, pursuant to notice, That this House condemns the Minister for Transport and Minister for Roads for further evidence of broken promises and waste in his portfolios.

Debate ensued.

Question put.

The House divided.

Ayes 45

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rumble
Mr Bowman	Mr McBride	Mr Scully
Mr Carr	Mr McManus	Mr Shedden
Mr Clough	Mr Markham	Mr Sullivan
Mr Crittenden	Mr Martin	Mr Thompson
Mr Doyle	Mr Mills	Mr Whelan
Mr Face	Mr Moss	Mr Yeadon
Mr Gaudry	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers
Mrs Grusovin	Mr Neilly	
Mr Harrison	Mr Newman	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 49

Mr Armstrong	Dr Kernohan	Mr Schultz
Mr Baird	Mr Kinross	Mrs Skinner
Mr Beck	Mr Longley	Mr Small
Mr Blackmore	Dr Macdonald	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mr Cochran	Ms Moore	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Windsor
Mr Cruickshank	Mr O'Doherty	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Zammit
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Griffiths	Mr Phillips	
Mr Hartcher	Mr Photios	Tellers
Mr Hatton	Mr Richardson	
Mr Hazzard	Mr Rixon	Mr Jeffery
Mr Humpherson	Mr Schipp	Mr Kerr

Pairs

Mr Hunter	Mrs Chikarovski
Mr Ziolkowski	Mr Fahey

Question negated.

12 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Question again proposed and Debate resumed.

At 5.15 p.m. debate interrupted for private members' statements.

13 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

14 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the interrupted debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Question again proposed and Debate resumed.

Ordered, That Mr Humpherson, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Gibson, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Glachan, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Mills, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Morris, be allowed to continue his speech for a further period of 10 minutes.

Mr Hunter moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

15 ADJOURNMENT

Mr Hartcher moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.38 p.m., until tomorrow, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 5

WEDNESDAY 9 MARCH 1994

1 MOTION FOR URGENT CONSIDERATION

Mr Langton gave notice of a motion to suspend Standing Orders for consideration of General Business Notice of Motion No. 18 (Select Committee on M2 Castlereagh Tollway).

2 QUESTIONS

3 NOTICES OF MOTIONS

4 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following papers—

8 March 1994

Parts 1 and 2 of the Minutes of Evidence to the Public Accounts Committee Report No. 80, Infrastructure Management and Financing in New South Wales Vol 2, dated February 1994.

9 March 1994

Parts 1, 2, 3 and 4 of the Submissions to the Public Accounts Committee Report No. 80, Infrastructure Management and Financing in New South Wales Vol 2, dated February 1994.

5 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Dr Kernohan and Mr Windsor—from certain citizens requesting a referendum on the re-introduction of the option for capital punishment.

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Dr Refshauge—from certain citizens requesting the maintenance of existing services at the Royal South Sydney Hospital.

Dr Refshauge—from certain citizens requesting the retention of existing services at the Central Coast Community Women's Health Centre, at Wyoming.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Shedden—from certain citizens requesting increased assistance for the Home and Community Care Program.

6 PLACING OR DISPOSAL OF BUSINESS

(1) Notices of Motions of General Business (for Bills):

No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).

No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, postponed (Mr Martin).

No. 3 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).

No. 4 Wolli Park Trust Bill, postponed (Ms Moore).

No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
9 March 1994

(2) Orders of the Day of General Business (for Bills)

- No. 1 Data Protection Bill, postponed (Mr Tink).
- No. 2 Government Publicity Control Bill, postponed (Mr Carr).
- No. 3 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 4 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 5 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).
- No. 7 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 8 South Tweed TAFE College Land Bill, postponed (Mr Face).
- No. 9 Crimes (Republican Debate) Amendment Bill, lapsed (Mr Scully not being present).
- No. 12 Lake Macquarie State Recreation Area Bill, postponed (Mr Hunter).
- No. 13 Threatened Species Conservation Bill, postponed (Dr Macdonald).
- No. 16 Retail Tenancies (Code of Practice) Bill, postponed (Mr Peacocke).

(3) Orders of the Day of General Business (General Orders)

- No. 1 Select Committee on Elcom Resumptions for Power Lines, postponed (Mr Rogan).
- No. 2 Hospital Financial Management Reference to the Public Accounts Committee, postponed (Dr Refshauge).
- No. 3 Private Hospital Bed Licences, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices)

- No. 2 Select Committee upon Lead Pollution, postponed (Mr Hunter).
- No. 3 North East Forest Alliance, postponed (Mr Fraser).
- No. 4 Minister for Agriculture—Narromine Feedlot Case, postponed (Mr Martin).
- No. 5 Select Committee upon Motor Vehicle Emissions, postponed (Mr Langton).
- No. 6 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).

- No. 7 Call for papers under Standing Order 54, postponed (Ms Allan).
- No. 15 Inner West Hospital—Level 4 Accident and Emergency Service, postponed (Dr Refshauge).

7 RE-ORDERING OF GENERAL BUSINESS—HOMEFUND LEGISLATION (AMENDMENT) BILL

Mrs Grusovin moved, That General Business Order of the Day (for Bills) No. 17 (HomeFund Legislation (Amendment) Bill) be re-ordered to take precedence on Thursday 10 March 1994. Debate ensued.

Question put.

The House divided.

Ayes 46

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McBride	Mr Shedden
Mr Carr	Mr McManus	Mr Sullivan
Mr Clough	Mr Markham	Mr Thompson
Mr Crittenden	Mr Martin	Mr Whelan
Mr Doyle	Mr Mills	Mr Yeadon
Mr Face	Mr Moss	
Mr Gaudry	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mrs Grusovin	Mr Neilly	Tellers
Mr Harrison	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Iemma	Mr Page	Mr Davoren

Noes 50

Mr Armstrong	Mr Humpherson	Mr Schipp
Mr Baird	Dr Kernohan	Mr Schultz
Mr Beck	Mr Kinross	Mrs Skinner
Mr Blackmore	Mr Longley	Mr Small
Mr Causley	Dr Macdonald	Mr Smith
Mr Chappell	Ms Machin	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Tink
Mr Cochran	Ms Moore	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Windsor
Mr Cruickshank	Mr O'Doherty	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Zammit
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Griffiths	Mr Phillips	Tellers
Mr Hartcher	Mr Photios	
Mr Hatton	Mr Richardson	Mr Jeffery
Mr Hazzard	Mr Rixon	Mr Kerr

Pair

Mr Ziolkowski

Mr Fahey

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
9 March 1994

Question negatived.

8 RE-ORDERING OF GENERAL BUSINESS—INQUIRY INTO THE BOARD OF STUDIES

Mr Aquilina moved, That General Business Notice of Motion (General Notices) No. 17 (Inquiry into the Board of Studies) be re-ordered to take precedence on Thursday 10 March 1994.
Debate ensued.

Question put.

The House divided.

Ayes 49

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rumble
Mr Bowman	Mr McBride	Mr Scully
Mr Carr	Mr McManus	Mr Shedden
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Ms Moore	
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 47

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Yabsley
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	Tellers
Mr Glachan	Mr Photios	
Mr Griffiths	Mr Richardson	Mr Jeffery
Mr Hartcher	Mr Rixon	Mr Kerr
Mr Hazzard	Mr Schipp	

Pair

Mr Ziolkowski

Mr Fahey

Question passed.

9 POST CONVICTION INQUIRY (DOUGLAS HARRY RENDELL) BILL

Formal Business—Mr Mills moved, pursuant to notice, That the following message be sent to the Legislative Council in respect of the Post Conviction Inquiry (Douglas Harry Rendell) Bill.

Mr PRESIDENT

The Legislative Assembly requests that the Bill for "An Act to provide for the assessment of compensation in relation to the conviction for murder imposed on Douglas Harry Rendell" forwarded to the Legislative Council for concurrence during the third session of the present Parliament and not dealt with because of prorogation, be proceeded with.

Legislative Assembly
9 March 1994

K. R. ROZZOLI
Speaker

Question put and passed.

10 RURAL LANDS PROTECTION (NOXIOUS ANIMALS) AMENDMENT BILL

Formal Business—Mr Martin moved, pursuant to notice, That the following message be sent to the Legislative Council in respect of the Rural Lands Protection (Noxious Animals) Amendment Bill.

Mr PRESIDENT

The Legislative Assembly requests that the Bill for "An Act to amend the Rural Lands Protection Act 1989 to make red foxes and feral cats noxious animals for the purposes of that Act; and for related purposes" forwarded to the Legislative Council for concurrence during the third session of the Present Parliament and not dealt with because of prorogation, be proceeded with.

Legislative Assembly
9 March 1994

K. R. ROZZOLI
Speaker

Question put and passed.

11 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS

Mr Langton moved, pursuant to notice, That Standing and Sessional Orders be suspended to allow General Business Notice of Motion No. 18 (Select Committee on M2 Castlereagh Tollway) to be called on forthwith and dealt with at this sitting.

Debate ensued.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
9 March 1994

The House divided.

Ayes 48

Ms Allan	Mr Iemma	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Mr McBride	Mr Scully
Mr Clough	Mr McManus	Mr Shedden
Mr Crittenden	Dr Macdonald	Mr Sullivan
Mr Doyle	Mr Markham	Mr Thompson
Mr Face	Mr Mills	Mr Whelan
Mr Gaudry	Ms Moore	Mr Yeadon
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	Tellers
Mr Harrison	Mr Nagle	
Mr Hatton	Mr Neilly	Mr Beckroge
Mr Hunter	Mr Newman	Mr Davoren

Noes 47

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Ms Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Yabsley
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	Tellers
Mr Glachan	Mr Photios	
Mr Griffiths	Mr Richardson	Mr Jeffery
Mr Hartcher	Mr Rixon	Mr Kerr
Mr Hazzard	Mr Schipp	

Pair

Mr Ziolkowski

Mr Fahey

Question passed.

12 SELECT COMMITTEE ON M2 CASTLEREAGH TOLLWAY

Mr Langton moved, pursuant to notice,

(1) That a Select Committee be appointed to inquire into and report upon the conduct and activities of the Roads and Traffic Authority and the Department of Planning in relation to the planning, proposal and determination of the M2 Castlereagh Tollway, with regard to the following matters:

- the decision to build the M2 Castlereagh Tollway contrary to the recommendations of the Independent Commission of Inquiry (Woodward Report);
- the cost and benefits of the project;
- the planning forecasts used to justify the project;
- the impact upon Government finances of a subsidy to private investors in the M2;
- the veracity of information produced by the Roads and Traffic Authority (RTA) and the Department of Planning (DOP) and the Department of Transport (DOT) and those agencies' consultants in promoting this road and in assessing its environmental, social and economic impacts;
- the adequacy of the RTA's, DOP's and DOT's assessment of feasible alternatives to the M2;
- the concealment and/or omission of known and relevant data from the EIS processes;
- the "additional changes which it (the tenderer) considers would enhance the Link's viability" envisaged in the Invitations for Preliminary Proposals;
- the omission of additional changes from the North West Transport Link EISs;
- the involvement, if any, of the RTA, the DOP, the DOT and those agencies' consultants, in seeking local government and community support for the project;
- the consequences of the RTA holding executive responsibility for the project proposal, environmental assessment and project determination under Section 64 of the Environmental Planning and Assessment Act, 1979;
- the fast-tracking of the awarding of the contract from December 1994.

(2) That the Committee consist of six members nominated in writing to the Clerk of the Legislative Assembly, being -

- (a) three Government members nominated by the Leader of the Government;
- (b) two Opposition members nominated by the Leader of the Opposition; and
- (c) one Independent member nominated by the Independent members.

(3) That the Committee have leave to sit during any adjournment of the House; to adjourn from place to place; to make visits of inspection within New South Wales and other States and territories of Australia; and have power to take evidence and to send for persons, papers, records and things; and to report from time to time.

(4) That should the House stand adjourned and the Committee agree to any report before the House resumes sitting:

(a) the Committee have leave to send any such report, minutes of proceedings and evidence taken before it to the Clerk of the House;

(b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and

(c) the documents shall be laid upon the Table of the House at its next sitting.

Debate ensued.

At 5.15 p.m. debate interrupted for private members' statements.

13 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

14 SELECT COMMITTEE ON M2 CASTLEREAGH TOLLWAY

The Order of the Day was read for the resumption of the interrupted debate on the motion of Mr Langton,

(1) That a Select Committee be appointed to inquire into and report upon the conduct and activities of the Roads and Traffic Authority and the Department of Planning in relation to the planning, proposal and determination of the M2 Castlereagh Tollway, with regard to the following matters:

- the decision to build the M2 Castlereagh Tollway contrary to the recommendations of the Independent Commission of Inquiry (Woodward Report);
- the cost and benefits of the project;
- the planning forecasts used to justify the project;
- the impact upon Government finances of a subsidy to private investors in the M2;
- the veracity of information produced by the Roads and Traffic Authority (RTA) and the Department of Planning (DOP) and the Department of Transport (DOT) and those agencies' consultants in promoting this road and in assessing its environmental, social and economic impacts;

- the adequacy of the RTA's, DOP's and DOT's assessment of feasible alternatives to the M2;
- the concealment and/or omission of known and relevant data from the EIS processes;
- the "additional changes which it (the tenderer) considers would enhance the Link's viability" envisaged in the Invitations for Preliminary Proposals;
- the omission of additional changes from the North West Transport Link EISs;
- the involvement, if any, of the RTA, the DOP, the DOT and those agencies' consultants, in seeking local government and community support for the project;
- the consequences of the RTA holding executive responsibility for the project proposal, environmental assessment and project determination under Section 64 of the Environmental Planning and Assessment Act, 1979;
- the fast-tracking of the awarding of the contract from December 1994.

(2) That the Committee consist of six members nominated in writing to the Clerk of the Legislative Assembly, being -

- (a) three Government members nominated by the Leader of the Government;
- (b) two Opposition members nominated by the Leader of the Opposition; and
- (c) one Independent member nominated by the Independent members.

(3) That the Committee have leave to sit during any adjournment of the House; to adjourn from place to place; to make visits of inspection within New South Wales and other States and territories of Australia; and have power to take evidence and to send for persons, papers, records and things; and to report from time to time.

(4) That should the House stand adjourned and the Committee agree to any report before the House resumes sitting:

- (a) the Committee have leave to send any such report, minutes of proceedings and evidence taken before it to the Clerk of the House;
- (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
- (c) the documents shall be laid upon the Table of the House at its next sitting.

Debate resumed.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
9 March 1994

The House divided.

Ayes 42

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McBride	Mr Shedden
Mr Clough	Mr McManus	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Mr Moss	
Mr Gibson	Mr Nagle	Tellers
Mr Harrison	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 46

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Dr Macdonald	Mr Smith
Mr Causley	Mr Merton	Mr Souris
Mr Chappell	Ms Moore	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Phillips	Tellers
Mr Griffiths	Mr Photios	
Mr Hartcher	Mr Richardson	Mr Jeffery
Mr Hatton	Mr Rixon	Mr Kerr
Mr Hazzard	Mr Schipp	

Pairs

Mr Carr	Mr Downy
Mrs Grusovin	Mr Fahey
Mr J. H. Murray	Mr Longley
Dr Refshauge	Ms Machin
Mr Ziolkowski	Mr Yabsley

Question negatived.

15 JOINT SELECT COMMITTEE UPON SYDNEY WATER BOARD

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's message of 8 March 1994 regarding the Joint Select Committee upon the Sydney Water Board, desires to

inform the Legislative Assembly that it has this day agreed that the reporting date for the Joint Select Committee upon the Sydney Water Board be extended until 19 April 1994.

Legislative Council
9 March 1994

M. F. WILLIS
President

16 REFERENCE TO INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker also reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the following Resolution:

That this House requests the Independent Commission Against Corruption to investigate:

(a) allegations that some members of the Police Service of New South Wales have by act or omission protected paedophiles from criminal investigation or prosecution, and in particular the adequacy of major investigations undertaken by the police in relation to paedophiles since 1983;

(b) whether the procedures of or the relationships between the Police Service of New South Wales and other public authorities adversely affected police investigations and the prosecution, attempted or failed prosecution of paedophiles; and

(c) the conduct of public officials related to the above matters.

The investigation is to be conducted with a view to determining the matters referred to in section 13 (2) of the Independent Commission Against Corruption Act 1988.

An interim report is to be prepared and submitted to both Houses of Parliament by 1 October 1994.

At the conclusion of the investigation a report is to be prepared, information passed to other authorities as appropriate and the Commission is to monitor responses to the report's recommendations.

The Legislative Council requests that the Legislative Assembly pass a similar Resolution.

Legislative Council
9 March 1994

M. F. WILLIS
President

Ordered, That consideration of the Legislative Council's Message be set down as an Order of the Day for tomorrow.

17 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Debate resumed.

Mr Thompson moved, That this debate be adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

18 ADJOURNMENT

Mr Chappell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.54 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 6

THURSDAY 10 MARCH 1994

There being no General Business Notices of Motions (for Bills) for consideration, General Business Orders of the Day (for Bills) proceeded with.

1 **INDUSTRIAL RELATIONS (PROTECTION FOR EMPLOYEES OF SUBCONTRACTORS)
AMENDMENT BILL**

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Gibson, That this bill be now read a second time—

Question again proposed and debate resumed.

Question put.

The House divided.

	Ayes 47	
Ms Allan	Mr Iemma	Mr Newman
Mr Amery	Mr Irwin	Ms Nori
Mr Anderson	Mr Knight	Mr Page
Mr Aquilina	Mr Knowles	Mr Price
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Mr McBride	Mr Scully
Mr Clough	Mr McManus	Mr Shedden
Mr Crittenden	Dr Macdonald	Mr Sullivan
Mr Doyle	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Yeadon
Mr Gaudry	Mr Mills	
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	Tellers
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren
	Noes 44	
Mr Armstrong	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Yabsley
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fahey	Mr Phillips	
Mr Fraser	Mr Photios	Tellers
Mr Glachan	Mr Richardson	
Mr Griffiths	Mr Rixon	Mr Jeffery
Mr Humpherson	Mr Schipp	Mr Kerr
	Pairs	
	Dr Refshauge	Mr Baird
	Mr Whelan	Mr Hartcher
	Mr Ziolkowski	Mr Hazzard

Question passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Gibson, read a third time.

2 WORKERS COMPENSATION (JOURNEY CLAIMS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Yeadon, That this bill be now read a second time.

Question again proposed.

Mr Nagle moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

3 PUBLIC FINANCE AND AUDIT (SPECIAL DIVIDENDS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr J. H. Murray, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr Humpherson speaking—

At 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the interrupted debate stand an Order of the Day for tomorrow.

4 BOARD OF STUDIES

Mr Aquilina moved, pursuant to notice, as amended by leave.

(1) That this House calls on the government to immediately establish a fully independent inquiry, to be conducted by persons other than members of the Board of Studies, into the operations of the Board of Studies and the circumstances surrounding the decision of the Minister for Education, Training and Youth Affairs to sack Mr John Lambert as President of the Board.

(2) That the terms of reference of the Minister's existing inquiry be amended to include the circumstances surrounding the sacking and the relationship between the Board of Studies and the Department of School Education.

(3) That a report of the findings and recommendations of this inquiry be tabled in this place no later than 1 May 1994.

Debate ensued.

Question put.

The House divided.

Ayes 48

Ms Allan	Mr Iemma	Mr Newman
Mr Amery	Mr Irwin	Ms Nori
Mr Anderson	Mr Knight	Mr Page
Mr Aquilina	Mr Knowles	Mr Price
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Mr McBride	Mr Scully
Mr Clough	Mr McManus	Mr Shedden
Mr Crittenden	Dr Macdonald	Mr Sullivan
Mr Doyle	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Mr Mills	Mr Yeadon
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	Tellers
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren

Noes 45

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Kinross	Mr Small
Mr Causley	Mr Longley	Mr Smith
Mr Chappell	Ms Machin	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Tink
Mr Cochran	Mr Morris	Mr Turner
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr O'Doherty	Mr Windsor
Mr Cruickshank	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Peacocke	Mr Zammit
Mr Fahey	Mr Petch	
Mr Fraser	Mr Phillips	Tellers
Mr Glachan	Mr Photios	
Mr Griffiths	Mr Richardson	Mr Jeffery
Mr Hazzard	Mr Rixon	Mr Kerr

Pairs

Dr Refshauge	Mr Baird
Mr Ziolkowski	Mr Hartcher

Question passed.

5 BALMAIN HOSPITAL

General Business Notice of Motion (General Notice) No. 1 called on, withdrawn (Ms Nori).

6 ALLEGIANCE TO THE CROWN

Mr Cochran moved, pursuant to notice, That this House affirms its allegiance to the Crown.

Debate ensued.

Question put and passed.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
10 March 1994

It being 1.00 p.m. pursuant to Sessional Orders for the consideration of General Business Orders of the Day (Committee Reports).

7 REGULATION REVIEW COMMITTEE—REPORT No. 25

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

8 REGULATION REVIEW COMMITTEE—REPORT No. 26

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

9 JOINT STANDING COMMITTEE UPON ROAD SAFETY—REPORT No. 25

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

10 DEATH OF BRIAN MCGOWAN—FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Fahey moved—

That this House extends to Mrs McGowan and family the deep sympathy of Members of the Legislative Assembly in the loss sustained by the death on 9 March 1994 of Brian McGowan, a former Member of this House.

The motion was seconded by Mr Carr and supported by Mr Armstrong, Mr Whelan, Mr Face, Mr Rogan, Mr Hartcher, Mr Hatton, Mr Clough and Mr Anderson.

Question put and carried unanimously—Members and officers of the House standing.

11 QUESTIONS

PAPERS

Mr Griffiths (by leave) tabled—

Enterprise Agreement - Parking Patrol Officers, dated 24 December 1992.

Letter from the Police Commissioner to the Minister for Police and Emergency Services, dated 10 March 1994.

12 NOTICES OF MOTIONS

13 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Windsor—from certain citizens requesting a referendum on the reintroduction of the option for capital punishment.

Mr Fahey—from certain citizens requesting the reinstatement of the Marulan stop on the Sydney to Canberra Countrylink Coach Service.

Mr Mills and Mr Newman—from certain citizens requesting new traffic laws to provide for severe penalties for drivers who cause death on the roads.

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Ms Moore—from certain citizens opposing the downgrading or reduction of services by the Rachel Forster Hospital and the Royal South Sydney Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Ms Moore—from certain citizens requesting more police be allocated to Woolloomooloo Police Station.

Ms Moore—from certain citizens requesting the banning of the manufacture, sale and use of steel-jawed leg holding traps in New South Wales.

14 PRINTING OF PAPERS

Formal Business—Mr West moved, pursuant to notice, That the following papers be printed—

Report No. 8 of the Government Pricing Tribunal concerning Charges to Councils by the Valuer-General's Office, dated 10 December 1993.

Statistical Return for the By-election held in the Electoral District of North Shore on 5 February 1994.

Report of the Operations of the Tenancy Commissioner for the year ended 30 June 1993.

Report of the Total Catchment Management for the year ended 30 June 1993.

Murray-Darling Basin Act 1992—Schedule D to the Murray-Darling Basin Agreement: application of the agreement to Queensland.

Report under section 26 of the Ombudsman Act concerning the decision to withhold the award of 1988 Higher School Certificate - mathematics marks to Christopher David Barnes, dated 17 February 1994.

Report on the Security (Protection) Industry Act for the year ended 30 June 1993.

Question put and passed.

15 SOUTH EAST FORESTS PROTECTION BILL

Formal Business—Ms Moore moved, pursuant to notice, That the following Message be sent to the Legislative Council in respect of the South East Forests Protection Bill.

Mr PRESIDENT

The Legislative Assembly requests that the Bill for "An Act to protect certain lands by reserving or dedicating them as, or as parts of, national parks and nature reserves and to revoke the dedication or setting apart of those lands as state forests and for other users; and for other purposes" forwarded to the Legislative Council for concurrence during the third session of the present Parliament and not dealt with because of prorogation, be proceeded with.

Question put and passed.

16 SUSPENSION OF STANDING ORDERS—REFERENCE TO THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr West moved (by leave), That Standing Orders be suspended to allow Government Business Order of the Day No. 1 (Reference to the Independent Commission Against Corruption) to take precedence of the Address in Reply debate at this sitting.

Question put and passed.

17 REFERENCE TO INDEPENDENT COMMISSION AGAINST CORRUPTION

The Order of the Day was read and Mr Hartcher moved:

That this House requests the Independent Commission Against Corruption to investigate:

(a) allegations that some members of the Police Service of New South Wales have by act or omission protected paedophiles from criminal investigation or prosecution, and in particular the adequacy of major investigations undertaken by the police in relation to paedophiles since 1983;

(b) whether the procedures of or the relationships between the Police Service of New South Wales and other public authorities adversely affected police investigations and the prosecution, attempted or failed prosecution of paedophiles; and

(c) the conduct of public officials related to the above matters.

The investigation is to be conducted with a view to determining the matters referred to in section 13 (2) of the Independent Commission Against Corruption Act 1988.

An interim report is to be prepared and submitted to both Houses of Parliament by 1 October 1994.

At the conclusion of the investigation a report is to be prepared, information passed to other authorities as appropriate and the Commission is to monitor responses to the report's recommendations.

Mrs Grusovin moved, That the motion be amended as follows:

Paragraph (a) after "1983;", add "however, the Commissioner may investigate any matters he deems necessary and relevant which may have occurred prior to 1983;"

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion, as amended, be agreed to—put and passed.

Mr Hartcher moved, That the following Message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly desires to acquaint the Legislative Council that it has this day agreed to the following resolution—

That this House requests the Independent Commission Against Corruption to investigate—

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
10 March 1994

(a) allegations that some members of the Police Service of New South Wales have by act or omission protected paedophiles from criminal investigation or prosecution, and in particular the adequacy of major investigations undertaken by the police in relation to paedophiles since 1983, however, the Commissioner may investigate any matters he deems necessary and relevant which may have occurred prior to 1983;

(b) whether the procedures of or the relationships between the Police Service of New South Wales and other public authorities adversely affected police investigations and the prosecution, attempted or failed prosecution of paedophiles; and

(c) the conduct of public officials related to the above matters.

The investigation is to be conducted with a view to determining the matters referred to in section 13 (2) of the Independent Commission Against Corruption Act 1988.

An interim report is to be prepared and submitted to both Houses of Parliament by 1 October 1994.

At the conclusion of the investigation a report is to be prepared, information passed to other authorities as appropriate and the Commission is to monitor responses to the report's recommendations.

And the Legislative Assembly requests the Legislative Council to agree to paragraph (a) of the reference as varied from the Legislative Council's resolution.

Legislative Assembly
10 March 1994

K.R. ROZZOLI
Speaker

18 WORKERS COMPENSATION LEGISLATION (FURTHER AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council.

Mr SPEAKER

The Legislative Council requests that a Bill, intituled "An Act to amend the Workers Compensation Act 1987 relating to benefits for partially incapacitated workers, statutory funds of insurers, self-insurers and the privatisation of GIO; to amend the Workers' Compensation (Dust Diseases) Act 1942 and the Motor Vehicles (Third Party Insurance) Act 1942; and for other purposes" which was forwarded to the Legislative Assembly during a previous session of the Parliament and not having been finally dealt with because of the prorogation of the Legislature, be proceeded with under the Assembly's Standing Orders.

Legislative Council
10 March 1994

M. F. WILLIS
President

Ordered, That consideration of the Legislative Council's Message be set down as an Order of the Day for tomorrow.

19 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Debate resumed.

It being 5.15 p.m. debate interrupted for private members' statements.

20 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

21 REFERENCE TO INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Rixon, Acting Speaker, reported the following message from the Legislative Council.

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's message of 10 March 1994 concerning a reference to the Independent Commission Against Corruption,

desires to inform the Legislative Assembly that the Council agrees to paragraph (a) of the reference as amended by the Legislative Assembly.

Legislative Council
10 March 1994

M. F. WILLIS
President

22 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the interrupted debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Debate resumed.

Mr Hartcher moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

23 ADJOURNMENT

Mr Hartcher moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.25 p.m., until Tuesday 15 March 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES.
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 7

TUESDAY 15 MARCH 1994

1 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—VOTE OF NO CONFIDENCE

Mr Carr gave notice of a motion to suspend Standing Orders to allow consideration of a motion of no confidence in the Minister for Police and Minister for Emergency Services.

2 SUSPENSION OF STANDING ORDERS—MOTION OF NO CONFIDENCE

Mr West sought leave to move a motion to suspend Standing Orders.

Leave not granted.

3 QUESTIONS

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Phillips tabled—

Report of the Director-General of Health under section 301 of the Mental Health Act 1990 for the period 3 September 1990 to 30 June 1991.

Report of the Director-General of Health under section 301 of the Mental Health Act 1990 for the year ended 30 June 1992.

Report of the Director-General of Health under section 301 of the Mental Health Act 1990 for the year ended 30 June 1993.

(2) Mr Souris tabled—

Report by the Surveyor-General under the Survey Co-ordination Act 1949 for the year ended 30 June 1993.

6 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk gave notice of the making of, and tabled, the following statutory instruments:

Consumer Claims Tribunals Act 1987—Regulation (Relating to the limitation on a building disputes tribunal's jurisdiction to make orders). (Gazette 42, 4 March 1994, page 1017.)

Criminal Records Act 1991—Criminal Records Regulation 1994. (Gazette 42, 4 March 1994, page 1019.)

First State Superannuation Act 1992—Regulation (Relating to additional contributions payable for transferees from the State Authorities Non-contributory Superannuation Scheme). (Gazette 42, 4 March 1994, page 1021.)

HomeFund Restructuring Act 1993—HomeFund Restructuring Regulation 1994. (Gazette 42, 4 March 1994, page 1020.)

State Authorities Superannuation Act 1987—

(a) State Authorities Superannuation (SRA-Goninan Transfer) Regulation 1994. (Gazette 42, 4 March 1994, page 1025.)

(b) State Authorities Superannuation (SRA-NRC Transfer) Regulation 1994. (Gazette 42, 4 March 1994, page 1022.)

7 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Windsor—from certain citizens requesting a referendum on the reintroduction of the option for capital punishment.

Mr Shedden—from certain citizens requesting new traffic laws to provide for severe penalties for drivers who cause death on the roads.

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Dr Refshauge—from certain citizens requesting that legislation be passed to outlaw female genital mutilation and clarify the practice as child abuse.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Whelan—from certain citizens requesting that the youth refuges located in Morgan Street, Petersham be either moved or closed.

8 WORKERS COMPENSATION LEGISLATION (FURTHER AMENDMENT) BILL

Formal Business—Mr West moved, pursuant to Standing Order 296, That the resumption of the interrupted proceedings on the second reading debate on the Workers Compensation Legislation (Further Amendment) Bill be set down as an Order of the Day for tomorrow.

Question put and passed.

9 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS

Mr Carr moved, pursuant to notice, amended by leave, That Standing and Sessional Orders be suspended as would allow:

(1) The consideration forthwith of the following motion:

That due to his continued maladministration of the Police portfolio the Minister for Police and Minister for Emergency Services no longer possesses the confidence of this House and accordingly the House calls upon the Premier to remove him from office,

with precedence of all other business except private members' statements at 5.15 p.m.

(2) The following time limits applying to the debate:

Mover of the Motion and Premier	Unlimited
Minister named	Unlimited
Other speakers	20 minutes
Minister named in reply	20 minutes
Mover in reply	20 minutes

Question put and passed.

10 VOTE OF NO CONFIDENCE—MINISTER FOR POLICE AND MINISTER FOR EMERGENCY SERVICES

Mr Carr moved, pursuant to notice, That due to his continued maladministration of the Police portfolio the Minister for Police and Minister for Emergency Services no longer possesses the confidence of this House and accordingly the House calls upon the Premier to remove him from office.

Debate ensued.

It being 5.15 p.m. debate interrupted for private members' statements.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 SUSPENSION OF THE RESOLUTION OF THE HOUSE—VOTE OF NO CONFIDENCE

Mr West moved (by leave), That so much of the resolution of the House agreed to this day to suspend Standing and Sessional Orders to allow consideration of a motion of no confidence in the Minister for Police and Minister for Emergency Services be suspended to allow the contribution of the Member for North Shore to the debate on the Address in Reply to the Governor's opening speech.

Question put and passed.

13 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 and 16 March 1994 a.m.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Debate resumed.

Ordered, That Mrs Skinner, be allowed to continue her speech for a further period of 10 minutes.

Mr Downy moved, That this debate be adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

14 VOTE OF NO CONFIDENCE—MINISTER FOR POLICE AND MINISTER FOR EMERGENCY SERVICES

Resumption of the interrupted debate, on the motion of Mr Carr, That due to his continued maladministration of the Police portfolio the Minister for Police and Minister for Emergency Services no longer possesses the confidence of this House and accordingly the House calls upon the Premier to remove him from office,

The House continued to sit after midnight.

WEDNESDAY 16 MARCH 1994 a.m.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 and 16 March 1994 a.m.

The House divided.

	Ayes 45	
Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rumble
Mr Bowman	Mr McBride	Mr Scully
Mr Carr	Mr McManus	Mr Shedden
Mr Clough	Mr Markham	Mr Sullivan
Mr Crittenden	Mr Martin	Mr Thompson
Mr Doyle	Mr Mills	Mr Whelan
Mr Face	Mr Moss	Mr Yeadon
Mr Gaudry	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers
Mr Harrison	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Jemma	Ms Nori	Mr Davoren
	Noes 47	
Mr Armstrong	Mr Hazzard	Mr Schipp
Mr Baird	Mr Humpherson	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Kinross	Mr Small
Mr Causley	Mr Longley	Mr Smith
Mr Chappell	Dr Macdonald	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Tink
Mr Cochran	Ms Moore	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Yabsley
Mr Cruickshank	Mr O'Doherty	Mr Zammit
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	Tellers
Mr Fraser	Mr Petch	
Mr Glachan	Mr Photios	Mr Jeffery
Mr Griffiths	Mr Richardson	Mr Kerr
Mr Hartcher	Mr Rixon	
	Pairs	
	Mrs Grusovin	Ms Machin
	Mr Ziolkowski	Mr Phillips

Question negatived.

15 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.52 a.m., until this day, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 8

WEDNESDAY 16 MARCH 1994

1 MOTION FOR URGENT CONSIDERATION—UNDERFUNDING OF EDUCATION

Mr Carr gave notice of a motion condemning the underfunding of education by the Government.

2 QUESTIONS

3 NOTICES OF MOTIONS

4 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk gave notice of the making of, and tabled, the following statutory instruments:

Boxing and Wrestling Control Act 1986—Regulation (Relating to fees). (Gazette 44, 11 March 1994, page 1095.)

Liquor Act 1982—Regulation (Relating to applications for reinstatement of a licence). (Gazette 44, 11 March 1994, page 1096.)

Public Authorities (Financial Arrangements) Act 1987—Regulation (Relating to the borrowing powers of the Sydney Organising Committee for the Olympic Games). (Gazette 44, 11 March 1994, page 1097.)

Southern Cross University Act 1993—Southern Cross University (Transitional) Regulation 1994. (Gazette 44, 11 March 1994, page 1099.)

Supreme Court Act 1970—Regulation (Relating to fees payable under the Public Notaries Act 1985). (Gazette 44, 11 March 1994, page 1098.)

5 PAPER—STATE OWNED CORPORATIONS

The Clerk, pursuant to section 27 of the State Owned Corporations Act 1989, announced receipt of the following paper:

15 March 1994

Statement of Corporate Intent for State Bank of New South Wales Limited for financial years 1993/94 to 1995/96.

6 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Hartcher—from certain citizens requesting the prohibition of certain street parades.

Mr Windsor—from certain citizens requesting a referendum on the reintroduction of the option for capital punishment.

Mr Newman—from certain citizens requesting new traffic laws to provide for severe penalties for drivers who cause death on the roads.

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Mr Rumble—from certain citizens opposing water charges for public tenants.

Mr Rumble—from certain citizens requesting assistance for Milvi Jalajas, an alleged triple-antigen victim.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Ms Moore—from certain citizens requesting the continued availability of public medical facilities for the elderly.

Ms Moore—from certain citizens requesting the banning of the manufacture, sale and use of steel-jawed leg holding traps in New South Wales.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Ms Moore—from certain citizens requesting more police be allocated to Woolloomooloo Police Station.

7 PLACING OR DISPOSAL OF BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).
- No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, postponed (Mr Martin).
- No. 3 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 4 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 6 Industrial Relations (Contracts of Carriage) Amendment Bill, postponed (Mr Nagle).

(2) Orders of the Day of General Business (for Bills)

- No. 1 Data Protection Bill, postponed (Mr Tink).
- No. 2 Government Publicity Control Bill, postponed (Mr Carr).
- No. 3 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 4 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 5 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).
- No. 6 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 7 South Tweed TAFE College Land Bill, postponed (Mr Face).
- No. 8 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 10 Lake Macquarie State Recreation Area Bill, postponed (Mr Hunter).
- No. 11 Threatened Species Conservation Bill, postponed (Dr Macdonald).
- No. 14 Retail Tenancies (Code of Practice) Bill, postponed (Mr Peacocke).

(3) Orders of the Day of General Business (General Orders)

- No. 1 Select Committee on Elcom Resumptions for Power Lines, postponed (Mr Rogan).
No. 2 Hospital Financial Management Reference to the Public Accounts Committee, postponed (Dr Refshauge).
No. 3 Private Hospital Bed Licences, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices)

- No. 1 Select Committee upon Lead Pollution, postponed (Mr Hunter).
No. 2 North East Forest Alliance, postponed (Mr Fraser).
No. 3 Minister for Agriculture—Narromine Feedlot Case, postponed (Mr Martin).
No. 4 Select Committee upon Motor Vehicle Emissions, postponed (Mr Langton).
No. 5 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).
No. 6 Call for papers under Standing Order 54, postponed (Ms Allan).
No. 7 Canterbury and Western Suburbs Hospital, postponed (Mr Moss).
No. 8 Parliamentary Electorates and Elections (Method of Voting) Amendment Bill, postponed (Mr Whelan).
No. 9 Supplementary Questions under Standing Orders, postponed (Mr Whelan).
No. 10 David Berry Hospital, postponed (Mr Harrison).
No. 11 Legal Assistance for Dr Michael Ryan, postponed (Mr Whelan).
No. 12 Public Inquiry into Victims Compensation Act 1987, postponed (Mr Whelan).
No. 13 Level 4 Accident and Emergency Service, postponed (Dr Refshauge).
No. 14 Amendment of Standing Order 78, postponed (Mr Whelan).

8 MOTION FOR URGENT CONSIDERATION—UNDERFUNDING OF EDUCATION

Mr Carr moved, pursuant to notice, That this House condemns the underfunding of education by the Government and calls for increased education spending in the forthcoming State budget.

Debate ensued.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
16 March 1994

The House divided.

Ayes 49

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rumble
Mr Bowman	Mr McBride	Mr Scully
Mr Carr	Mr McManus	Mr Shedden
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Ms Moore	
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 47

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Yabsley
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Photios	Tellers
Mr Griffiths	Mr Richardson	
Mr Hartcher	Mr Rixon	Mr Jeffery
Mr Hazzard	Mr Schipp	Mr Kerr

Pair

Mr Ziolkowski

Mr Fahey

Question passed.

9 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Debate resumed.

Ordered, That Ms Machin be allowed to continue her speech for a further period of 10 minutes.

It being 5.15 p.m. debate interrupted for private members' statements.

10 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

11 PAPERS—OMBUDSMAN'S REPORTS

Mr Deputy Speaker, pursuant to section 31 of the Ombudsman Act, announced receipt of the following report:

16 March 1994

Special Report to Parliament proposing Amendments to the Freedom of Information Act 1989, dated 17 March 1994, made public under section 27 of the Ombudsman Act.

Ordered to be printed.

Mr Deputy Speaker, pursuant to section 170A of the Police Service Act, also announced receipt of the following report:

16 March 1994

Special Report to Parliament concerning Urgent Amendment to section 121 of the Police Service Act, dated 17 March 1994, made public under section 170A of the Police Service Act.

12 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the interrupted debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Debate resumed.

Ordered, That Mr Merton be allowed to continue his speech for a further period of 10 minutes.

Mr Page moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

13 ADJOURNMENT

Mr Chappell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.32 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 9

THURSDAY 17 MARCH 1994

1 PRIVATISATION OF CORE GOVERNMENT SERVICES BILL

Mr Hatton moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for a referendum in relation to the privatisation of core government services.

Question put and passed.

Bill presented and read a first time.

Mr Hatton moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

2 CRIMES (REPUBLICAN DEBATE) AMENDMENT BILL

Mr Scully moved, pursuant to notice, That, pursuant to Standing Order 121, the lapsed General Business Order of the Day on the Crimes (Republican Debate) Amendment Bill be restored as an Order of the Day for tomorrow.

Question put and passed.

3 HOSPITAL DEVELOPMENT PROJECTS REVIEW BILL

Mr Hatton moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the review by the Public Accounts Committee of proposed private sector hospital development projects, and for the authorisation of such projects by Parliament.

Question put and passed.

Bill presented and read a first time.

Mr Hatton moved, That this bill be now read a second time.

At 9.30 a.m., debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day (for Bills).

Ordered, That the resumption of the interrupted second reading speech stand an Order of the Day for tomorrow.

4 PUBLIC FINANCE AND AUDIT (SPECIAL DIVIDENDS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr J. H. Murray, That this bill be now read a second time.

Mr J. H. Murray, having pre-audience under Standing Order 118—

Mr J. H. Murray moved, That the Order of the Day be postponed until tomorrow.

Question put and passed.

5 INDUSTRIAL RELATIONS (SICK LEAVE) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Yeadon, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Yeadon, read a third time.

6 CONSUMER CLAIMS TRIBUNALS (FEES) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Amery, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr Turner speaking—

At 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the interrupted debate stand an Order of the Day for tomorrow.

7 SELECT COMMITTEE ON BUSHFIRES

Mr Anderson moved, pursuant to notice,

(1) That a Select Committee be appointed to consider and report upon the recent bushfires with particular regard to the following matters:

- hazard reduction and other fire prevention measures;
- reviewing the proposals and findings of the Cabinet Committee established to inquire into the bushfires;
- reviewing the findings and recommendations of the Ministerial Committee on methods of fire service funding;
- treatment of victims, including the nature and speed of the provision of assistance and follow up assistance in the medium and long term;
- compensation for firefighters killed or injured fighting fires;
- the adequacy of systems for alerting the public of impending fire damage and the level of that danger;
- the adequacy of equipment available to, and training of, bushfire brigades;
- the adequacy or otherwise of building regulations currently in operation in New South Wales with particular emphasis on the Australian community bushfire safety standards for houses;
- the use of Commonwealth resources in the recent fires and in future fires;
- the role of the New South Wales Fire Brigades in bushfire fighting;

- the use of aircraft in firefighting;
- the progress of the joint arson committee; and
- any other relevant matters arising from evidence taken before the committee.

(2) That the Committee, where possible, shall not duplicate examination of the evidence currently before the Coroner's inquiry.

(3) That the Committee consist of ten members, as follows:

- (a) five from the Government;
- (b) four from the Opposition; and
- (c) one unaligned independent

who shall be nominated in writing to the Clerk of the Legislative Assembly by the relevant party leaders and the unaligned independents respectively.

(4) That at any meeting of the Committee five members shall constitute a quorum.

(5) That such Committee have leave to sit during the sittings or any adjournment of the House; to adjourn from place to place; have leave to make visits of inspection within New South Wales; have power to take evidence and send for persons and papers; and to report from time to time.

(6) That should the House stand adjourned and the Committee agree to any report before the House resumes sitting:

- (a) the Committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the House;
- (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
- (c) the documents shall be laid upon the Table of the House at its next sitting.

Debate ensued.

Mr McManus moved, That the motion be amended by inserting in the first term of reference after "• the use of aircraft in firefighting;" the following:

- "• the environmental impact of bushfire management and control on biodiversity and biophysical processes and the application of research, technology and management techniques to minimise the impacts;
- the causal factors of the bushfires including an investigation of landuse decisions, development planning, and the responsibilities of property owners that will reduce bushfire risk and the environmental impact of bushfire management;"

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
17 March 1994

Question proposed—That the amendment be agreed to.

Debate continued.

Question put.

The House divided.

Ayes 46

Mr Amery	Mr Knowles	Mr Price
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mrs Lo Po'	Mr Rogan
Mr A. S. Aquilina	Mr McBride	Mr Rumble
Mr Bowman	Mr McManus	Mr Scully
Mr Clough	Dr Macdonald	Mr Shedden
Mr Crittenden	Mr Markham	Mr Sullivan
Mr Doyle	Mr Martin	Mr Thompson
Mr Gaudry	Mr Mills	Mr Whelan
Mr Gibson	Ms Moore	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	Tellers
Mr Iemma	Mr Newman	
Mr Irwin	Ms Nori	Mr Beckroge
Mr Knight	Mr Page	Mr Davoren

Noes 44

Mr Armstrong	Mr Kinross	Mrs Skinner
Mr Baird	Mr Longley	Mr Small
Mr Beck	Ms Machin	Mr Smith
Mr Blackmore	Mr Merton	Mr Souris
Mr Causley	Mr Morris	Mr Tink
Mr Chappell	Mr Murray	Mr Turner
Mr Cochran	Mr O'Doherty	Mr West
Mr Collins	Mr D. L. Page	Mr Windsor
Mr Cruickshank	Mr Peacocke	Mr Yabsley
Mr Downy	Mr Petch	Mr Zammit
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Photios	Tellers
Mr Griffiths	Mr Richardson	
Mr Hartcher	Mr Rixon	Mr Jeffery
Mr Hazzard	Mr Schipp	Mr Kerr
Dr Kernohan	Mr Schultz	

Pairs

Ms Allan	Mrs Chikarovski
Mr Carr	Mrs Cohen
Mr Face	Mr Fahey
Mr Ziolkowski	Mr Humpherson

Question passed.

Question put—That the motion, as amended, be agreed to.

The House divided.

Ayes 46

Mr Amery	Mr Knowles	Mr Price
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mrs Lo Po'	Mr Rogan
Mr A. S. Aquilina	Mr McBride	Mr Rumble
Mr Bowman	Mr McManus	Mr Scully
Mr Clough	Dr Macdonald	Mr Shedden
Mr Crittenden	Mr Markham	Mr Sullivan
Mr Doyle	Mr Martin	Mr Thompson
Mr Gaudry	Mr Mills	Mr Whelan
Mr Gibson	Ms Moore	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Mr Neilly	
Mr Iemma	Mr Newman	Mr Beckroge
Mr Irwin	Ms Nori	Mr Davoren
Mr Knight	Mr Page	

Noes 44

Mr Armstrong	Mr Kinross	Mrs Skinner
Mr Baird	Mr Longley	Mr Small
Mr Beck	Ms Machin	Mr Smith
Mr Blackmore	Mr Merton	Mr Souris
Mr Causley	Mr Morris	Mr Tink
Mr Chappell	Mr Murray	Mr Turner
Mr Cochran	Mr O'Doherty	Mr West
Mr Collins	Mr D. L. Page	Mr Windsor
Mr Cruickshank	Mr Peacocke	Mr Yabsley
Mr Downy	Mr Petch	Mr Zammit
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Photios	Tellers
Mr Griffiths	Mr Richardson	
Mr Hartzcher	Mr Rixon	Mr Jeffery
Mr Hazzard	Mr Schipp	Mr Kerr
Dr Kernohan	Mr Schultz	

Pairs

Ms Allan	Mrs Chikarovski
Mr Carr	Mrs Cohen
Mr Face	Mr Fahey
Mr Ziolkowski	Mr Humpherson

Question passed.

8 NORTH HEAD AND MALABAR INCINERATORS

Dr Macdonald moved, pursuant to notice, That in view of the adverse findings of the emissions testing program, including the risk assessment of emissions at North Head and Malabar and the health concerns of the local community, this House calls upon the Minister responsible for the Sydney Water Board to close down the Malabar sludge incinerators and decommission the incinerators at both the North Head and Malabar sewage treatment plants.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
17 March 1994

Debate ensued.

Question put.

The House divided.

Ayes 44

Mr Amery	Mr Irwin	Ms Nori
Mr Anderson	Mr Knight	Mr Page
Mr Aquilina	Mr Knowles	Mr Price
Mr A. S. Aquilina	Mrs Lo Po'	Dr Refshauge
Mr Bowman	Mr McBride	Mr Rumble
Mr Carr	Mr McManus	Mr Scully
Mr Clough	Dr Macdonald	Mr Shedden
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Gaudry	Mr Mills	Mr Yeadon
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	Mr Beckroge
Mr Iemma	Mr Newman	Mr Davoren

Noes 43

Mr Armstrong	Mr Kinross	Mrs Skinner
Mr Baird	Mr Longley	Mr Small
Mr Beck	Ms Machin	Mr Smith
Mr Blackmore	Mr Merton	Mr Souris
Mr Causley	Mr Morris	Mr Turner
Mr Chappell	Mr Murray	Mr West
Mr Cochran	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Yabsley
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Glachan	Mr Phillips	
Mr Griffiths	Mr Photios	
Mr Hartcher	Mr Richardson	Tellers
Mr Hazzard	Mr Rixon	
Mr Humpherson	Mr Schipp	Mr Jeffery
Dr Kernohan	Mr Schultz	Mr Kerr

Pairs

Ms Allan	Mrs Chikarovski
Mr Face	Mrs Cohen
Mr Langton	Mr Fahey
Mr Rogan	Mr Fraser
Mr Ziolkowski	Mr Tink

Question passed.

9 MOTION FOR URGENT CONSIDERATION

Ms Allan gave notice of a motion for papers to be tabled pursuant to Standing Order 54.

10 QUESTIONS

11 PAPERS

Mr Fahey (by leave) tabled—

Report and Determination of the Statutory and Other Offices Remuneration Tribunal under section 24D of the Statutory and Other Offices Remuneration Act 1975, concerning Chief Executive and Senior Executive Services, dated 9 March 1994.

Report and Determination of the Statutory and Other Offices Remuneration Tribunal under section 14 of the Statutory and Other Offices Remuneration Act 1975, concerning Judges, Magistrates and Related Group, dated 9 March 1994.

Report and Determination of the Statutory and Other Offices Remuneration Tribunal under section 14 of the Statutory and Other Offices Remuneration Act 1975, concerning Tribunals, Court Officers and Related Group, dated 9 March 1994.

12 NOTICES OF MOTIONS

13 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Mills, Mr Newman and Mr Shedden—from certain citizens requesting new traffic laws to provide for severe penalties for drivers who cause death on the roads.

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Mr Harrison, Mr McManus and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting assistance for Milvi Jalajas, an alleged triple-antigen victim.

Dr Refshauge—from certain citizens requesting the upgrade and refurbishment of Prince Henry Hospital.

Mr Chappell—from certain citizens requesting the upgrade and refurbishment of Armidale and New England Hospital.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

14 TRAFFIC PARKING (AMENDMENT) BILL

Formal Business—Mr West moved, on behalf of Mr Baird, pursuant to notice, that the following message be sent to the Legislative Council in respect of the Traffic Parking (Amendment) Bill:

Mr PRESIDENT

The Legislative Assembly requests that the Bill for "An Act to amend the Traffic Act 1909 with respect to paid parking on public streets and to make further provision with respect to parking meters; and for other purposes" forwarded to the Legislative Council for concurrence during the third session of the present Parliament and not dealt with because of prorogation, be proceeded with.

Legislative Assembly
17 March 1994

K. R. ROZZOLI
Speaker

Question put and passed.

15 HEALTH ADMINISTRATION (MEDICARE) AMENDMENT BILL

Formal Business—Mr West moved, on behalf of Mr Phillips, pursuant to notice, That the Health Administration (Medicare) Amendment Bill which was introduced in the Assembly during the third session of the present Parliament, and not dealt with because of prorogation, be restored to the Business Paper at the stage it had reached at the date of prorogation.

Question put and passed.

**16 OCCUPATIONAL HEALTH AND SAFETY LEGISLATION (AMENDMENT) BILL
WORKERS COMPENSATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL**

Formal Business—Mr West moved, on behalf of Mrs Chikarovski, pursuant to notice, That the Occupational Health and Safety Legislation (Amendment) Bill and the Workers Compensation Legislation (Miscellaneous Amendments) Bill, which were introduced in the Assembly during the third session of the present Parliament, and not dealt with because of prorogation, be restored to the Business Paper at the stage they had reached at the date of prorogation.

Question put and passed.

17 MINES RESCUE BILL

Formal Business—Mr West moved, on behalf of Mr Causley, pursuant to notice, That the Mines Rescue Bill, which was introduced in the Assembly during the third session of the present Parliament, and not dealt with because of prorogation, be restored to the Business Paper at the stage it had reached at the date of prorogation.

Question put and passed.

18 TRADE MEASUREMENT (AMENDMENT) BILL

Formal Business—Mr West moved, on behalf of Ms Machin, pursuant to notice, That the Trade Measurement (Amendment) Bill, which was introduced in the Assembly during the third session of the present Parliament, and not dealt with because of prorogation, be restored to the Business Paper at the stage it had reached at the date of prorogation.

Question put and passed.

19 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS

Ms Allan moved, pursuant to notice, That this House, pursuant to Standing Order 54, orders to be laid before it, by the rise of the House this day, the following documents:

(1) The report or reports by the Technical Evaluation Committee, chaired by Mr Graham Trickett, for the tenders for the water treatment plants at Prospect, Woronora, Macarthur and the Illawarra;

(2) Water Board file No. DMMB1506.890.

Debate ensued.

Question put.

The House divided.

Ayes 47

Ms Allan	Mr Knight	Mr Page
Mr Amery	Mr Knowles	Mr Price
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mrs Lo Po'	Mr Rogan
Mr A. S. Aquilina	Mr McBride	Mr Rumble
Mr Bowman	Mr McManus	Mr Scully
Mr Carr	Dr Macdonald	Mr Shedden
Mr Crittenden	Mr Markham	Mr Sullivan
Mr Doyle	Mr Martin	Mr Thompson
Mr Face	Mr Mills	Mr Whelan
Mr Gaudry	Ms Moore	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Mr Neilly	
Mr Iemma	Mr Newman	Mr Beckroge
Mr Irwin	Ms Nori	Mr Davoren

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
17 March 1994

Noes 45

Mr Armstrong	Mr Hazzard	Mr Schipp
Mr Baird	Mr Humpherson	Mrs Skinner
Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Kinross	Mr Smith
Mr Causley	Mr Longley	Mr Souris
Mr Chappell	Ms Machin	Mr Tink
Mrs Chikarovski	Mr Merton	Mr Turner
Mr Cochran	Mr Morris	Mr West
Mrs Cohen	Mr Murray	Mr Windsor
Mr Collins	Mr O'Doherty	Mr Yabsley
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fraser	Mr Petch	Tellers
Mr Glachan	Mr Phillips	
Mr Griffiths	Mr Richardson	Mr Jeffery
Mr Hartcher	Mr Rixon	Mr Kerr

Pairs

Mr Clough	Mr Fahey
Mr Gibson	Mr Photios
Mr Ziolkowski	Mr Schultz

Question passed.

20 MATTER OF PUBLIC IMPORTANCE—REMOTE AREA POWER ASSISTANCE SCHEME

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Rogan moved, That this House notes, as a matter of public importance:

Concerns relating to the misuse of public funds and possible fraud associated with the State Government's Remote Area Power Assistance Scheme.

Debate ensued.

Question put and passed.

21 SUSPENSION OF STANDING ORDERS—PRECEDENCE OF GOVERNMENT BUSINESS

Mr West moved (by leave), That Standing Orders be suspended to allow Government Business Notices of Motions to take precedence of the Address in Reply debate at this sitting.

Question put and passed.

22 SUPREME COURT (AMENDMENT) BILL
CRIMINAL APPEAL (AMENDMENT) BILL

Mr West moved, on behalf of Mr Photios, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the Supreme Court Act 1970 to make further provision with respect to the composition of the Court of Appeal and the delivery of judgments of that Court; to amend the Suitors' Fund Act 1951; and for other purposes.
- (ii) A bill for an Act to amend the Criminal Appeal Act 1912 to make further provision with respect to the composition of the Court of Criminal Appeal for appeals against sentences, the evidence which may be given on appeal and the delivery of judgments of that court; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mr West moved, That these bills be now read a second time.

Debate adjourned (Mr Page) and the resumption of the debate made an Order of the Day for a future day.

23 JUDGES' PENSIONS (AMENDMENT) BILL

Mr West moved, on behalf of Mr Photios, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Judges' Pensions Act 1953 in relation to the continuance of the pension payable to the widow or widower of a judge or former judge.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Davoren) and the resumption of the debate made an Order of the Day for a future day.

24 MARITIME SERVICES (OFFSHORE BOATING) AMENDMENT BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend section 38 of the Maritime Services Act 1935 to extend the power to make regulations relating to boating and other activities in coastal waters.

Question put and passed.

Bill presented and read a first time.

Mr Armstrong moved, That this bill be now read a second time.

Debate adjourned (Mr Rumble) and the resumption of the debate made an Order of the Day for a future day.

25 PROPERTY, STOCK AND BUSINESS AGENTS (AMENDMENT) BILL

Mr Souris moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Property, Stock and Business Agents Act 1941 with respect to money held in trust accounts maintained under that Act and the use of funds held in the Real Estate Services Council Statutory Interest Account; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Souris moved, That this bill be now read a second time.

Debate adjourned (Mr Crittenden) and the resumption of the debate made an Order of the Day for a future day.

26 COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) AMENDMENT BILL

Mrs Chikarovski moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Coal and Oil Shale Mine Workers (Superannuation) Act 1941 for the purpose of making further provision for the payment of benefits to or in respect of mine workers who, on 2 January 1993, were contributors to the Coal and Oil Shale Mine Workers Superannuation Fund; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mrs Chikarovski moved, That this bill be now read a second time.

Debate adjourned (Mr Markham) and the resumption of the debate made an Order of the Day for a future day.

27 MINE SUBSIDENCE COMPENSATION (AMENDMENT) BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to repeal section 15A of the Mine Subsidence Compensation Act 1961 and to make consequential amendments.

Question put and passed.

Bill presented and read a first time.

Mr Causley moved, That this bill be now read a second time.

Debate adjourned (Mr Rumble) and the resumption of the debate made an Order of the Day for a future day.

28 GAMING AND BETTING (RACE-MEETINGS) AMENDMENT BILL

Mr Downy moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Gaming and Betting Act 1912 to allow race-meetings to be held on a limited number of Sundays between 1 July 1994 and 30 June 2001.

Question put and passed.

Bill presented and read a first time.

Mr Downy moved, That this bill be now read a second time.

Debate adjourned (Mr Rumble) and the resumption of the debate made an Order of the Day for a future day.

It being 5.15 p.m. debate interrupted for private members' statements.

29 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

30 LOTTERIES AND ART UNIONS (AMENDMENT) BILL

Mrs Cohen moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Lotteries and Art Unions Act 1901 to make further provision in relation to the regulation of lotteries, games of chance and art unions; to amend the Search Warrants Act 1985; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mrs Cohen moved, That this bill be now read a second time.

Debate adjourned (Mr Page) and the resumption of the debate made an Order of the Day for a future day.

31 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Debate resumed.

Ordered, That Mr Page be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Yabsley be allowed to continue his speech for a further period of 10 minutes.

Mr Hartcher moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

32 PAPERS—RETURN OF ORDER FOR PAPERS

(1) Mr Hartcher, pursuant to the order of the House this day, tabled—

Reports by the Technical Evaluation Committee for the tenders for the Water Treatment Plants at Prospect, Woronora, Macarthur and the Illawarra.

Water Board File No. DMMB1506.890

(2) Mr Hartcher moved, pursuant to Standing Order 57, That inspection of the papers be restricted to Members only and no copies thereof or extracts therefrom may be made.

Question put and passed.

33 ADJOURNMENT

Mr Hartcher moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.13 p.m., until Tuesday 12 April 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 10

TUESDAY 12 APRIL 1994

1 VACANT SEAT—ELECTORAL DISTRICT OF VAUCLUSE

Mr Speaker informed the House that on 18 March 1994, he had received a letter from Michael Robert Yabsley, resigning his seat as member for the electoral district of Vacluse.

Mr Speaker also informed the House that he had issued a writ on 21 March 1994 for the election of a member to serve in the room of Michael Robert Yabsley, and the writ had been returned, with a certificate endorsed by the returning officer, of the election of Peter John Debnam to serve as member for the electoral district of Vacluse.

Mr Debnam was introduced, took and subscribed the oath of allegiance and signed the Roll of the House and took his seat as member for the electoral district of Vacluse.

2 QUESTIONS

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Baird tabled—

Agreement between the Commonwealth, New South Wales, Victoria, Queensland, Western Australia and South Australia concerning the National Rail Corporation, dated 30 November 1993.

Agreement between the Commonwealth, New South Wales, Victoria and Western Australia concerning the National Rail Corporation, dated 30 November 1993.

(2) Mr Souris tabled—

Environmental Impact Statement Strategy Progress Report to Parliament under the Endangered Fauna (Interim Protection) Act, dated 31 March 1994.

Crown Lands Act 1989—Proposed additions to a dedication under section 81. (Gazette 46, 18 March 1994, page 1198; Gazette 50, 25 March 1994, page 1274.)

5 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk gave notice of the making of, and laid upon the Table, the following statutory instruments:

Clean Waters Act 1970—Regulation (Relating to standards for water and testing procedures). (Gazette 53, 31 March 1994, page 1431.)

Confiscation of Proceeds of Crime Act 1989—Regulation (Relating to the reciprocal enforcement of Australian legislation concerning confiscation of proceeds of crime and the forfeiture of property). (Gazette 46, 18 March 1994, page 1184.)

District Court Act 1973—Amendments to the District Court Rules. (Gazette 53, 31 March 1994, page 1493.)

Liquor Act 1982—Regulation (Concerning gaming-related licences and work permits). (Gazette 50, 25 March 1994, page 1259.)

National Parks and Wildlife Act 1974—Regulation (Relating to the health of the public in Kosciusko National Park, and to matters of general law revision). (Gazette 53, 31 March 1994, page 1433.)

Noxious Weeds Act 1993—Regulation (Relating to the issue of certificates of authority to authorised officers). (Gazette 46, 18 March 1994, page 1185.)

Public Authorities (Financial Arrangements) Act 1987—Regulation (Relating to the investment powers of the Real Estate Services Council). (Gazette 50, 25 March 1994, page 1262.)

Registered Clubs Act 1976—Regulation (Concerning gaming-related licences and work permits). (Gazette 50, 25 March 1994, page 1263.)

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
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State Authorities Superannuation Act 1987—Regulation (Relating to former Government Cleaning Service Employees). (Gazette 53, 31 March 1994, page 1440.)

Superannuation Act 1916—Regulation (Relating to former Government Cleaning Service Employees). (Gazette 53, 31 March 1994, page 1438.)

Supreme Court Act 1970—Supreme Court Rules (Amendment No. 283). (Gazette 53, 31 March 1994, page 1500.)

Traffic Act 1909—Regulation (Relating to the use of crimson flashing warning lamps). (Gazette 50, 25 March 1994, page 1267.)

Transport Administration Act 1988—Regulation (To repeal a redundant by-law concerning safe working practices for SRA employees). (Gazette 50, 25 March 1994, page 1268.)

Workers Compensation Act 1987—

(a) Regulation (Relating to the current weekly wage rate of certain workers). (Gazette 46, 18 March 1994, page 1186.)

(b) Regulation (Relating to the prescribed rates for treatment in a public hospital). (Gazette 50, 25 March 1994, page 1269.)

Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987—Regulation (Relating to fundraising for bush fire brigades by bush fire fighters). (Gazette 53, 31 March 1994, page 1441.)

6 REPORTS RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following papers:

17 March 1994

Report of the Newcastle Showground and Exhibition Centre Trust for the year ended 30 June 1993.

29 March 1994

Report of the New South Wales WorkCover Scheme Statutory Funds for the year ended 30 June 1993.

30 March 1994

Report of the Auditor-General's Office for the year ended 30 November 1993.

7 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Mr Neilly—from certain citizens opposing plans to privatise the Hunter Valley coal rail industry.

Dr Refshauge—from certain citizens requesting that legislation be passed to outlaw female genital mutilation and clarify the practice as child abuse.

Mr Knight—from certain citizens opposing any decision to close the Claymore office of the Department of Housing.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Neilly—from certain citizens opposing the amalgamation of the Hunter Area Health Service with any other Area Health Service.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Bowman, Mr Cochran and Mr Neilly—from certain citizens requesting increased assistance for the Home and Community Care Program.

8 MINISTERIAL ANNOUNCEMENT

Mr Fahey informed the House that on 11 April 1994, the Honourable Edward Phillip Pickering, M.L.C. was appointed as Parliamentary Secretary assisting the Premier, following the resignation of the former Member for Vaucluse, Michael Robert Yabsley.

9 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Kerr tabled the following reports of the Committee on the Independent Commission Against Corruption:

Collation of Evidence of the Commissioner of the Independent Commission Against Corruption Mr Ian Temby Q.C., on General Aspects of the Commission's Operations, dated 4 March 1994.

Report on the Sixth International Anti-Corruption Conference, 22 - 25 November 1993 and United States Study Tour, 29 November - 2 December 1993.

Collation of Material Relating to the Committee Visit to Kyogle on 1 October 1992, dated April 1994.

Documents ordered to be printed.

10 VACANCY IN THE REPRESENTATION OF THE STATE IN THE SENATE OF THE COMMONWEALTH OF AUSTRALIA

(1) Mr Speaker reported the following message from His Excellency the Governor:

P. R. SINCLAIR
Governor

Government House,
Sydney

The Governor transmits to the Legislative Assembly copy of a despatch dated 25 March 1994, received from the President of the Senate, notifying that a vacancy has happened in the representation of the State of New South Wales in the Senate of the Commonwealth of Australia through the resignation of Senator Graham Frederick Richardson, which occurred on 25 March 1994.

28 March 1994.

Parliament House,
Canberra.

25 March 1994

Your Excellency,

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I notify Your Excellency that a vacancy has happened in the representation of the State of New South Wales through the resignation of Senator Graham Frederick Richardson on this day.

Yours sincerely,
MICHAEL BEAHAN

(2) Mr Fahey moved, That the House meet the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Graham Frederick Richardson.

Question put and passed.

(3) Mr Fahey moved, That the following message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly having resolved to meet the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Graham Frederick Richardson, requests the Legislative Council to name the place and hour for such meeting.

Legislative Assembly
12 April 1994

K. R. ROZZOLI
Speaker

Question put and passed.

11 SUSPENSION OF STANDING ORDERS—PRECEDENCE OF GOVERNMENT BUSINESS

Mr West moved (by leave), That Standing Orders be suspended to allow Government Business Orders of the Day Nos 2 to 6 and 8 to 9, to take precedence of the Address in Reply debate at this sitting.

Debate ensued.

Question put and passed.

12 TRADE MEASUREMENT (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Ms Machin, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Ms Machin, read a third time.

13 MARITIME SERVICES (OFFSHORE BOATING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Armstrong, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Armstrong, read a third time.

14 HEALTH ADMINISTRATION (MEDICARE) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Phillips, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and Mr Tink, Temporary Chairman, reported the bill with an amendment.

On motion of Mr Phillips, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for a later hour of the day.

15 COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Chikarovski, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mrs Chikarovski, read a third time.

**16 OCCUPATIONAL HEALTH AND SAFETY LEGISLATION (AMENDMENT) BILL
WORKERS COMPENSATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL**

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Chikarovski, That these bills be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mrs Chikarovski, read a third time.

17 MINE SUBSIDENCE COMPENSATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Causley, That this bill be now read a second time.

Question proposed and debate resumed.

It being 5.15 p.m. debate interrupted for private members' statements.

18 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

19 MINE SUBSIDENCE COMPENSATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Causley, That this bill be now read a second time.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Causley, read a third time.

20 MINES RESCUE BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Causley, That this bill be read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Rixon, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Causley, the Report was adopted.

Mr Rixon, Acting Speaker, having consented to the third reading being taken forthwith.

Bill, on motion of Mr Causley, read a third time.

21 THE GOVERNOR'S OPENING SPEECH

The Order of the Day was read for the resumption of the adjourned debate on the motion of Mr Blackmore, That the following Address in Reply to His Excellency's Opening Speech be adopted by this House—

To His Excellency Rear Admiral PETER ROSS SINCLAIR, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

Debate resumed.

Ordered, That Dr Macdonald, be allowed to continue his speech for a further period of 10 minutes.

Question put and passed.

Mr Speaker informed the House that His Excellency the Governor would receive the Address in Reply at Government House on Thursday 14 April 1994 at 3.45 p.m.

22 HEALTH ADMINISTRATION (MEDICARE) AMENDMENT BILL

The Order of the Day was read—

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

Question put and passed.

Bill read a third time.

23 ADJOURNMENT

Mr Phillips moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 9.33 p.m., until tomorrow, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 11

WEDNESDAY 13 APRIL 1994

1 VACANT SEAT—ELECTORAL DISTRICT OF PARRAMATTA

Mr Speaker informed the House of the death which took place on 12 April 1994, of Andrew Charles Frederick Ziolkowski, lately serving in the Legislative Assembly of New South Wales as member for the electoral district of Parramatta.

Mr Fahey moved, That the seat of Andrew Charles Frederick Ziolkowski, member for the electoral district of Parramatta has become, and is now vacant, by reason of the death of the said Andrew Charles Frederick Ziolkowski.

Question put and passed.

2 DEATH OF ANDREW CHARLES FREDERICK ZIOLKOWSKI—MEMBER FOR PARRAMATTA

Mr Fahey moved,

(1) That this House desires to place on record its sense of the loss this State has sustained by the death of Andrew Charles Frederick Ziolkowski, Member for Parramatta.

(2) That Mr Speaker convey to the family the deep sympathy of Members of the Legislative Assembly in the loss sustained.

(3) That, as a mark of respect, this House do now adjourn until tomorrow at 9.00 a.m.

The motion was seconded by Mr Carr and supported by Mr Armstrong, Dr Refshauge, Mr Photios, Mr Whelan, Mr Aquilina, Mr Face, Mr Humpherson, Mr Langton, Ms Allan, Mr Amery, Mr Davoren, Mrs Cohen, Mr Knight, Mr Morris, Mr McManus, Mr Harrison, Mr Windsor, Mr Crittenden, Mr Nagle, Mr Gaudry, Mr Hunter, Mr Thompson and Mr Clough.

Question put and carried unanimously—members and officers of the House standing.

The House adjourned, as a mark of respect, at 4.05 p.m., until tomorrow at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 12

THURSDAY 14 APRIL 1994

1 PLACING OR DISPOSAL OF BUSINESS

Mr Speaker, with the leave of the House, proceeded to callover, for the placing or disposal of, General Business.

(1) Notices of Motions of General Business (for Bills):

- No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).
- No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, postponed (Mr Martin).
- No. 3 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 4 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).

(2) Orders of the Day of General Business (for Bills)

- No. 1 Data Protection Bill, postponed (Mr Tink).
- No. 2 Government Publicity Control Bill, postponed (Mr Carr).
- No. 3 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 4 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 5 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).
- No. 6 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 7 South Tweed TAFE College Land Bill, postponed (Mr Face).
- No. 8 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 9 Public Finance and Audit (Special Dividends) Amendment Bill, postponed (Mr J. H. Murray).
- No. 10 Lake Macquarie State Recreation Area Bill, postponed (Mr Hunter).
- No. 11 Threatened Species Conservation Bill, postponed (Dr Macdonald).
- No. 13 Retail Tenancies (Code of Practice), postponed (Mr Peacocke).

(3) Orders of the Day of General Business (General Orders)

- No. 1 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).
- No. 2 Hospital Financial Management reference to the Public Accounts Committee, postponed (Dr Refshauge).
- No. 3 Private Hospital Bed Licences, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices)

- No. 1 Select Committee upon Lead Pollution, postponed (Mr Hunter).
- No. 2 North East Forest Alliance, postponed (Mr Fraser).
- No. 3 Minister for Agriculture—Narromine Feedlot Case, postponed (Mr Martin).

No. 5 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).

No. 10 David Berry Hospital, postponed (Mr Harrison).

No. 13 Level 4 Accident and Emergency Service, postponed (Dr Refshauge).

2 HOSPITAL DEVELOPMENT PROJECTS REVIEW BILL

The Order of the Day was read for the resumption of the interrupted second reading speech, on the motion of Mr Hatton.

Debate adjourned (Mr Phillips) and the resumption of the debate made an Order of the Day for a future day.

3 INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE) AMENDMENT BILL

Mr Nagle moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Industrial Relations Act 1991 to make provision for the payment of compensation in respect of the termination of certain contracts of carriage arrangements; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Nagle moved, That this bill be now read a second time.

Debate adjourned (Mr Phillips) and the resumption of the debate made an Order of the Day for a future day.

4 MOONEE BEACH NATURE RESERVE BILL

Dr Macdonald moved, pursuant to notice, That the following message be sent to the Legislative Council in respect of the Moonee Beach Nature Reserve Bill.

Mr PRESIDENT

The Legislative Assembly requests that the Bill for "An Act to protect certain lands by dedicating them as part of Moonee Beach Nature Reserve" forwarded to the Legislative Council for concurrence during the second session of the present Parliament and not dealt with in the previous session because of prorogation, be proceeded with.

Legislative Assembly
14 April 1994

K. R. ROZZOLI
Speaker

Question put and passed.

At 9.30 a.m., debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day (for Bills).

5 CONSUMER CLAIMS TRIBUNALS (FEES) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Amery, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

The House divided.

Ayes 48

Ms Allan	Mr Irwin	Ms Nori
Mr Amery	Mr Knight	Mr Page
Mr Anderson	Mr Knowles	Mr Price
Mr A. S. Aquilina	Mr Langton	Dr Refshauge
Mr Bowman	Mrs Lo Po'	Mr Rogan
Mr Carr	Mr McBride	Mr Rumble
Mr Clough	Mr McManus	Mr Scully
Mr Crittenden	Dr Macdonald	Mr Shedden
Mr Doyle	Mr Markham	Mr Sullivan
Mr Face	Mr Martin	Mr Thompson
Mr Gaudry	Mr Mills	Mr Whelan
Mr Gibson	Ms Moore	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	Mr Beckroge
Mr Iemma	Mr Newman	Mr Davoren

Noes 46

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	
Mr Fraser	Mr Photios	Tellers
Mr Glachan	Mr Richardson	
Mr Hartcher	Mr Rixon	Mr Jeffery
Mr Hazzard	Mr Schipp	Mr Kerr

Pair

Mr Aquilina

Mr Griffiths

Question passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Amery, read a third time.

6 HOMEFUND LEGISLATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Grusovin, That this bill be read a second time.

Question again proposed and debate resumed.

Ms Machin speaking—

At 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the interrupted debate stand an Order of the Day for tomorrow.

7 SELECT COMMITTEE ON MOTOR VEHICLE EMISSIONS

Mr Langton moved, pursuant to notice,

(1) That a Select Committee be appointed to consider and report upon:

- (a) the optimum system for New South Wales to monitor motor vehicle emissions and to report on air quality generally in New South Wales, and in metropolitan Sydney in particular;
- (b) the advantages and disadvantages of overseas systems, including those of the United States and Europe, of inspection and maintenance for motor vehicles, to ensure that motor vehicle emissions are reduced to the maximum practicable extent;
- (c) the advantages and disadvantages of centralised and decentralised systems of inspection and maintenance, for motor vehicles demonstrated by overseas experience in terms of:
 - consumer convenience;
 - cost to the consumer;

- efficiency;
 - environmental benefits; and
 - human health.
- (d) the efficiency of overseas systems of "test and repair" stations, in which motor vehicle emissions are tested and any faults are repaired, within a single organisation;
- (e) the investigation of adequacy of current measures designed to improve air quality, and the matter of air quality generally in New South Wales, and in metropolitan Sydney in particular;
- (f) the effectiveness and local relevance of alternative technological systems for monitoring motor vehicle emissions;
- (g) to recommend on whether or not an inspection system for vehicle emissions should be introduced in New South Wales, and if so, to recommend which type of system is introduced.
- (2) That the committee consist of Mr Gaudry, Mr Humpherson, Mr Langton, Dr Macdonald and Mr Rixon.
- (3) That at any meeting of the committee any three members shall constitute a quorum.
- (4) That the committee have leave to sit during the sittings or any adjournment of the House; to adjourn from place to place; to make visits of inspection within New South Wales, interstate and overseas; and have power to take evidence and send for persons and papers; and to report from time to time.
- (5) That should the House stand adjourned and the committee agree to any report before the House resumes sitting;
- (a) the committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the House;
 - (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
 - (c) the documents shall be laid upon the Table of the House at its next sitting.

Debate ensued.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
14 April 1994

Ayes 46

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr A. S. Aquilina	Mr Langton	Mr Rumble
Mr Bowman	Mrs Lo Po'	Mr Scully
Mr Carr	Mr McBride	Mr Shedden
Mr Clough	Mr McManus	Mr Sullivan
Mr Crittenden	Dr Macdonald	Mr Thompson
Mr Doyle	Mr Markham	Mr Whelan
Mr Face	Mr Martin	Mr Yeadon
Mr Gaudry	Mr Mills	
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Iemma	Mr Page	Mr Davoren

Noes 44

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Murray	Mr Turner
Mr Cochran	Mr O'Doherty	Mr West
Mrs Cohen	Mr D. L. Page	Mr Windsor
Mr Collins	Mr Peacocke	Mr Zammit
Mr Cruickshank	Mr Petch	
Mr Debnam	Mr Phillips	
Mr Downy	Mr Photios	Tellers
Mr Fraser	Mr Richardson	
Mr Glachan	Mr Rixon	Mr Jeffery
Mr Hartcher	Mr Schipp	Mr Kerr

Pairs

Mr Aquilina	Mr Fahey
Mr Neilly	Mr Griffiths
Mr Newman	Mr Hazzard

Question passed.

8 STANDING ORDER 54—PRIVATISATION OF THE WATER BOARD

Ms Allan moved, pursuant to notice, That this House, pursuant to Standing Order 54, orders to be laid before the House the following documents:

(1) KPMG Peat Marwick—Review of Tax Implications for Board re: Corporatisation/Privatisation; and

(2) National Economic Research Associates (NERA)—Model for Corporatisation/Privatisation of the Water Board.

Debate ensued.

Question put.

The House divided.

Ayes 46

Ms Allan	Mr Iemma	Mr Page
Mr Amery	Mr Irwin	Mr Price
Mr Anderson	Mr Knight	Dr Refshauge
Mr A. S. Aquilina	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Scully
Mr Bowman	Mrs Lo Po'	Mr Shedden
Mr Carr	Mr McBride	Mr Sullivan
Mr Clough	Mr McManus	Mr Thompson
Mr Crittenden	Dr Macdonald	Mr Whelan
Mr Doyle	Mr Markham	Mr Yeadon
Mr Face	Mr Martin	
Mr Gaudry	Mr Mills	
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	Tellers
Mr Harrison	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Neilly	Mr Davoren
Mr Hunter	Ms Nori	

Noes 44

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Murray	Mr Turner
Mr Cochran	Mr O'Doherty	Mr West
Mrs Cohen	Mr D. L. Page	Mr Windsor
Mr Collins	Mr Peacocke	Mr Zammit
Mr Cruickshank	Mr Petch	
Mr Debnam	Mr Phillips	Tellers
Mr Downy	Mr Photios	Mr Jeffery
Mr Fraser	Mr Richardson	Mr Kerr
Mr Glachan	Mr Rixon	
Mr Hartcher	Mr Schipp	

Pairs

Mr J. H. Murray	Mr Fahey
Mr Newman	Mr Griffiths
Mr Rumble	Mr Hazzard

Question passed.

It being 1.00 p.m. pursuant to Sessional Orders, General Business Orders of the Day (Committee Reports) proceeded.

9 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST
CORRUPTION—COLLATION OF THE COMMISSIONER'S EVIDENCE

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

10 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST
CORRUPTION—REPORT ON THE 6TH INTERNATIONAL ANTI-CORRUPTION
CONFERENCE AND US STUDY TOUR

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

11 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST
CORRUPTION—COLLATION OF MATERIAL RELATING TO THE COMMITTEE VISIT
TO KYOGLE

Question proposed—That the House take note of the Report.

Question put and passed.

12 SUSPENSION OF STANDING ORDERS—ADDRESS IN REPLY

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the Member for Gladesville to speak to the motion moved by the Member for Maitland on 2 March 1994 for an Address in Reply to the Governor's Opening Speech.

Question put and passed.

13 ADDRESS IN REPLY

Mr Petch addressed the House pursuant to the resolution of the House this day.

14 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

13 April 1994

Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill
Health Administration (Medicare) Amendment Bill
Maritime Services (Offshore Boating) Amendment Bill

Mine Subsidence Compensation (Amendment) Bill
Occupational Health and Safety Legislation (Amendment) Bill
Trade Measurement (Amendment) Bill
Traffic (Parking) Amendment Bill
Workers Compensation Legislation (Miscellaneous Amendments) Bill.

15 INDEPENDENT COMMISSION AGAINST CORRUPTION—REPORT

Mr Speaker, pursuant to section 78 (1) of the Independent Commission Against Corruption Act 1988, announced receipt of the following paper:

13 April 1994

Report of the Independent Commission Against Corruption on Investigation into the Relationship Between Police and Criminals, Second Report, dated April 1994, made public pursuant to section 78 (2) of the Act.

Ordered to be printed.

16 QUESTIONS

17 NOTICES OF MOTIONS

18 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of, the following statutory instruments:

Prisons Act 1952—Regulation (Relating to Visiting Justices and Official Visitors). (Gazette 56, 8 April 1994, page 1539.)

Supreme Court Act 1970—Supreme Court Rules (Correction notice to Amendment No. 283 published in Government Gazette 53, 31 March 1994). (Gazette 56, 8 April 1994, page 1581.)

19 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Rumble—from certain citizens requesting the installation of emergency telephones along the F6 freeway from Yallah to Wollongong.

Mr Fahey—from certain citizens requesting the reinstatement of the Marulan stop on the Sydney to Canberra Countrylink Coach Service.

Mr Fahey—from certain citizens requesting a through train service between Goulburn and the City on all CityRail trains.

Mr Bowman—from certain citizens opposing plans to privatise the Hunter Valley coal rail industry.

Mr Crittenden—from certain citizens requesting the installation of traffic lights at the corner of Evans and Main Roads, East Toukley.

Mr Smith—from certain citizens opposing certain amendments to the Anti-Discrimination Act concerning learning differently.

Mr Beckroge—from certain citizens requesting that Cobar Public School revert to the old system of learning and abandon the multiple composite system.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Bowman and Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Bowman and Mr Price—from certain citizens requesting increased assistance for the Home and Community Care Program.

20 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Kerr tabled the following Report of the Committee on the Independent Commission Against Corruption:

Discussion Paper on Pecuniary Interest Provisions for Members of Parliament and Senior Executives and a Code of Ethics for Members of Parliament, dated April 1994.

Ordered to be printed.

21 QUESTIONS UPON NOTICE—UNANSWERED

Mr Speaker drew the attention of the House to Questions upon Notice (Nos 543 and 547) not answered within 35 calendar days and called on the responsible Minister to explain the non-compliance with Sessional Orders.

22 MATTER OF PUBLIC IMPORTANCE—PROTECTION OF WHALES

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Hartcher moved, That this House notes, as a matter of public importance:

The threatened resumption of whaling by several countries and the need for the Australian government and other Commonwealth governments to strongly support measures at the June 1994 conference of the International Whaling Commission for the protection of this depleted species.

Debate ensued.

ADDRESS IN REPLY TO THE GOVERNOR'S OPENING SPEECH

It being 3.30 p.m., the Assembly proceeded to Government House, to present to the Governor their Address in Reply to the Speech which His Excellency had made to both Houses of the Parliament on opening the Session.

And being returned—

Mr Speaker resumed the Chair at 4.50 p.m. on the ringing of one long bell.

Mr Speaker reported that the Assembly had presented their Address in Reply to His Excellency's Opening Speech, and that His Excellency had been pleased to give the following answer:

Government House
Sydney 2000
14 April 1994

Mr Speaker and Honourable Members,

Thank you for your Address. It gives me much pleasure to receive your affirmation of sincere allegiance to Her Most Gracious Majesty The Queen of Australia.

I am also glad to have your assurance that earnest consideration will be given to the measures to be submitted to you and that the necessary provision for the Public Services will be made in due course.

I have every confidence that your earnest labours will conduce to the general welfare and happiness of the people of this State.

P. R. SINCLAIR
Governor

The Honourable the Speaker
and Members of the Legislative Assembly
of New South Wales

Debate resumed on the Matter of Public Importance.

Mr Beckroge moved, That the Honourable Member for Murwillumbah be not further heard.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
14 April 1994

The House divided.

Ayes 45

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Mr McBride	Mr Scully
Mr Clough	Mr McManus	Mr Shedden
Mr Crittenden	Mr Markham	Mr Sullivan
Mr Doyle	Mr Martin	Mr Thompson
Mr Face	Mr Mills	Mr Whelan
Mr Gaudry	Mr Moss	Mr Yeadon
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	Tellers
Mr Harrison	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 49

Mr Armstrong	Mr Hazzard	Mr Schipp
Mr Baird	Mr Humpherson	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Kinross	Mr Small
Mr Causley	Mr Longley	Mr Smith
Mr Chappell	Dr Macdonald	Mr Souris
Mrs Chikarovski	Ms Machin	Mr Tink
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Ms Moore	Mr West
Mr Collins	Mr Murray	Mr Windsor
Mr Cruickshank	Mr O'Doherty	Mr Zammit
Mr Debnam	Mr D. L. Page	
Mr Downy	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Phillips	Tellers
Mr Griffiths	Mr Photios	
Mr Hartcher	Mr Richardson	Mr Jeffery
Mr Hatton	Mr Rixon	Mr Kerr

Pair

Mr A. S. Aquilina

Mr Fahey

Question negatived.

SUSPENSION OF STANDING ORDERS—MEMBER FOR MURWILLUMBAH

Mr Whelan moved (by leave), That so much of the Standing and Sessional Orders be suspended to allow the Member for Murwillumbah to complete his speech.

Question put and passed.

Debate continued.

SUSPENSION OF STANDING ORDERS—PRIVATE MEMBERS' STATEMENTS

Mr Hartcher moved (by leave), That so much of the Standing and Sessional Orders be suspended to allow the debate on the Matter of Public Importance to be completed prior to the taking of Private Members' Statements.

Question put and passed.

Debate continued.

Question put and passed.

It being after 5.15 p.m. private members' statements proceeded with.

23 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

24 TIMBER INDUSTRY (INTERIM PROTECTION) AMENDMENT BILL

Mr Souris moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Timber Industry (Interim Protection) Act 1992 to extend its provisions to control logging within the Eden Native Forest Management Area and to postpone the expiry date of that Act.

Question put and passed.

Bill presented and read a first time.

Mr Souris moved, That this bill be now read a second time.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for a future day.

**25 STATE EMERGENCY AND RESCUE MANAGEMENT (AMENDMENT) BILL
BUSH FIRES (AMENDMENT) BILL**

Mr Griffiths moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the State Emergency and Rescue Management Act 1989 to provide employment protection for volunteer emergency workers; and for other purposes.
- (ii) A bill for an Act to amend the Bush Fires Act 1949 to make provision for increases in penalties for certain offences against that Act and to increase the limitation period for the prosecution of offences against that Act; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mr Griffiths moved, That these bills be now read a second time.

Debate adjourned (Mr Anderson) and the resumption of the adjourned debate made an Order of the Day for a future day.

26 POLICE SERVICE (COMPLAINTS) AMENDMENT BILL

Mr Griffiths moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Police Service Act 1990 in relation to the conduct of police officers that may be the subject of complaint and investigation under that Act, and to make consequential amendments to the Ombudsman Act 1974.

Question put and passed.

Bill presented and read a first time.

Mr Griffiths moved, That this bill be now read a second time.

Debate adjourned (Mr Anderson) and the resumption of the debate made an Order of the Day for a future day.

27 HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Mr Phillips moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Public Health Act 1991 in relation to public health orders, the disclosure of HIV/AIDS related information, and the reporting of test results; to amend various other Acts in relation to enterprise agreements involving certain health employees, infection control standards, regulation-making powers, and inquiries; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Phillips moved, That this bill be now read a second time.

Debate adjourned (Dr Refshauge) and the resumption of the debate made an Order of the Day for a future day.

28 SUSPENSION OF STANDING ORDERS—MENTAL HEALTH (AMENDMENT) BILL

Mr Phillips moved (by leave), That Standing and Sessional Orders be suspended to allow the Mental Health (Amendment) Bill, notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Question put and passed.

29 MENTAL HEALTH (AMENDMENT) BILL

Mr Phillips moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Mental Health Act 1990 and the Mental Health (Criminal Procedure) Act 1990 to implement recommendations of the Mental Health Act Implementation Monitoring Committee relating to the detention and treatment of patients, community counselling and community treatment orders, hospital administration and management, court orders and other matters; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Phillips moved, That this bill be now read a second time.

Debate adjourned (Dr Refshauge) and the resumption of the debate made an Order of the Day for a future day.

30 LEGAL AID COMMISSION (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Legal Aid Commission Act 1979 to restructure the Legal Aid Commission, and for that purpose to establish a Board of Management; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
12 April 1994

MAX WILLIS
President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Debate adjourned (Mr Sullivan) and the resumption of the debate made an Order of the Day for tomorrow.

31 WORKERS COMPENSATION LEGISLATION (FURTHER AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Chikarovski, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Deputy Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Deputy Speaker resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill with amendments, including an amendment in the title.

On motion of Mrs Chikarovski, the Report was adopted.

Mr Deputy Speaker having consented to the third reading being taken forthwith.

Bill, on motion of Mrs Chikarovski, read a third time.

Mrs Chikarovski moved, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly has this day agreed to the Bill intituled "An Act to amend the Workers Compensation Act 1987 relating to benefits for partially incapacitated workers, statutory funds of insurers, self-insurers and the privatisation of GIO; to amend the Workers' Compensation (Dust Diseases) Act 1942 and the Motor Vehicles (Third Party Insurance) Act 1942; and for other purposes" with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly
14 April 1994

K. R. ROZZOLI
Speaker

WORKERS COMPENSATION LEGISLATION (FURTHER AMENDMENT) BILL

Schedule of the amendments referred to in the Legislative
Assembly's Message of 14 April 1994

LESLIE GÖNYE
for the Clerk of the Legislative Assembly

- No. 1 Page 2, clause 1, line 4. Omit "(Further Amendment) Act 1992", insert instead "(Amendment) Act 1994".
- No. 2 Page 2, clause 5, lines 15-18, Clause 5. Omit the Clause.
- No. 3 Pages 3-15, Schedule 1. Omit Schedule 1, insert instead:

**SCHEDULE 1 - AMENDMENTS TO WORKERS COMPENSATION
ACT RELATING TO BENEFITS FOR PARTIALLY
INCAPACITATED WORKERS**

(Sec. 3)

- (1) Sections 38, 38A:
Omit the sections, insert instead:

**Partially incapacitated workers not suitably employed - special initial payments
while seeking employment**

38. (1) **Entitlement.** If:

- (a) a worker is partially incapacitated for work as a result of an injury; and
- (b) the worker is not suitably employed during any period of that partial incapacity for work,

the worker is to be compensated in accordance with this section during each such period as if the worker's incapacity for work were total.

(2) **Maximum period of entitlement.** The maximum total period for which the worker may be so compensated is 104 weeks.

(3) **Rate of compensation.** When a worker is so compensated, the compensation is payable at the relevant rate prescribed by this Act for the period of incapacity concerned. However, after the first 26 weeks of incapacity and until the worker has been compensated under this section for a total of 52 weeks, the rate is the greater of the following rates:

- (a) 80% of the worker's current weekly wage rate (that is, 80% of the rate prescribed by this Act for the first 26 weeks of incapacity);

(b) the statutory indexed rate (that is, the rate prescribed by this Act for a period of incapacity after the first 26 weeks).

(4) **Worker to seek suitable employment.** Compensation is not payable to a worker in accordance with this section during any period unless the worker is seeking suitable employment during that period (as determined in accordance with section 38A).

Section 38 - determination of whether worker seeking suitable employment

38A. (1) **Application.** This section provides for the determination of whether a worker is seeking suitable employment for the purposes of section 38.

(2) **General requirements.** The worker is not to be regarded as seeking suitable employment unless:

- (a) the worker is ready, willing and able to accept an offer of suitable employment from the employer; and
- (b) the worker has supplied the employer (or the insurer who is liable to indemnify the employer) with a medical certificate in accordance with the regulations with respect to the worker's partial incapacity for work; and
- (c) the worker has requested the employer (or such an insurer) to provide suitable employment or it is apparent from the circumstances that the worker is ready, willing and able to accept an offer of suitable employment from the employer; and
- (d) the worker is taking reasonable steps to obtain suitable employment from some other person.

Taking reasonable steps to obtain suitable employment includes seeking or receiving rehabilitation training that is reasonably necessary to improve the worker's employment prospects.

(3) **Notice of requirement relating to obtaining suitable employment from other person.** The requirement under subsection (2) (d) does not apply unless the worker has been notified of the requirement in accordance with this subsection.

Such a notice:

- (a) must be given in writing by the insurer or self-insurer concerned; and
- (b) must state that the worker is required to take reasonable steps to obtain suitable employment from some other person in order to remain entitled to compensation under section 38; and

- (c) may set out particular reasonable steps that can be taken by the worker in order to satisfy that general requirement; and
- (d) is subject to, and must comply with, any regulations and (subject to the regulations) any claims procedures notified by the Authority to insurers and self-insurers; and
- (e) does not constitute an admission of liability by an employer or insurer under this Act or independently of this Act.

The requirement under subsection (2) (d) does not apply, and a notice is not to be given under this subsection, while action is being taken by or on behalf of the employer to arrange or explore the possibility of suitable employment with the employer.

(4) Notice not applicable when proceedings pending etc. If proceedings relating to the payment of compensation under section 38 are before the Compensation Court or the insurer or self-insurer has denied liability to pay any such compensation:

- (a) a notice is not to be given under subsection (3), and the requirement under subsection (2) (d) applies without any such notice being given; and
- (b) particular steps to satisfy that requirement that are set out in a notice previously given do not restrict the determination of the matter by the Compensation Court or a conciliation officer.

(5) Workers treated as not seeking suitable employment. A worker is not to be regarded as seeking suitable employment if the worker has unreasonably refused an offer from any person of suitable employment or necessary rehabilitation training (unless the worker later demonstrates genuine efforts to seek suitable employment). A worker is also not to be regarded as seeking suitable employment if the worker:

- (a) unreasonably refuses to have an assessment made of the worker's employment prospects; or
- (b) unreasonably refuses to co-operate in procedures connected with the provision or arrangement of suitable employment or rehabilitation training under the employer's workplace rehabilitation program.

(6) Court orders. An order of the Compensation Court relating to the weekly payment of compensation:

- (a) may be subject to conditions relating to the worker taking reasonable steps to obtain suitable employment during any weekly payments under section 38; and

- (b) may include directions relating to the adjustment of the amount of weekly payments under section 38 for any future period of payments under section 40 when the worker obtains employment or when the period for payments under section 38 comes to an end.

(7) **Definitions.** In this section:

"**employer**" of a worker who is partially incapacitated for work means the employer liable to pay compensation to the worker in respect of the incapacity or, if there are 2 or more such employers, the employer so liable who last employed the worker;

"**refusal**" of an offer or to do a thing includes a failure to accept the offer or to do the thing;

"**rehabilitation training**" means training of a vocationally useful kind, and includes vocational re-education, work-trials, occupational rehabilitation services or treatment provided by way of rehabilitation;

"**suitable employment**" means suitable employment within the meaning of section 43A.

Explanatory note.

The amendment improves and simplifies the benefit provisions for partially incapacitated workers who are not provided with suitable employment by their employer and who are therefore compensated at the higher total incapacity rate during an initial period of job-seeking and rehabilitation training.

The existing provisions are complex. They apply for a maximum period of 52 weeks, a higher rate of compensation being payable during certain phases such as a preliminary 4 weeks employment-seeking period and a post-training employment seeking period. Under the proposed provisions:

- (a) The maximum total period is extended to 104 weeks. Subject to that maximum, the totally incapacitated rate applies to any broken periods of unemployment. Accordingly, a partially incapacitated worker who finds employment retains any unused entitlement under section 38.
- (b) The totally incapacitated rate applies to the whole of the relevant period (with one exception) and does not differ according to kinds of activity undertaken by the injured worker. The relevant totally incapacitated rate is the current weekly wage rate of the worker during the first 26 weeks of incapacity and the statutory rate after that first 26 weeks, the exception being the maintenance of a minimum rate of 80% of the current weekly wage rate until the worker has been compensated under section 38 for a total of 52 weeks.

- (c) The requirement for the worker to be seeking suitable employment is simplified. Generally speaking, the injured worker should be actively seeking re-employment in a suitable position with his or her employer and undergoing any rehabilitation training provided or arranged by his or her employer. An actual request for a suitable position is not required if the worker's willingness to work is apparent from the circumstances (for example, if a partially incapacitated worker who continues working is dismissed without being guilty of misconduct).
- (d) At present, if suitable employment or training with a view to such employment is not made available, the worker is required to seek employment from some other person in order to continue receiving the special higher rate of compensation payments. That requirement will no longer apply unless the worker is duly given notice of the requirement by the relevant insurer (notice is not required if court proceedings are pending). Instead of merely stating that the worker is required to take reasonable steps to obtain suitable employment, such a notice may set out, in addition, particular steps that can be taken by the worker to satisfy that general requirement. However, such particular steps must be reasonable in the circumstances and do not affect any subsequent proceedings before the Compensation Court or a conciliation officer.

(2) Section 39 (**Incapacity treated as total - "odd-lot" rule**):

Omit section 39 (3), insert instead:

- (3) The Compensation Court may, in determining whether a worker has taken all reasonable steps to obtain employment for the purposes of this section, have regard to circumstances of the kind referred to in section 38A (5).

Explanatory note

The amendment is consequential on the substitution of sections 38 and 38A and brings the terminology of section 39 (3) (which follows the existing sections) into line with the related terminology in the proposed substituted sections.

(3) Sections 40, 40A:

Omit section 40, insert instead:

Weekly payment during partial incapacity - general

40. (1) **Entitlement.** The weekly payment of compensation to an injured worker in respect of any period of partial incapacity for work is to be an amount not exceeding the reduction in the worker's weekly earnings, but is to bear such relation to the amount of that reduction as may appear proper in the circumstances of the case.

- (2) **Calculation of reduction in earnings of worker - general.** The reduction in the worker's weekly earnings is the difference between:
- (a) the weekly amount which the worker would probably have been earning as a worker but for the injury and had the worker continued to be employed in the same or some comparable employment (but not exceeding \$1,000); and
 - (b) the average weekly amount that the worker is earning, or would be able to earn in some suitable employment, from time to time after the injury (but not exceeding \$1,000).
- (3) **Ability to earn in suitable employment.** The determination of the amount that an injured worker would be able to earn in some suitable employment is subject to the following:
- (a) the determination is to be based on the worker's ability to earn in the general labour market reasonably accessible to the worker;
 - (b) the determination is to be made having regard to suitable employment for the worker within the meaning of section 43A.
- (4) **Rehabilitation - unemployed (or not fully employed) workers.** An injured worker who duly undertakes rehabilitation training under section 38 is not to be disadvantaged under this section by any increase in the amount that the worker would be able to earn merely because of that training, unless the worker unreasonably refuses an offer of suitable employment for which the worker has been trained. The Compensation Court may determine any dispute about the operation of this subsection and (subject to any order of the Court) a conciliation officer dealing with the dispute may give a direction or make a recommendation about that matter. The regulations under section 100C may require insurers and self-insurers to refer such disputes to conciliation officers for conciliation.
- (5) **Maximum rate of compensation.** The weekly payment of compensation to an injured worker in respect of any period of partial incapacity for work is not to exceed the weekly payment that would be payable to the worker if it were a period of total incapacity for work.
- (6) **Adjustment of compensation - indexation.** If it appears proper in the circumstances of the case, the weekly payment of compensation to an injured worker in respect of any period of partial incapacity for work may (subject to subsection (5)) be adjusted to take account of any adjustment because of the operation of Division 6 in the weekly payment that would be payable to the worker if it were a period of total incapacity for work.

(7) **Adjustment of maximum amounts - application.** If an amount mentioned in subsection (2):

- (a) is adjusted by the operation of Division 6; or
- (b) is adjusted by an amendment of this section,

the weekly payment of compensation applicable to a worker injured before the date on which the adjustment takes effect is, for any period of partial incapacity for work occurring on and after that date, to be determined by reference to that amount as so adjusted. Such an adjustment does not apply to the extent that the liability to make weekly payments of compensation in respect of any such period of incapacity has been commuted under section 51.

(8) **Exemption.** This section does not apply to any period of partial incapacity for work during which the worker is compensated under this Act as if the worker's incapacity for work were total.

Assessment of incapacitated worker's ability to earn

40A. (1) An injured worker who is partially incapacitated for work may be required by the employer to undergo an assessment of the worker's ability to earn in some suitable employment.

(2) An injured worker is not required to undergo such an assessment unless the worker has been informed about the possible entitlements of the worker under section 38 and the requirements for the worker to obtain those entitlements. The giving of that information does not constitute an admission of liability by an employer or insurer under this Act or independently of this Act.

(3) The Authority may, by notice to insurers and self-insurers, require any such information to be given in the form approved by the Authority.

(4) Any such assessment is at the cost of the person who requires it.

(5) If an injured worker fails, without reasonable excuse, to undergo any such assessment, the right to weekly compensation for partial incapacity for work is suspended while the failure continues.

Explanatory note

Section 40 of the Act presently provides for "make-up" weekly compensation payments for injured workers who are only partially incapacitated and who are not entitled to the higher rate under section 38 during job-seeking and rehabilitation training. The "make-up" payment is, generally speaking, the difference between the worker's pre-injury earnings and the amount the worker is earning or would be able to earn in some suitable employment after the injury. However, the Act presently provides that where the injured worker is unemployed (or not fully employed) the

"make-up" payment is the usually lesser rate of the difference between the current weekly wage rate for the pre-injury employment and that rate for some suitable post-injury employment; the current weekly wage rate is determined by reference to the lesser award or standard rates of pay and not average actual earnings. If there are a number of positions that would provide suitable post-injury employment, the average rate for those positions may be used. Subject to the requirement for the lesser "make-up" payments for unemployed (or not fully employed) workers, section 43 provides the general rules for determining pre-injury and post-injury earnings.

Under the proposed provisions:

- (a) The requirement for the usually lesser rate of "make-up" payments for unemployed (or not fully employed) workers is to be removed. The ordinary rules for determining pre-injury and post-injury earnings will not be qualified by that requirement. This will bring the level of weekly "make-up" payments of compensation for unemployed (or not fully employed) workers closer to the actual loss of earnings suffered by them because of the injury (subject to the normal statutory limits on the amount of weekly compensation that are applicable to injured workers who are in paid employment). Accordingly, the distinction between unemployed workers and fully employed workers with respect to the amount of compensation payable will be eliminated.
- (b) Because of the different circumstances of each case, the determination of actual market earnings for potential employment by unemployed workers in accordance with the ordinary rules may be difficult. In order to assist in the determination of those earnings section 43 will provide that, if there is an ordinary rate of pay for that potential employment under an award or other common industrial provision, that rate may be used together with any overtime or other payments (by way of standard industry or other practice) that the worker could realistically expect to earn in the circumstances. The approach is consistent with the general principle of comparing like with like in the determination of pre-injury and post-injury earnings. However, the Compensation Court will retain the discretion to determine the appropriate amount of "make-up" payments having regard to the difference between pre-injury and post-injury earnings.
- (c) The effect of rehabilitation training under section 38 on "make-up" payments under section 40 for unemployed (or not fully employed) workers is to be clarified. Suitable employment for a worker includes suitable employment for which the worker has received rehabilitation training under section 38. The amendments will ensure that an injured worker is not disadvantaged by any increase in the amount that the worker is able to earn because of that training. Accordingly, the amount of "make-up" payments will not be reduced merely because of any such increase in the worker's notional earning capacity, unless it is established that the worker has refused an offer of suitable employment for which the worker has been specifically retrained under section 38. Such a

reduction might otherwise operate as a disincentive for injured unemployed workers to improve their employment prospects by undertaking rehabilitation training while in receipt of the totally incapacitated rate. The amendments also make special provision to deal with disputes on the matter, including the referral of those disputes to conciliation officers.

- (d) Injured workers are to be given a proper opportunity to determine whether they are eligible for the higher rate under section 38 for job-seeking and rehabilitation training before they are assessed for "make-up" payments under section 40.
- (e) The power to make regulations setting out guidelines for any such assessment (at present contained in section 40 (8)) is to be removed.

Generally, the other changes that have been made are not intended to alter the existing law - they reflect the interpretation that has been placed on the existing provisions of the Act or they are consequential changes. Those other changes include the following:

- (a) The use of the expression "the reduction in the worker's weekly earnings" to recast section 40 in plainer language.
- (b) An express statement that the determination of post-injury earnings is to be based on the worker's ability to earn in the general labour market reasonably accessible to the worker.
- (c) An express statement that the general rules in section 43 for determining post-injury earnings apply to the determination of a worker's ability to earn in suitable employment.

(4) Section 43 (Computation of average weekly earnings):

After section 43 (1), insert:

(1A) Any relevant rules provided by this section are also to be observed in determining the average weekly amount that a worker would be able to earn in suitable employment for the purposes of section 40. If there is an ordinary weekly rate of pay generally applicable to employment of that kind under industrial law, the average weekly amount is to be determined by reference to that rate of pay together with any other likely weekly payments which it would be proper to include in the circumstances of the case (such as overtime or other amounts payable under common industry or other practice).

Explanatory note

The amendment is consequential on the amendment made to section 40 and is explained in the note to that amendment.

(5) Section 43A:

After section 43, insert:

Suitable employment

43A. (1) For the purposes of sections 38, 38A and 40:

"suitable employment", in relation to a worker, means employment in work for which the worker is suited, having regard to the following:

- (a) the nature of the worker's incapacity and pre-injury employment;
- (b) the worker's age, education, skills and work experience;
- (c) the worker's place of residence;
- (d) the details given in the medical certificate supplied by the worker;
- (e) the provisions of the employer's workplace rehabilitation program and any rehabilitation assessment of, or rehabilitation plan for, the worker;
- (f) any suitable employment for which the worker has received rehabilitation training;
- (g) the length of time the worker has been seeking suitable employment;
- (h) any other relevant circumstances.

(2) In the case of employment provided by the worker's employer, suitable employment includes:

- (a) employment in respect of which:
 - (i) the number of hours each day or week that the worker performs work;
or
 - (ii) the range of duties the worker performs, is suitably increased in stages (in accordance with a rehabilitation plan or otherwise); and
- (b) if the employer does not provide employment involving the performance of work duties - suitable training of a vocationally useful kind provided:
 - (i) by the employer at the workplace or elsewhere; or
 - (ii) by any other person or body under arrangements made with the employer, but only if the employer pays an appropriate wage or salary to the worker in respect of the time the worker attends the training concerned.

- (3) However, in any such case, suitable employment does not include:
- (a) employment that is merely of a token nature and does not involve useful work having regard to the employer's trade or business; or
 - (b) employment that is demeaning in nature, having regard to subsection (1) (a) and (b) and to the worker's other employment prospects.
- (4) A worker is to be regarded as suitably employed if:
- (a) the worker's employer provides the worker with, or the worker obtains, suitable employment; or
 - (b) the worker has been reinstated to the worker's former employment under Part 7 of Chapter 3 of the Industrial Relations Act 1991.

Explanatory note

The amendment re-locates, with minor modifications, the provisions of existing section 38A relating to the definition of "suitable employment". The definition is relevant to the partial incapacity provisions of both sections 38 and 40. The power to make regulations concerning suitable employment (at present contained in section 38 (14)) has been removed.

- (6) **Section 54 (Notice required before termination or reduction of payment of weekly compensation):**
- (a) In section 54 (4) (b), after "in such form", insert "(or contain such information)".
 - (b) After section 54 (5), insert:

(6) This section does not apply to a reduction in weekly compensation as a result only of the application of different rates of compensation after the expiration of earlier periods of incapacity for which higher rates were payable (whether under section 38 or otherwise).
- (7) The notice referred to in this section is to include information about the possible entitlements of the injured worker under section 38 and the requirements for the worker to obtain those entitlements if:
- (a) the notice relates to a reduction in the amount of the worker's weekly compensation as a result of the application of section 40; and
 - (b) the injured worker is not in receipt of earnings; and
 - (c) the information has not been supplied to the worker under section 40A.

The giving of that information does not constitute an admission of liability by an employer or insurer under this Act or independently of this Act.

Explanatory note

The amendment makes a consequential amendment to the provision relating to the giving of notice to an injured worker of a reduction in weekly compensation. The amendment makes it clear that a notice is not required for a change in the rate of weekly compensation arising from different rates for different periods of incapacity (i.e. when a worker receiving the job-seeking rate of payments obtains work or a period during which a particular rate is payable comes to an end). In addition, a reduction arising from a change to weekly payments under section 40 for an unemployed worker is not to be made unless information about the worker's entitlements under section 38 is included in the notice.

(7) Schedule 6 (Savings, transitional and other provisions):

After clause 5 of Part 4, insert:

Continued operation of 1987 version of s. 38 (1)-(5) for injuries before 30 June 1989 and incapacity before 1993 amending Act

5A. (1) In this clause:

"the 1989 amending Act" means the Workers Compensation (Benefits) Amendment Act 1989;

"the 1994 amending Act" means the Workers Compensation Legislation (Amendment) Act 1994.

(2) This clause applies to a period of incapacity for work (whether occurring before or after 4.00 p.m. on 30 June 1989), if the incapacity results from an injury received before that time.

(3) However, this clause does not apply to:

- (a) a period of incapacity for work to which clause 5 applies (that is, incapacity from an injury received before the commencement of this Act); or
- (b) a period of incapacity for work occurring after the commencement of the amendments to section 38 of this Act by the 1994 amending Act (except in respect of the continued application under this clause of the maximum total period for which a worker may be compensated in accordance with section 38).

- (4) For the purpose of determining the weekly payment of compensation in respect of a period of incapacity for work to which this clause applies:
- (a) section 38 (1)-(7) of this Act (as in force immediately before the commencement of Schedule 2 (2) to the 1989 amending Act) continues to apply; and
 - (b) for the purposes of paragraph (a), section 38 (as so in force) applies as if:
 - (i) the word "immediately" in section 38 (2) (a) and (c) were omitted; and
 - (ii) the words "wholly or mainly because of the injury" in section 38 (4) were omitted; and
 - (iii) section 38 (4) (b)-(d) were omitted; and
 - (iv) the words in section 38 (7) (b) after "separate periods" were omitted.
- (5) If a period of incapacity for work results both from an injury received before 4.00 p.m. on 30 June 1989 and an injury received at or after that time, the incapacity is, for the purpose of determining the amount of the weekly payment of compensation (if any) payable under section 38 of this Act, to be treated as having resulted from the injury received at or after that time.
- (6) The Workers Compensation (Savings and Transitional) Regulation 1989 is repealed.

Operation of 1994 amending Act (ss. 38, 38A, 40, 40A, 43, 43A) - injuries before 1994 amending Act

5B. (1) In this clause, "the 1994 amending Act" means the Workers Compensation Legislation (Amendment) Act 1994.

- (2) The amendments made by the 1994 amending Act to sections 38, 38A, 40, 40A, 43 and 43A of this Act apply to any period of incapacity for work occurring after (but not before) the commencement of those amendments (whether the incapacity results from an injury received before or after that commencement), except as provided by this clause.
- (3) In the case of a period of incapacity for work resulting from an injury received before the commencement of those amendments:
- (a) when determining the different rates of compensation payable under section 38 of this Act (as amended by the 1994 amending Act) on the expiration of particular periods of incapacity, any period of incapacity occurring before the commencement of those amendments is not to be disregarded and, accordingly,

is to be taken into account in determining the rate of compensation payable for the balance of any such period of incapacity occurring after that commencement; and

- (b) the maximum total period for which a worker may be compensated in accordance with section 38 of this Act is to be 52 weeks instead of 104 weeks but only if the injury was received before 1 February 1992; and
- (c) if the rate of compensation for a period of incapacity to which section 38 applies would be higher if the 1994 amending Act had not been enacted, the rate is to be determined as if the amending Act had not been enacted.
- (4) Sections 38, 38A, 40 and 43 of this Act (as in force immediately before the commencement of the amendments to those sections by the 1994 amending Act) continue to apply to periods of incapacity for work occurring before the commencement of those amendments if the incapacity results from an injury received at or after 4.00 p.m. on 30 June 1989, except as provided by this clause.
- (5) Section 38 of this Act continues to apply, as referred to in subclause (4), as if section 38 (7A) and (7B) were omitted.
- (6) If a period of incapacity for work results both from an injury received before a relevant date and an injury received on or after that date, the incapacity is, for the purpose of determining the amount of the weekly payment of compensation (if any) payable under section 38 or 40 of this Act, to be treated as having resulted from the injury received on or after that date. The relevant date for the purposes of subclause (3) (b) is 1 February 1992 and for any other purpose is the date of commencement of the amendment concerned.
- (7) This clause does not apply to a period of incapacity to which clause 5 or 5A applies.

Operation of regulation relating to form of medical certificates under s. 38

5C. Clause 10 (2) of the Workers Compensation (General) Regulation 1987 (as inserted by the Regulation published in the Gazette of 1 May 1992) extends to medical certificates supplied by a worker before 1 May 1992.

Explanatory note

Proposed clause 5A transfers to the Act the provisions of the Workers Compensation (Savings and Transitional) Regulation 1989 so that related provisions are located in the same place.

Proposed clause 5B provides that the changes made to weekly compensation for partial incapacity apply to future periods of incapacity, irrespective of the date of injury. However, if the injury was received before the commencement of the

proposed amendments, the extension of the maximum period of section 38 special total incapacity payments is not extended from 52 weeks to 104 weeks but any unexpected reduction in the rate of compensation is not to have effect.

Proposed clause 5C extends the operation of a regulation made on 1 May 1992 relating to the form of medical certificates under section 38 about a worker's fitness for work to medical certificates given before that date. The regulation preserved the effectiveness of a certificate even though it was not given strictly in accordance with the prescribed form.

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- No. 4 Page 17, Schedule 2 (4), line 25. Omit "(Further Amendment) Act 1992", insert instead "(Amendment) Act 1994".
- No. 5 Page 21, Schedule 2 (19), lines 20-24. Omit "(Further Amendment) Act 1992" wherever occurring, insert instead "(Amendment) Act 1994".
- No. 6 Page 31, Schedule 5 (5) (c), lines 6 and 7. Omit "(Further Amendment) Act 1992", insert instead "(Amendment) Act 1994".
- No. 7 Page 36, Schedule 5 (15), line 27. Omit "(Further Amendment) Act 1992", insert instead "(Amendment) Act 1994".
- No. 8 Page 37, Schedule 5 (17), lines 23 and 24. Omit "(Further Amendment) Act 1992", insert instead "(Amendment) Act 1994".
- No. 9 Page 38, Schedule 6 (1) (b), line 6. Omit "(Further Amendment) Act 1992", insert instead "(Amendment) Act 1994".
- No. 10 Page 38, Schedule 6 (4) (a), line 34. Omit "(Further Amendment) Act 1992", insert instead "(Amendment) Act 1994".
- No. 11 Pages 40 and 41, Schedule 7. Omit the Schedule.
- No. 12 Long Title. Omit "and the Motor Vehicles (Third Party Insurance) Act 1942".

Examined.

B. R. HAZZARD

Temporary Chairman of Committees

32 GAMING AND BETTING (RACE-MEETINGS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Downy, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Downy, read a third time.

33 LOTTERIES AND ART UNIONS (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Cohen, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mrs Cohen, read a third time.

34 ADJOURNMENT

Mrs Cohen moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.25 p.m., until Tuesday 19 April 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 13

TUESDAY 19 APRIL 1994

1 OFFICE OF THE OMBUDSMAN—REPORT

Mr Speaker tabled—Special Report to Parliament by the Office of the Ombudsman concerning Improper Access to and use of Confidential Information by Police, dated 14 April 1994.

Ordered to be printed.

2 QUESTIONS

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Souris tabled—

Memorandum and Articles of Association of Hunter Watertech Pty Limited, dated 11 February 1994.

(2) Mr Causley tabled—

Report of the Kiwifruit Marketing Committee for the period 1 January 1992 to 1 December 1993.

(3) Mr Hartcher tabled—

Report of the Community Justice Centres for the year ended 30 June 1993.

5 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gibson—from certain citizens requesting a 40 kilometre speed limit zone on Laycock Street at Braddock Public School.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Beckroge—from certain citizens requesting an increase in research for breast cancer together with mobile mammography to travel to all districts of New South Wales.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

6 REGULATION REVIEW COMMITTEE

Mr Cruickshank tabled—Further Report of the Regulation Review Committee on Non-compliance with the Provisions of the Subordinate Legislation Act in connection with the Local Government (Approvals) Regulation 1993, dated April 1994.

Ordered to be printed.

7 JOINT SELECT COMMITTEE UPON THE SYDNEY WATER BOARD

Dr Macdonald tabled—Report of the Joint Select Committee upon the Sydney Water Board, dated April 1994.

Ordered to be printed.

Dr Macdonald also tabled the Minutes of Evidence and Submissions taken before the Joint Select Committee upon the Sydney Water Board.

8 SUPREME COURT (AMENDMENT) BILL CRIMINAL APPEAL (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Photios, That these bills be now read a second time—

Question again proposed and debate resumed.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Photios, read a third time.

9 JUDGES' PENSIONS (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Photios, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Photios, read a third time.

10 LEGAL AID COMMISSION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Nagle, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Kerr, be allowed to continue his speech for a further period of 5 minutes.

It being 5.15 p.m. debate interrupted for private members' statements.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 LEGAL AID COMMISSION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Mr Hartcher moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

13 PROPERTY, STOCK AND BUSINESS AGENTS (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Tink, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Tink, Acting Speaker, resumed the Chair and Mr Rixon, Temporary Chairman, reported the bill with an amendment.

On motion of Mr Souris, the Report was adopted.

Mr Tink, Acting Speaker, having consented to the third reading being taken forthwith.

Bill, on motion of Mr Souris, read a third time.

14 SUSPENSION OF STANDING ORDERS—RESUMPTION OF SECOND READING DEBATES

Mr Kerr moved (by leave), That Standing and Sessional Orders be suspended to allow the resumption of the adjourned second reading debate on the following bills:

Police Service (Complaints) Amendment Bill
State Emergency and Rescue Management (Amendment) Bill
Bush Fires (Amendment) Bill

Question put and passed.

**15 STATE EMERGENCY AND RESCUE MANAGEMENT (AMENDMENT) BILL
BUSH FIRES (AMENDMENT) BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Griffiths, That these bills be now read a second time—

Question again proposed and debate resumed.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Griffiths, read a third time.

16 POLICE SERVICE (COMPLAINTS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Griffiths, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Griffiths, read a third time.

17 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Deputy Speaker reported a message from the Legislative Council dated 19 April 1994, returning the Mines Rescue Bill without amendment.

18 ADJOURNMENT

Mr Griffiths moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 9.45 p.m., until tomorrow, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 14

WEDNESDAY 20 APRIL 1994

1 PRIVILEGE—SUBPOENA FOR PRODUCTION OF DOCUMENTS

The Honourable Member for Ashfield, Mr Whelan, drew the attention of the House to the fact that he had received a letter which stated that a subpoena for the production of documents had been addressed to him in respect of certain Supreme Court proceedings. Mr Whelan stated that the letter constituted an attempt to silence him.

Mr Speaker stated that he required further time to consider whether a prima facie case existed and reserved his ruling.

2 MINISTERIAL ARRANGEMENT

Mr Armstrong informed the House that during the absence of the Honourable John Joseph Fahey, Premier, and Minister for Economic Development, he would be answering questions on behalf of the Premier.

3 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—VOTE OF CENSURE—MINISTER FOR HEALTH

Mr Hatton gave notice of a motion to suspend Standing and Sessional Orders to allow consideration of a motion to censure the Minister for Health.

4 QUESTIONS

Mr Baird (by leave) tabled—

Letter from the Office of the Ombudsman to Mr J. Walker regarding a complaint by Mr Neary concerning the Public Inquiry conducted by Mr Early, dated 20 April 1994.

Facsimile from Mr J. Early to Mr W. Casley regarding reference to Mr Neary's comment, dated 15 April 1994.

5 NOTICES OF MOTIONS**6 PETITIONS**

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Newman—from certain citizens requesting new traffic laws to provide for severe penalties for drivers who cause death on the roads.

Ms Moore—from certain citizens requesting a commission of inquiry into the administration, practices and policies of the New South Wales Forestry Commission.

Mr Chappell—from certain citizens requesting the repeal of the Anti-Discrimination (Homosexual Vilification) Amendment Act 1993.

Mr Anderson—from certain citizens requesting the continuation of the Area Assistance Scheme.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Hatton—from certain citizens requesting an expansion of the services provided by Milton/Ulladulla hospital.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

7 PLACING OR DISPOSAL OF BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, postponed (Mr Martin).
- No. 4 Wollli Park Trust Bill, postponed (Ms Moore).
- No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 8 National Parks and Wildlife (Aboriginal Ownership) Amendment Bill, postponed (Mr Markham).

(2) Orders of the Day of General Business (for Bills)

No. 1 Data Protection Bill

(1) Mr Tink moved, That the Order of the Day be discharged.

Question put and passed.

(2) Mr Tink moved, That the Bill be withdrawn.

Question put and passed.

- No. 2 Government Publicity Control Bill, postponed (Mr Carr).
- No. 3 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 4 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 5 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).
- No. 6 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 7 South Tweed TAFE College Land Bill, postponed (Mr Face).
- No. 8 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 9 Public Finance and Audit (Special Dividends) Amendment Bill, postponed (Mr J. H. Murray).
- No. 10 Lake Macquarie State Recreation Area Bill, postponed (Mr Hunter).

No. 11 Threatened Species Conservation Bill, postponed (Dr Macdonald).

No. 12 Retail Tenancies (Code of Practice) Bill, postponed (Mr Peacocke).

(3) Orders of the Day of General Business (General Orders)

No. 1 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).

No. 2 Hospital Financial Management Reference to the Public Accounts Committee, postponed (Dr Refshauge).

No. 3 Private Hospital Bed Licences, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices)

No. 1 Select Committee upon Lead Pollution, postponed (Mr Hunter).

No. 2 North East Forest Alliance, postponed (Mr Fraser).

No. 3 Minister for Agriculture—Narromine Feedlot Case, postponed (Mr Martin).

No. 4 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).

No. 11 Level 4 Accident and Emergency Service, postponed (Dr Refshauge).

8 RE-ORDERING OF GENERAL BUSINESS—INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE) AMENDMENT BILL

Mr Nagle moved, That General Business Order of the Day (for Bills) No. 17 (Industrial Relations (Contracts of Carriage) Amendment Bill) be re-ordered to take precedence on Thursday 21 April 1994.

Question put and passed.

9 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS

Mr Hatton moved, pursuant to notice, amended by leave, That Standing and Sessional Orders be suspended as would allow:

(1) The consideration forthwith of the following motion:

That this House censures the Minister for Health, for maladministration of the health portfolio, which has resulted in:

- Unconscionable productivity cuts inflicted on health budgets
- Delays in accident and emergency areas

- Long waiting times for elective surgery
- Neglect of people with mental illnesses
- Bed closures in hospitals
- A run down in rural health services

with precedence of all other business except private members' statements at 5.15 p.m.

(2) The following time limits applying to the debate:

Mover of the Motion	Unlimited
Minister named	Unlimited
First speaker	45 minutes
Other speakers	20 minutes
Mover in reply	20 minutes

Question put and passed.

10 VOTE OF CENSURE—MINISTER FOR HEALTH

Mr Hatton moved, pursuant to notice, That this House censures the Minister for Health, for maladministration of the health portfolio, which has resulted in:

- Unconscionable productivity cuts inflicted on health budgets
- Delays in accident and emergency areas
- Long waiting times for elective surgery
- Neglect of people with mental illnesses
- Bed closures in hospitals
- A run down in rural health services.

Debate ensued.

It being 5.15 p.m. debate interrupted for private members' statements.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Tink, Acting Speaker, reported messages from the Legislative Council returning the following bills without amendment:

20 April 1994

Gaming and Betting (Race-meetings) Amendment Bill
Lotteries and Art Unions (Amendment) Bill.

13 VOTE OF CENSURE—MINISTER FOR HEALTH

The Order of the Day was read for the resumption of the interrupted debate on the motion of Mr Hatton—

That this House censures the Minister for Health, for maladministration of the health portfolio, which has resulted in:

- Unconscionable productivity cuts inflicted on health budgets
- Delays in accident and emergency areas
- Long waiting times for elective surgery
- Neglect of people with mental illnesses
- Bed closures in hospitals
- A run down in rural health services.

Debate resumed.

The House continued to sit after midnight—

THURSDAY 21 APRIL 1994 a.m.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
20 and 21 April 1994 a.m.

The House divided.

Ayes 44

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Clough	Mr McBride	Mr Shedden
Mr Crittenden	Mr McManus	Mr Sullivan
Mr Doyle	Dr Macdonald	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Mr Mills	Mr Yeadon
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 43

Mr Baird	Mr Humpherson	Mrs Skinner
Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Kinross	Mr Smith
Mr Causley	Mr Merton	Mr Souris
Mr Chappell	Mr Morris	Mr Tink
Mrs Chikarovski	Mr Murray	Mr Turner
Mr Cochran	Mr O'Doherty	Mr West
Mrs Cohen	Mr D. L. Page	Mr Windsor
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	
Mr Fraser	Mr Photios	
Mr Glachan	Mr Richardson	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Schipp	Mr Jeffery
Mr Hazzard	Mr Schultz	Mr Kerr

Pairs

Mr Bowman	Mr Armstrong
Mr Carr	Mr Collins
Mr Markham	Mr Fahey
Mr Nagle	Mr Longley
Mr Rumble	Ms Machin

Question passed.

14 UNIVERSITY LEGISLATION (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend certain university Acts with respect to university Visitors, by-laws, rules and leasing powers; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
20 April 1994

MAX WILLIS
President

Bill read a first time.

Mrs Chikarovski moved, That this Bill be now read a second time.

Debate adjourned (Mr Aquilina) and the resumption of the debate made an Order of the Day for a future day.

15 CRIMES LEGISLATION (UNSWORN EVIDENCE) AMENDMENT BILL

Mr Deputy Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to abolish the right of an accused person to give unsworn evidence or to make unsworn statements in criminal proceedings and to make consequential amendments to the Crimes Act 1900 and the Mental Health (Criminal Procedure) Act 1990" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
20 April 1994

MAX WILLIS
President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

16 RETAIL LEASES BILL

Mr Chappell moved, pursuant to notice, That leave be given to bring in a bill for an Act to make provision with respect to the leasing of certain retail shops and the rights and obligations of lessors and lessees of those shops, and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Chappell moved, That this bill be now read a second time.

Debate adjourned (Mr Neilly) and the resumption of the debate made an Order of the Day for a future day.

17 NATIVE TITLE (NEW SOUTH WALES) BILL

Mr West moved, on behalf of Mr Fahey, pursuant to notice, That leave be given to bring in a bill for an Act about native title in relation to land or waters; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Neilly) and the resumption of the debate made an Order of the Day for a future day.

18 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

20 April 1994

Judges' Pensions (Amendment) Bill
Police Service (Complaints) Amendment Bill
Supreme Court (Amendment) Bill
Criminal Appeal (Amendment) Bill

19 WORKERS COMPENSATION LEGISLATION (FURTHER AMENDMENT) BILL (changed to "WORKERS COMPENSATION LEGISLATION (AMENDMENT) BILL")

Mr Deputy Speaker also reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's Message, dated 14 April 1994 requesting concurrence of the Legislative Council in its proposed amendments Nos 1 to 12 in the Workers Compensation Legislation (Further Amendment) Bill informs the Legislative Assembly that the Legislative Council agrees to the Assembly's proposed amendments.

Legislative Council
20 April 1994

DUNCAN GAY
Deputy President

20 SELECT COMMITTEE UPON THE SYDNEY MARKET AUTHORITY

Mr West moved (by leave), That the reporting date for the Select Committee upon the Sydney Market Authority be extended to 30 September 1994.

Question put and passed.

21 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.47 a.m., until 9.00 a.m., this day.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 15

THURSDAY 21 APRIL 1994

1 CRIMES (UNRELIABLE TESTIMONY) AMENDMENT BILL

General Business Notice of Motion (for Bills) No. 1 called on, postponed (Mr Whelan).

2 CRIMES (APPREHENDED VIOLENCE) AMENDMENT BILL

General Business Notice of Motion (for Bills) No. 3 called on, postponed (Mr Whelan).

3 PROHIBITED WEAPONS (AMENDMENT) BILL

Mr Carr moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Prohibited Weapons Act 1989 and the Crimes Act 1900 to permit the carrying and use of certain approved sprays for self-defence purposes; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Carr moved, That this bill be now read a second time.

Debate adjourned (Mr Fraser) and the resumption of the debate made an Order of the Day for a future day.

4 JOHANN POHL (COMPENSATION) BILL

Mr Thompson moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the assessment of compensation in relation to the quashed conviction of murder imposed on Johann Ernst Siegfried Pohl.

Question put and passed.

Bill presented and read a first time.

Mr Thompson moved, That this bill be now read a second time.

Debate adjourned (Mr Fraser) and the resumption of the debate made an Order of the Day for a future day.

5 ENVIRONMENTAL EDUCATION BILL

Dr Macdonald moved, pursuant to notice, That the following message be sent to the Legislative Council in respect of the Environmental Education Bill:

MR PRESIDENT

The Legislative Assembly requests that the bill for "An Act to constitute the Environmental Education Council and to establish the Centre for Environmental Education, and to define their functions; and for other purposes" forwarded to the Legislative Council for concurrence during the second session of the present Parliament and not dealt with in the previous session because of prorogation, be proceeded with.

Legislative Assembly
21 April 1994

K. R. ROZZOLI
Speaker

It being before 9.30 a.m., and consideration of General Business Notices of Motions (for Bills) having concluded, General Business Orders of the Day (for Bills) proceeded with.

6 INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Nagle, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr Mills moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

7 HOMEFUND LEGISLATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Grusovin, That this bill be now read a second time.

Question again proposed and debate resumed.

Ms Machin speaking—

At 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the interrupted debate stand an Order of the Day for tomorrow.

8 CANTERBURY AND WESTERN SUBURBS HOSPITALS

Mr Moss moved, pursuant to notice, That this Government be condemned for its decision to:

(1) Replace the Canterbury Hospital and Western Suburbs Hospital with only one hospital, resulting in an overall loss of 53 beds.

(2) To close the Canterbury Hospital which will:

- (a) deny any reasonable access to a district hospital for the 140,000 persons residing within the Canterbury Hospital feeder region; and
- (b) shut down numerous health services in an economically depressed region of Sydney, whose inhabitants have no other means than to rely on the public health system.

Debate ensued.

Question put.

The House divided.

Ayes 47

Ms Allan	Mr Jemma	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Scully
Mr Carr	Mr McBride	Mr Shedden
Mr Clough	Mr McManus	Mr Sullivan
Mr Crittenden	Dr Macdonald	Mr Thompson
Mr Doyle	Mr Markham	Mr Whelan
Mr Face	Mr Martin	Mr Yeadon
Mr Gaudry	Ms Moore	
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	Tellers
Mr Harrison	Mr Nagle	
Mr Hatton	Mr Neilly	Mr Beckroge
Mr Hunter	Mr Newman	Mr Davoren

Noes 46

Mr Armstrong	Dr Kernohan	Mr Schultz
Mr Baird	Mr Kinross	Mrs Skinner
Mr Beck	Mr Longley	Mr Small
Mr Blackmore	Ms Machin	Mr Smith
Mr Causley	Mr Merton	Mr Souris
Mr Chappell	Mr Morris	Mr Tink
Mrs Chikarovski	Mr Murray	Mr Turner
Mr Cochran	Mr O'Doherty	Mr West
Mrs Cohen	Mr D. L. Page	Mr Windsor
Mr Collins	Mr Peacocke	Mr Zammit
Mr Cruickshank	Mr Petch	
Mr Debnam	Mr Phillips	
Mr Fraser	Mr Photios	
Mr Glachan	Mr Richardson	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Rozzoli	Mr Jeffery
Mr Humpherson	Mr Schipp	Mr Kerr

Pairs

Mr Mills	Mr Downy
Mr Rumble	Mr Fahey

Question passed.

9 PARLIAMENTARY ELECTORATES AND ELECTIONS (METHOD OF VOTING)
AMENDMENT BILL—MESSAGE TO LEGISLATIVE COUNCIL

General Business Notice of Motion (General Notices) No. 6 called on, postponed (Mr Whelan).

10 SUPPLEMENTARY QUESTIONS REFERENCE TO THE STANDING ORDERS COMMITTEE

General Business Notice of Motion (General Notices) No. 7 called on, postponed (Mr Whelan).

11 DAVID BERRY HOSPITAL

Mr Harrison moved, pursuant to notice, That this House express total opposition to the closure and/or sale of the David Berry Hospital.

Debate ensued.

Question put and passed.

It being 1.00 p.m. pursuant to Sessional Orders, General Business Orders of the Day (Committee Reports) proceeded.

12 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION—DISCUSSION PAPER ON PECUNIARY INTERESTS AND A CODE OF ETHICS

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

13 REGULATION REVIEW COMMITTEE—REPORT ON NON-COMPLIANCE WITH THE PROVISIONS OF THE SUBORDINATE LEGISLATION ACT

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

14 REPORT OF THE JOINT SELECT COMMITTEE UPON THE SYDNEY WATER BOARD

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

15 MOTION FOR URGENT CONSIDERATION

Mr Langton gave notice of a motion for papers to be tabled pursuant to Standing Order 54.

16 QUESTIONS

17 SUSPENSION OF STANDING ORDERS—TABLING OF PAPERS

Mr Whelan sought leave to move for the suspension of Standing and Sessional Orders.

Leave not granted.

18 NOTICES OF MOTIONS

19 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Mills and Mr Shedden—from certain citizens requesting new traffic laws to provide for severe penalties for drivers who cause death on the roads.

Mr McBride—from certain citizens requesting the urgent upgrading of Long Jetty Hospital.

Ms Nori—from certain citizens supporting the rights of the mentally ill and requesting their asylum if needed.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Yeadon—from certain citizens requesting immediate action to assist out-of-trade building industry apprentices in New South Wales.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Rumble—from certain citizens requesting that the Berkeley police station be staffed on a 24 hour basis.

20 PRINTING OF PAPERS

(Formal Business)—Ordered, on motion of Mr West, That the report of the Community Justice Centres for the year ended 30 June 1993 be printed.

21 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS

Mr Langton moved, pursuant to notice, That this House, pursuant to Standing Order 54, orders to be laid before it and made public without restricted inspection pursuant to Standing Order 57, by the rise of the House this day, the following documents:

All agendas, Minutes of Proceedings, correspondence, reports and any other documentation pertaining to the deliberations of the "3 X 3" Committee.

A list of all "3 X 3" funded projects, including details of the funding sources in dollar amounts for those projects.

Annual income and expenditure reports pertaining to the "3 X 3" levy.

Question put and passed.

22 MATTER OF PUBLIC IMPORTANCE—SECOND WORLD WAR SERVICE RECORD OF ABORIGINAL AND TORRES STRAIT ISLANDERS

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Cochran moved, That this House notes, as a matter of public importance:

Its acknowledgment and tribute to the courageous and dedicated service of Aboriginal and Torres Strait Islanders during the Second World War.

Debate ensued.

Question put and passed.

23 LEGISLATION COMMITTEE ON THE ENDANGERED AND OTHER THREATENED SPECIES CONSERVATION BILL

Mr West moved (by leave), That the reporting date for the Legislation Committee on the Endangered and Other Threatened Species Conservation Bill be extended to 27 September 1994.

Question put and passed.

24 IRRIGATION CORPORATIONS BILL

Mr Souris moved, pursuant to notice, That leave be given to bring in a bill for an Act to reform management of irrigation systems in New South Wales; to amend certain Acts; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Souris moved, That this bill be now read a second time.

Debate adjourned (Mr Amery) and the resumption of the debate made an Order of the Day for a future day.

25 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

Mr West moved, on behalf of Mr Fahey, pursuant to notice, That leave be given to bring in a bill for an Act to repeal certain Acts and to amend certain other Acts in various respects and for the purpose of effecting statute law revision; and to make certain savings.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Beckroge) and the resumption of the debate made an Order of the Day for a future day.

26 ELECTRICITY COMMISSION (AMENDMENT) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Electricity Commission Act 1950 to provide for the establishment of subsidiary companies by the Electricity Commission.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Rogan) and the resumption of the debate made an Order of the Day for a future day.

27 FISHERIES MANAGEMENT BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the management of fishery resources.

Question put and passed.

Bill presented and read a first time.

Mr Causley moved, That this bill be now read a second time.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for a future day.

28 PROTECTED DISCLOSURES BILL

Mr Hartcher moved, on behalf of Mr Fahey, pursuant to notice, That leave be given to bring in a bill for an Act to provide protection for public officials disclosing corrupt conduct, maladministration and waste in the public sector; and for related purposes.

Question put and passed.

Bill presented and read a first time.

Mr Hartcher moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

It being 5.15 p.m. private members' statements proceeded with.

29 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

30 TIMBER INDUSTRY (INTERIM PROTECTION) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Yeadon, be allowed to continue his speech for a further period of 5 minutes.

Question put and passed.

Bill read a second time.

Mr Rixon, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and Mr Tink, Temporary Chairman, reported the bill with an amendment.

On motion of Mr Souris, the Report was adopted.

Ordered by Mr Rixon, Acting Speaker, That the third reading stand an Order of the Day for tomorrow.

31 UNIVERSITY LEGISLATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Chikarovski, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mrs Chikarovski, read a third time.

32 HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Phillips, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Phillips, read a third time.

33 SUSPENSION OF STANDING ORDERS—RETURN TO ORDER FOR PAPERS

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the Minister for Transport and Minister for Roads to comply with the resolution of the House agreed to this day for the return to the order for certain papers by:

(1) Forwarding those papers to the Clerk of the Legislative Assembly by Friday 22 April 1994 and deemed as tabled.

(2) The Clerk reporting the receipt of those papers at the next sitting day.

Debate ensued.

Question put and passed.

34 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 9.41 p.m., until Tuesday 3 May 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 16

TUESDAY 3 MAY 1994

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

2 May 1994

Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill
Health Administration (Medicare) Amendment Bill
Maritime Services (Offshore Boating) Amendment Bill
Mine Subsidence Compensation (Amendment) Bill
Occupational Health and Safety Legislation (Amendment) Bill
Workers Compensation Legislation (Miscellaneous Amendments) Bill
Trade Measurement (Amendment) Bill
Traffic Parking (Amendment) Bill.

2 PRIVILEGE—SUBPOENA FOR PRODUCTION OF DOCUMENTS

Mr Speaker informed the House of his consideration of the matter of privilege raised by the Member for Ashfield, Mr Whelan, on 20 April 1994, concerning a letter which stated that a subpoena for the production of documents in certain Supreme Court proceedings had been addressed to Mr Whelan.

Mr Speaker ruled that the wording of the subpoena was commonly used by solicitors and not especially directed to the honourable member. He therefore ruled there was no prima facie breach of parliamentary privilege.

Mr Speaker also informed the House that the subpoena had now also been withdrawn. Although there was no need to adjudicate he would continue to research the area of law relating to the boundary between the jurisdiction of the House and the competence of the law courts for future reference should similar circumstances arise.

3 MOTION FOR URGENT CONSIDERATION—STANDING ORDER 54

Mr Carr gave notice of a motion for papers to be tabled pursuant to Standing Order 54.

4 QUESTIONS**5 PAPERS**

Mr Fahey tabled (by leave)—

Advising of the Crown Solicitor's Office concerning the termination of the Agent-General's contract, dated 26 October 1992.

Advising of the Solicitor General on the Final Award in the matter of Pickard v New South Wales, dated 2 May 1994.

6 NOTICES OF MOTIONS**7 PAPERS**

(1) Mr Armstrong tabled—

Report of the Fish River Water Supply for 1993.

Report of the South West Tablelands Water Supply Undertaking for 1993.

(2) Mr Souris tabled—

Crown Lands Act 1989—Proposed revocation of dedication under section 84. (Gazette 60, 22 April 1994, page 1761.)

(3) Mr Causley tabled—

Dairy Industry Act 1979—Proclamation amending schedule 1 of the Act in relation to liquids under section 5. (Gazette 58, 15 April 1994, page 1606.)

(4) Mr Hartcher tabled—

Report No. 71 of the Law Reform Commission concerning Right of Access to Neighbouring Land, dated April 1994.

(5) Ms Machin tabled—

Report of the Building Services Corporation for 1993.

8 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk gave notice of the making of, and tabled, the following statutory instruments:

Dairy Industry Act 1979—Regulation (Relating to cream and cream products). (Gazette 58, 15 April 1994, page 1609.)

Legal Profession Act 1987—Legal Profession Transitional Regulation 1994. (Gazette 58, 15 April 1994, page 1610.)

Local Courts (Civil Claims) Act 1970—Amendments to Local Court (Civil Claims) Rules 1988 (2). (Gazette 60, 22 April 1994, pages 1833 and 1836.)

Motor Accidents Act 1988—Regulation (Relating to the commencement of proceedings concerning certain claims). (Gazette 58, 15 April 1994, page 1612.)

Supreme Court Act 1970—Supreme Court Rules (Amendment No. 284). (Gazette 60, 22 April 1994, page 1831.)

Traffic Act 1909—Regulation (Relating to road testing of unregistered motor vehicles). (Gazette 58, 15 April 1994, page 1613.)

Travel Agents Act 1986—Regulation (Relating to places at which travel agents may carry on business and to their qualifications). (Gazette 58, 15 April 1994, page 1614.)

Water Supply Authorities Act 1987—Regulation (Relating to the area of operations of the Upper Parramatta River Catchment Trust). (Gazette 58, 15 April 1994, page 1615.)

9 RETURN TO ORDER FOR PAPERS

The Clerk, pursuant to the resolution of the House of 21 April 1994, announced the receipt of the following documents from the Minister for Transport and Minister for Roads:

22 April 1994

Agendas, Minutes of Proceedings, correspondence, reports and other documentation pertaining to the deliberations of the "3 X 3" Committee.

Letter from Dennis A. Cowdroy, Q.C., to K. B. Ford, Chief Solicitor of the Roads and Traffic Authority of New South Wales concerning section 62 of the Business Franchise Licences (Petroleum Products) Act 1987, dated 21 April 1994.

10 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry, Mr Hunter and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Mills, Mr Newman and Mr Shedden—from certain citizens requesting new traffic laws to provide for severe penalties for drivers who cause death on the roads.

Mr Hatton—from certain citizens requesting an increase in services at Milton/Ulladulla hospital.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Ms Allan—from certain citizens requesting the abolition of vivisection on scientific, medical and ethical grounds, with veterinary students apprenticed to practising veterinary surgeons.

Mr Smith—from certain citizens requesting that the Old Courthouse and Police Station at Pambula be placed in trust with the Bega Valley Council.

Mr Rumble—from certain citizens requesting more police for the Warilla Police Station.

Mr Souris—from certain citizens requesting that the retail price for fuel in country areas be limited to the average Sydney metropolitan price.

11 TIMBER INDUSTRY (INTERIM PROTECTION) AMENDMENT BILL

(Formal Order of the Day)—Bill, on motion of Mr Souris, read a third time.

12 QUESTION UPON NOTICE—UNANSWERED

Mr Speaker drew the attention of the House to Question upon Notice (No. 679) not answered within 35 calendar days and called on the responsible Minister to explain the non-compliance with Sessional Orders.

13 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS

Mr Carr moved, pursuant to notice, That this House, pursuant to Standing Order 54, orders to be laid before it and made public without restricted inspection, by the rise of the House this day, all papers, including all legal advice and opinions, relating to the dismissal of the former Agent General, Neil Pickard and to the matter of the compensation payable to him.

Debate ensued.

Question put and passed.

14 MATTER OF PUBLIC IMPORTANCE—CHILD SEXUAL ABUSE

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Newman moved, That this House notes, as a matter of public importance:

The need for further resourcing both the Department of Community Services and Police Department to fight the incidence of child sexual abuse.

Debate ensued.

Question put and passed.

15 SUSPENSION OF STANDING ORDERS—INTRODUCTION OF BILLS

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the—

Board of Vocational Education and Training Bill
Fire Brigades (Amendment) Bill
Liquor (Amendment) Bill
Registered Clubs (Amendment) Bill
Local Government Legislation (Miscellaneous Amendments) Bill
Rural Lands Protection (Amendment) Bill
State Revenue Legislation (Amendment) Bill

notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Debate ensued.

Question put and passed.

16 LIQUOR (AMENDMENT) BILL
REGISTERED CLUBS (AMENDMENT) BILL

Mrs Cohen moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to make further provision with respect to licence fees, the grant of licences, penalties, the duties of licensees, and minors; and for other purposes.
- (ii) A bill for an Act to amend the Registered Clubs Act 1976 to make further provision with respect to registration fees, the grant of registration, penalties, the duties of registered clubs and their employees, and minors; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mrs Cohen moved, That these bills be now read a second time.

Debate adjourned (Mr Face) and the resumption of the adjourned debate made an Order of the Day for a future day.

17 STATE REVENUE LEGISLATION (AMENDMENT) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to make miscellaneous amendments to certain State revenue legislation, and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Collins moved, That this bill be now read a second time.

Debate adjourned (Mr Harrison) and the resumption of the debate made an Order of the Day for a future day.

It being 5.15 p.m. private members' statements proceeded with.

18 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

19 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Tink, Acting Speaker, reported a message from the Legislative Council dated 3 May 1994, returning the Health Legislation (Miscellaneous Amendments) Bill, without amendment.

20 BOARD OF VOCATIONAL EDUCATION AND TRAINING BILL

Mrs Chikarovski moved, pursuant to notice, That leave be given to bring in a bill for an Act to establish the New South Wales Board of Vocational Education and Training and to define its objects and functions; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mrs Chikarovski moved, That this bill be now read a second time.

Debate adjourned (Mr J. H. Murray) and the resumption of the debate made an Order of the Day for a future day.

21 FIRE BRIGADES (AMENDMENT) BILL

Mr Griffiths moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Fire Brigades Act 1989 to restructure the management of the New South Wales Fire Brigades; to make consequential amendments to the Public Sector Management Act 1988; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Griffiths moved, That this bill be now read a second time.

Debate adjourned (Mr Amery) and the resumption of the debate made an Order of the Day for a future day.

22 RURAL LANDS PROTECTION (AMENDMENT) BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Rural Lands Protection Act 1989 in relation to the control of certain pests; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Causley moved, That this bill be now read a second time.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for a future day.

23 LOCAL GOVERNMENT LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Local Government Act 1993 and certain other instruments with respect to a variety of matters relating to the administration of local government.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Amery) and the resumption of the debate made an Order of the Day for a future day.

24 CRIMES LEGISLATION (DANGEROUS ARTICLES) AMENDMENT BILL

Mr Deputy Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crimes Act 1900 to permit the possession of certain dangerous things for the purpose of self-defence and to amend the Prohibited Weapons Act 1989 to restrict the offence of possessing or using certain prohibited weapons" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
3 May 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Ordered, That the second reading of the bill stand an Order of the Day for a later hour of the day.

25 IRRIGATION CORPORATIONS BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Cruickshank, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Small, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Cochran, be allowed to continue his speech for a further period of 5 minutes.

Mr Glachan moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

26 CRIMES LEGISLATION (DANGEROUS ARTICLES) AMENDMENT BILL

The Order of the Day was read—

Mr Hartcher moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the adjourned debate made an Order of the Day for tomorrow.

27 CRIMES LEGISLATION (UNSWORN EVIDENCE) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Nagle, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Hazzard, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Dr Macdonald, be allowed to continue his speech for a further period of 5 minutes.

The House continued to sit after midnight—

WEDNESDAY 4 MAY 1994 a.m.

Question put and passed.

Bill read a second time.

Mr Tink, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported the bill with amendments.

Mr Hartcher moved, "That" the Report be now adopted.

Mr Whelan moved, That the question be amended by leaving out all the words after the word "That" with a view to inserting the words "Crimes Legislation (Unsworn Evidence) Amendment Bill be recommitted for the reconsideration of the whole bill" instead.

Question—That the amendment be agreed to—put and passed.

Question proposed, That the motion as amended be agreed to.

Question put and passed.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the reconsideration of the bill.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit again tomorrow.

28 COURTS LEGISLATION (CROWN APPEALS) AMENDMENT BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Children (Criminal Proceedings) Act 1987 and the Justices Act 1902 to enable the Crown to appeal to the District Court in relation to penalties imposed by the Children's Court" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
3 May 1994

M. F. WILLIS
President

Bill read a first time.

Mr Photios moved, That this Bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

29 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Fahey, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill with amendments.

On motion of Mr West, on behalf of Mr Fahey, the Report was adopted.

Ordered, That the third reading stand an Order of the Day for tomorrow.

30 MINISTERIAL STATEMENT—RETURN TO ORDER UNDER STANDING ORDER 54

Mr West (by leave), made a statement concerning the resolution of the House for the return to an order for papers under Standing Order 54.

Mr Whelan also addressed the House.

Mr Speaker left the Chair at 1.44 a.m. until the ringing of one long bell.

Mr Speaker resumed the Chair at 2.19 a.m.

Mr Speaker left the Chair at 2.20 a.m. until the ringing of one long bell at 2.00 p.m. this day.

Mr Speaker resumed the Chair at 2.00 p.m.

31 MINISTERIAL STATEMENT—RETURN TO ORDER UNDER STANDING ORDER 54

Mr West (by leave), made a statement concerning the resolution of the House for the return to an order for papers under Standing Order 54.

Mr Carr also addressed the House.

32 SUSPENSION OF STANDING ORDERS—RETURN TO ORDER UNDER STANDING ORDER 54

Mr Whelan (by leave) moved, That Standing and Sessional Orders be suspended so that the order of the House agreed to this day relating to the order for papers under Standing Order 54 be amended by leaving out ",by the rise of the House this day," and inserting "on Tuesday, 10 May 1994, at 2.15 p.m.".

Question put and passed.

33 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising do adjourn until 2.45 p.m. this day.

Debate ensued.

Question put and passed.

34 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 2.25 p.m., until 2.45 p.m., this day.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 17

WEDNESDAY 4 MAY 1994

1 NOTICE OF MOTION FOR URGENT CONSIDERATION

Mr Knight gave notice of a motion for papers to be tabled pursuant to Standing Order 54.

2 QUESTIONS

3 NOTICES OF MOTIONS

4 PAPER

Mr West (by leave) tabled—

Special Investigation Report under section 433 of the Local Government Act 1993 into Byron Council: Roundhouse, dated April 1994.

5 UNPROCLAIMED LEGISLATION

Mr Speaker tabled a list of legislation unproclaimed 90 days after assent as at 4 May 1994.

6 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Windsor—from certain citizens requesting a referendum on the reintroduction of the option for capital punishment.

Mr Langton—from certain citizens requesting the installation of a right hand turn arrow at the traffic lights on the corner of Macarthur and Thomas Streets, Parramatta.

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Newman—from certain citizens requesting new traffic laws to provide for severe penalties for drivers who cause death on the roads.

Mr Beckroge—from certain citizens requesting an inquiry into the deterioration, and other associated problems, of the Barwon/Darling river system.

Ms Moore—from certain citizens concerning the waiting lists in public hospitals.

Mr Harrison and Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Ms Moore—from certain citizens requesting more police for the Woolloomooloo Police Station.

Mr Rumble—from certain citizens requesting more police for the Warilla Police Station.

7 PLACING OR DISPOSAL OF BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).
- No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, postponed (Mr Martin).
- No. 3 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 4 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
4 May 1994

- No. 6 National Parks and Wildlife (Aboriginal Ownership) Amendment Bill, postponed (Mr Markham).
- No. 7 Tweed Heads (Afex Park) Bill, postponed (Mr Martin).
- No. 8 Pay-roll Tax (Country Industries Exemption) Amendment Bill, postponed (Mr Windsor).

(2) Orders of the Day of General Business (for Bills)

- No. 1 Government Publicity Control Bill, postponed (Mr Carr).
- No. 2 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 3 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 4 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).
- No. 5 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 6 South Tweed TAFE College Land Bill, postponed (Mr Face).
- No. 7 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 8 Public Finance and Audit (Special Dividends) Amendment Bill, postponed (Mr J. H. Murray).
- No. 9 Lake Macquarie State Recreation Area Bill, postponed (Mr Hunter).
- No. 10 Threatened Species Conservation Bill, postponed (Dr Macdonald).
- No. 11 Retail Tenancies (Code of Practice) Bill, lapsed (Mr Peacocke not being present).
- No. 16 Industrial Relations (Contracts of Carriage) Amendment Bill, postponed (Mr Nagle).
- No. 17 Prohibited Weapons (Amendment) Bill, postponed (Mr Carr).

(3) Orders of the Day of General Business (General Orders)

- No. 1 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).
- No. 2 Hospital Financial Management Reference to the Public Accounts Committee, postponed (Dr Refshauge).
- No. 3 Private Hospital Bed Licences, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices)

- No. 1 Select Committee upon Lead Pollution, postponed (Mr Hunter).
- No. 2 North East Forest Alliance, postponed (Mr Fraser).
- No. 3 Minister for Agriculture—Narromine Feedlot Case, postponed (Mr Martin).
- No. 4 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).
- No. 5 Consideration of the Parliamentary Electorates and Elections (Method of Voting) Amendment Bill, postponed (Mr Whelan).
- No. 6 Standing Orders and Procedure Committee, postponed (Mr Whelan).
- No. 7 Legal Assistance for Dr Michael Ryan, postponed (Mr Whelan).
- No. 8 Public inquiry into the operation of the Victims Compensation Tribunal, postponed (Mr Whelan).
- No. 9 Inner West Hospital, postponed (Dr Refshauge).
- No. 10 Standing Order 78, postponed (Mr Whelan).
- No. 11 Collins v Ryan & Ors, postponed (Mr Whelan).
- No. 12 Developmentally Disabled Infants, lapsed (Mr Moss not being present).

8 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

(Formal Order of the Day)—Bill, on motion of Mr West, on behalf of Mr Fahey, read a third time.

9 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS

Mr Knight moved, pursuant to notice, That this House, pursuant to Standing Order 54, orders to be laid before it and made public without restricted access, at the commencement of business of the House on Tuesday 10 May 1994 all documents which show the expenditure from 30 June 1993 to date on office fit-outs and refurbishments by all Government departments and agencies.

Debate ensued.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
4 May 1994

The House divided.

Ayes 48

Ms Allan	Mr Irwin	Ms Nori
Mr Amery	Mr Knight	Mr Page
Mr Anderson	Mr Knowles	Mr Price
Mr Aquilina	Mr Langton	Dr Refshauge
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rogan
Mr Bowman	Mr McBride	Mr Rumble
Mr Carr	Mr McManus	Mr Scully
Mr Crittenden	Dr Macdonald	Mr Shedden
Mr Doyle	Mr Markham	Mr Sullivan
Mr Face	Mr Martin	Mr Thompson
Mr Gaudry	Mr Mills	Mr Whelan
Mr Gibson	Ms Moore	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren
Mr Iemma	Mr Newman	

Noes 47

Mr Armstrong	Mr Hazzard	Mr Schipp
Mr Baird	Mr Humpherson	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Kinross	Mr Small
Mr Causley	Mr Longley	Mr Smith
Mr Chappell	Ms Machin	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Tink
Mr Cochran	Mr Morris	Mr Turner
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr O'Doherty	Mr Windsor
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	Tellers
Mr Fraser	Mr Phillips	Mr Jeffery
Mr Glachan	Mr Photios	Mr Kerr
Mr Griffiths	Mr Richardson	
Mr Hartcher	Mr Rixon	

Pair

Mr Clough

Mr Fahey

Question passed.

10 MATTER OF PUBLIC IMPORTANCE—CIVIC LOANS—NEWCASTLE
ENTERTAINMENT CENTRE

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Price moved, That this House notes, as a matter of public importance:

The need for more stringent guidelines relating to loan applications from civic and other regional organisations to construct major capital works noting particularly the current financial position of the Newcastle entertainment centre and its impact on the community.

Debate ensued.

Question put and passed.

11 SUSPENSION OF STANDING ORDERS—INTRODUCTION OF BILLS

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the—

Building Services Corporation (Amendment) Bill
Bush Fires (Further Amendment) Bill

notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Question put and passed.

12 STATE BANK OF SOUTH AUSTRALIA (TRANSFER OF UNDERTAKING) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the transfer of part of the undertaking of the State Bank of South Australia to a company formed to carry on the business of banking under the Corporations Law; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Collins moved, That this bill be now read a second time.

Debate adjourned (Mr J. H. Murray) and the resumption of the debate made an Order of the Day for a future day.

13 ELECTRICITY (BROKEN HILL) AMENDMENT BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Electricity Act 1945 to provide for the establishment of Broken Hill Electricity as an electricity distributor under that Act; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for a future day.

It being 5.15 p.m. private members' statements proceeded with.

14 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

15 FISH MARKETING BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to authorise the sale of the business undertaking of the Fish Marketing Authority; to deregulate fish marketing in New South Wales; and to amend the Fisheries and Oyster Farms Act 1935 and certain other Acts.

Question put and passed.

Bill presented and read a first time.

Mr Causley moved, That this bill be now read a second time.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for a future day.

16 GAMING AND BETTING (TELEPHONE BETTING) AMENDMENT BILL

Mr Downy moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Gaming and Betting Act 1912 and the Bookmakers (Taxation) Act 1917 with respect to betting by telephone with a bookmaker operation at a race-meeting.

Question put and passed.

Bill presented and read a first time.

Mr Downy moved, That this bill be now read a second time.

Debate adjourned (Mr Face) and the resumption of the debate made an Order of the Day for a future day.

17 CRIMES (MISUSE OF PUBLIC PROPERTY) AMENDMENT BILL

Mr Hartcher moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 to make further provision with respect to the extraterritorial application of the criminal law of New South Wales; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Hartcher moved, That this bill be now read a second time.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for a future day.

18 BUILDING SERVICES CORPORATION (AMENDMENT) BILL

Ms Machin moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Building Services Corporation Act 1989 in relation to complaints, rectification orders, discipline and insurance under that Act; to reconstitute the Building Services Corporation and to establish a Home Building Advisory Council; to make consequential amendments to the Consumer Claims Tribunals Act 1987; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Ms Machin moved, That this bill be now read a second time.

Debate adjourned (Mr Amery) and the resumption of the debate made an Order of the Day for a future day.

19 BUSH FIRES (FURTHER AMENDMENT) BILL

Mr Griffiths moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Bush Fires Act 1949 to make further provision relating to the prevention and control of bush fires and for other purposes; and to amend the Fire Brigades Act 1989 and the Local Government Act 1993 consequentially.

Question put and passed.

Bill presented and read a first time.

Mr Griffiths moved, That this bill be now read a second time.

Debate adjourned (Mr Anderson) and the resumption of the debate made an Order of the Day for a future day.

20 ELECTRICITY COMMISSION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Deputy Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill with amendments.

On motion of Mr West, the Report was adopted.

Ordered, That the third reading stand an Order of the Day for tomorrow.

21 CRIMES LEGISLATION (DANGEROUS ARTICLES) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Hartcher, read a third time.

22 VICTIMS COMPENSATION (AMENDMENT) BILL

Mr Rixon, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Victims Compensation Act 1987 with respect to the payment of compensation under that Act and the recovery from offenders of compensation so paid; and to make consequential amendments to other Acts" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
4 May 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Mr Hartcher (by leave), tabled the second reading speech for incorporation in Hansard.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

23 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

4 May 1994

Property, Stock and Business Agents (Amendment) Bill
Timber Industry (Interim Protection) Amendment Bill.

24 ADJOURNMENT

Mr Hartcher moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.34 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 18

THURSDAY 5 MAY 1994

There being no General Business Notices of Motions (for Bills), General Business Orders of the Day (for Bills) proceeded with.

1 HOMEFUND LEGISLATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Grusovin, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Hunter, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Richardson, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Knight, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Kerr, be allowed to continue his speech for a further period of 5 minutes.

Mr Rixon speaking—

At 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

2 ORDER FOR PAPERS—SYDNEY MARKET AUTHORITY

Mr Martin moved, pursuant to notice, That this House, pursuant to Standing Order 54, orders to be laid before the House the report prepared for the Government by the Centre for International Economics on the Sydney Market Authority.

Debate ensued.

Question put.

The House divided.

Ayes 45

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Carr
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mr Harrison
Mr Hunter
Mr Iemma
Mr Irwin

Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Dr Macdonald
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Mr Newman
Ms Nori

Mr Page
Mr Price
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
5 May 1994

Noes 45

Mr Armstrong	Mr Hartcher	Mr Schipp
Mr Baird	Mr Hazzard	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Longley	Mr Small
Mr Causley	Ms Machin	Mr Smith
Mr Chappell	Mr Merton	Mr Souris
Mrs Chikarovski	Mr Morris	Mr Tink
Mr Cochran	Mr Murray	Mr Turner
Mrs Cohen	Mr O'Doherty	Mr West
Mr Collins	Mr D. L. Page	Mr Windsor
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	Tellers
Mr Fraser	Mr Photios	
Mr Glachan	Mr Richardson	Mr Jeffery
Mr Griffiths	Mr Rixon	Mr Kerr

Pairs

Mr Clough	Mr Fahey
Mrs Grusovin	Mr Humpherson
Mr Knight	Mr Kinross

The numbers being equal, Mr Speaker gave his casting vote with the "Noes" and declared the Question negatived.

3 CONCORD HOSPITAL

Mr J. H. Murray moved, pursuant to notice, That this House condemns the downgrading of services at Concord Hospital for War Veterans since the Federal Government handed the hospital over to New South Wales.

Debate ensued.

Question put and negatived.

4 ST GEORGE HOSPITAL HYDROTHERAPY FACILITIES

Mr Thompson moved, pursuant to notice, That this House:

(1) Views with grave concern—

- (a) the delay in providing a hydrotherapy pool at the St George Hospital, Kogarah;
- (b) the recent closure of the hydrotherapy pool at the Western Suburbs Hospital which had been available for use by people from the St George area; and
- (c) the lack of suitable hydrotherapy facilities in the St George area.

(2) Calls upon the Minister for Health, the Southern Sydney Area Health Service and the St George Hospital administration to take immediate steps to ensure hydrotherapy facilities are provided at the St George Hospital.

Mr Thompson speaking—

At 1.00 p.m. debate interrupted pursuant to Sessional Orders.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

5 OFFICE OF THE OMBUDSMAN—REPORT

Mr Speaker tabled—Report to Parliament by the Office of the Ombudsman concerning the Hawkesbury City Council's Conduct Relating to Orange Grove Mall Richmond, dated 4 May 1994.

Ordered to be printed.

6 NOTICE OF MOTION FOR URGENT CONSIDERATION

Mr Nagle gave notice of a motion concerning Government courier tendering.

7 QUESTIONS

8 NOTICES OF MOTIONS

9 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Rumble—from certain citizens requesting more police for the Warilla Police Station.

Mr Photios—from certain citizens requesting increased assistance for the Home and Community Care Program.

10 PRINTING OF PAPERS

(Formal Business)—Ordered, on motion of Mr West, That the following papers be printed:

Report of the Fish River Water Supply for 1993.

Report of the South West Tablelands Water Supply Undertaking for 1993.

Report No. 71 of the Law Reform Commission concerning Right of Access to Neighbouring Land, dated April 1994.

Report of the Building Services Corporation for 1993.

11 ELECTRICITY COMMISSION (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr West, read a third time.

12 SUSPENSION OF STANDING ORDERS—LEAVE NOT GRANTED

Mr Whelan sought leave to suspend Standing and Sessional Orders to allow consideration forthwith of the notices of motions given this day by the member for Barwon.

Leave not granted.

13 MOTION FOR URGENT CONSIDERATION—GOVERNMENT COURIER TENDERING

Mr Nagle moved, pursuant to notice, That this House:

(1) Notes with concern the failure of the Minister for Administrative Services to carry out a thorough investigation into the irregularities in the tendering of courier work for the New South Wales Government by Courier Systems Pty Ltd;

(2) Calls upon the Minister to carry out such investigations and, until such time as those investigations have been concluded and reported to Parliament, that she rescind the tender to Courier Systems Pty Ltd; and

(3) Further calls for new tenders for the State Government courier work.

Debate ensued.

Mrs Cohen (by leave) tabled—

Letter from the Industrial Registry to Mr Meddows of the New South Wales Supply Service concerning Government Contract No. 630, dated 3 March 1994.

Letter from the Chief Secretary and Minister for Administrative Service to Mr Herman Wogowitsch of Snap Courier Services concerning the Government Contract for Provision of Courier Services, dated 14 April 1994.

Letter from the Chief Secretary and Minister for Administrative Service to Mr Hutchins of the Transport Workers Union concerning the Government Contract for Provision of Courier Services, dated 3 May 1994.

Letter from the State Contracts Control Board to the Chief Secretary and Minister for Administrative Services concerning Complaints about Courier Systems Pty Ltd, dated 5 May 1994.

Question put.

The House divided.

Ayes 47

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Carr
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Iemma

Mr Irwin
Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Mr Newman
Ms Nori

Mr Page
Mr Price
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

Noes 48

Mr Armstrong
Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovski
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fraser
Mr Glachan
Mr Griffiths
Mr Hartcher

Mr Hazzard
Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Dr Macdonald
Ms Machin
Mr Merton
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Phillips
Mr Photios
Mr Richardson

Mr Rixon
Mr Schipp
Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Pair

Mr Clough

Mr Fahey

Question negatived.

14 MATTER OF PUBLIC IMPORTANCE—POLICE SERVICE RACISM

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Hatton moved, That this House notes, as a matter of public importance:

Elements of racism in parts of the New South Wales Police Service.

Debate ensued.

Mr Griffiths (by leave) tabled—

New South Wales Police Service Ethnic Affairs Policy Statement Strategic Plan 1992 - 1995.

New South Wales Police Service Ethnic Affairs Policy Statement Status Report, Strategic Plan 1992 - 1995.

Question put and passed.

15 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

4 May 1994

Police Service (Complaints) Amendment Bill
Workers Compensation Legislation (Amendment) Bill.

16 ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Environmental Planning and Assessment Act 1979 to make further provision concerning the consideration and determination of development applications; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
4 May 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Mr Souris moved, That this Bill be now read a second time.

Debate adjourned (Dr Refshauge) and the resumption of the debate made an Order of the Day for tomorrow.

17 MENTAL HEALTH (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Phillips, That this bill be now read a second time.

Question again proposed and debate resumed.

It being 5.15 p.m. debate interrupted for private members' statements.

18 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

19 MENTAL HEALTH (AMENDMENT) BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Phillips, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Phillips, read a third time.

20 CRIMES (DETENTION AFTER ARREST) AMENDMENT BILL

Mr Deputy Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crimes Act 1900 to make further provision with respect to the powers of the police to detain a person after arrest and the rights of arrested persons; and for other purposes" transmits the Bill to the

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
5 May 1994

Legislative Assembly for concurrence.

Legislative Council
5 May 1994

M. F. WILLIS
President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Mr Hartcher (by leave), tabled the second reading speech for incorporation in Hansard.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for tomorrow.

21 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

5 May 1994

Bush Fires (Amendment) Bill.

Electricity Commission (Amendment) Bill

State Emergency and Rescue Management (Amendment) Bill

22 VACANCY IN THE REPRESENTATION OF THE STATE IN THE SENATE OF THE COMMONWEALTH OF AUSTRALIA

Mr Deputy Speaker reported the following message from the Legislative Council—

Mr SPEAKER

The Legislative Council having taken into consideration the Legislative Assembly's Message dated 12 April 1994 agrees to meet the Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Graham Frederick Richardson, in the Legislative Council Chamber, on Tuesday 10 May 1994, at 3.30 p.m.

Legislative Council
5 May 1994

M. F. WILLIS
President

Ordered, by Mr Deputy Speaker, That the joint sitting with the Legislative Council for the election of a Senator of the Commonwealth of Australia be set down as an Order of the Day for Tuesday 10 May 1994 at 3.30 p.m.

23 FISHERIES MANAGEMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Causley, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr Smith moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

24 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr West, on behalf of the Premier, gave notice of business to be dealt with on Tuesday, 10 May 1994—

Fisheries Management Bill.

25 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.47 p.m., until Tuesday 10 May 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 19

TUESDAY 10 MAY 1994

1 PAPERS

Mr West, tabled—

Pursuant to the resolution of the House of 3 May 1994, all papers, including all legal advice and opinions, relating to the dismissal of and the compensation paid to the former Agent General, Neil Pickard.

Pursuant to the resolution of the House of 4 May 1994, documents showing expenditure from 30 June 1993 to date on office fit-outs and refurbishments by all Government departments and agencies.

2 MOTION FOR URGENT CONSIDERATION—STANDING ORDER 54

Mr Face gave notice of a motion for papers to be tabled pursuant to Standing Order 54.

3 QUESTIONS

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Fahey tabled—

Statistical Return for the By-election held in the Electoral District of Vaucluse, held on Saturday 9 April 1994.

Determination No. 1 of 1994 of the Government Pricing Tribunal concerning Electricity Prices from 1 July 1994, dated 9 May 1994.

(2) Mr Souris tabled—

Report of the Broken Hill Water Board for 1993.

(3) Mrs Chikarovski tabled—

Report of the Technical Education Trust Funds (Technical and Further Education Commission) for 1993.

Report under section 48 of the Public Sector Management Act 1988 of the review of the Administrative Structures Supporting the New South Wales Board of Studies, dated 27 April 1994.

Advising of the Crown Solicitor's Office concerning the Review of Board of Studies regarding Examination Rules, dated 11 April 1994.

(4) Mr Causley tabled—

Report of the Dried Fruits Board for 1993.

(5) Mr Griffiths tabled—

Report of Police Tribunal Inquiry on reference pursuant to section 197 (1) (a) of the Police Service Act 1990, dated 10 February 1994.

(6) Mr Hartcher tabled—

Report of the Public Defenders for 1993.

(7) Mr Downy tabled—

Report of the Parramatta Stadium Trust for 1993.

6 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk gave notice of the making of, and tabled, the following statutory instruments:

Forestry Act 1916—Regulation (Relating to penalties). (Gazette 62, 29 April 1994, page 1857.)

Meat Industry Act 1978—Meat Industry (Nomination of Panel) Regulation 1994. (Gazette 62, 29 April 1994, page 1858.)

Prisoners (Interstate Transfer) Act 1982—Prisoners (Interstate Transfer) Regulation 1994. (Gazette 62, 29 April 1994, page 1860.)

Public Finance and Audit Act 1983—

(a) Regulation (Relating to the New South Wales Dairy Industry Conference). (Gazette 62, 29 April 1994, page 1885.)

(b) Regulation (Relating to University Partnerships Pty. Ltd.). (Gazette 62, 29 April 1994, page 1884.)

Public Health Act 1991—Regulation (Relating to fees). (Gazette 62, 29 April 1994, page 1886.)

Rural Lands Protection Act 1989—Regulation (Relating to the distance stock may be moved under a stock licence). (Gazette 62, 29 April 1994, page 1887.)

Workers Compensation Act 1987—Regulation (Relating to ministers of religion). (Gazette 62, 29 April 1994, page 1888.)

7 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry, Mr Hunter and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Ms Allan—from certain citizens requesting legislation to outlaw female genital mutilation and to clarify the practice as child abuse.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Beckroge—from certain citizens requesting increased breast cancer research with a mobile mammography unit to travel to all districts of New South Wales.

Mr Bowman and Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Carr—from certain citizens requesting improved safety standards within the demolition industry.

Ms Allan—from certain citizens praying for the safety and welfare of victims of sexual crime.

Mr Price—from certain citizens requesting increased assistance for the Home and Community Care Program.

8 MINISTERIAL STATEMENT—ANSWER TO QUESTION ON NOTICE

Mr Souris made a ministerial statement correcting an answer given to Question on Notice no. 1872 appearing Questions and Answer paper No. 44, dated 17 November 1993.

Mr Martin also addressed the House.

9 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS

Mr Face moved, pursuant the notice, That this House, pursuant to Standing Order 54, orders to be laid before it and made public, without restricted inspection, at the commencement of business of this House on Thursday, 19 May 1994, or if the House is not sitting on that day then delivered to the Clerk and be deemed tabled in accordance with this resolution, all papers relating to the approval of grants under the capital assistance program, Department of Sport and Recreation "for financial year 1992/1993" and all papers relating to the approval for improvements to the Goulburn race track under the Racecourse Development Fund, administered by the Racecourse Development Committee.

It being 3.30 p.m. debate interrupted pursuant to Order of the House.

10 VACANCY IN THE REPRESENTATION OF THE STATE IN THE SENATE OF THE COMMONWEALTH OF AUSTRALIA

(1) The Order of the Day was read and Mr Speaker informed the House that it would now proceed to the Legislative Council Chamber to meet with the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate of the Commonwealth of Australia rendered vacant by the resignation of Senator Graham Frederick Richardson.

The House then proceeded to the Legislative Council Chamber.

Mr Speaker resumed the Chair at 3.45 p.m.

(2) Mr Speaker reported that the House had met with the Legislative Council and that Michael George Forshaw had been chosen to hold the place rendered vacant by the resignation of Senator Graham Frederick Richardson.

11 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS (continuation of entry No. 9)

Debate ensued.

Mr Downy moved, That the motion be amended by leaving out the words "for financial year 1992/93" with a view to inserting instead the words "for the financial years 1984/85 up to and including 1993/94".

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion as amended be agreed to—put and passed.

12 MATTER OF PUBLIC IMPORTANCE—WATER TREATMENT PLANTS TENDER

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Ms Allan moved, That this House notes, as a matter of public importance:

The Government's administration of the tender processes for the Prospect, Macarthur, Illawarra/Woronora Water Treatment Plants.

Debate ensued.

Question put and passed.

13 SUSPENSION OF STANDING ORDERS—AMENDMENT TO STANDING ORDER 175B

Mr West sought leave to move for the suspension of Standing and Sessional Orders.

Leave not granted.

14 VACANCY IN THE REPRESENTATION OF THE STATE IN THE SENATE OF THE COMMONWEALTH OF AUSTRALIA

Mr Speaker tabled the Minutes of the Proceedings of the Joint Sitting.

Ordered to be printed.

15 FISHERIES MANAGEMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Causley, That this bill be now read a second time.

Question again proposed and debate resumed.

It being 5.15 p.m. debate interrupted for private members' statements.

16 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

17 FISHERIES MANAGEMENT BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Causley, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Gaudry be allowed to continue his speech for a further period of 5 minutes.

Question put.

The House divided.

Ayes 49

Mr Armstrong
Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovaki
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fraser
Mr Glachan
Mr Griffiths
Mr Hartcher
Mr Hatton

Mr Hazzard
Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Dr Macdonald
Mr Merton
Ms Moore
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Phillips
Mr Photios
Mr Richardson
Mr Rixon

Mr Schipp
Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
10 May 1994

Noes 44

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mrs Lo Po'	Mr Rumble
Mr A. S. Aquilina	Mr McBride	Mr Scully
Mr Bowman	Mr McManus	Mr Shedden
Mr Crittenden	Mr Markham	Mr Sullivan
Mr Doyle	Mr Martin	Mr Thompson
Mr Face	Mr Mills	Mr Whelan
Mr Gaudry	Mr Moss	Mr Yeadon
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	Tellers
Mr Harrison	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren
Mr Irwin	Mr Page	

Pairs

Mr Fahey	Mr Carr
Ms Machin	Mr Clough

Question passed.

Bill read a second time.

Mr Martin moved,

(1) That the Fisheries Management Bill be referred to a Legislation Committee for consideration and report to the House on such amendments as it considers should be proposed to the Committee of the Whole on the bill.

(2) That such committee consist of:

(a) three members supporting the Government nominated by the Leader of the House in writing to the Clerk of the Legislative Assembly; and

(b) three members not supporting the Government nominated by the Leader of the Opposition in writing to the Clerk of the Legislative Assembly.

(3) That the committee report by 10 November 1994.

Question put.

The House divided.

Ayes 44

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Iemma
Mr Irwin

Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Mr Newman
Ms Nori
Mr Page

Mr Price
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

Noes 49

Mr Armstrong
Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovaki
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fraser
Mr Glachan
Mr Griffiths
Mr Hartcher
Mr Hatton

Mr Hazzard
Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Dr Macdonald
Mr Merton
Ms Moore
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Phillips
Mr Photios
Mr Richardson
Mr Rixon

Mr Schipp
Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Pairs

Mr Carr
Mr Clough

Mr Fahey
Ms Machin

Question negatived.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill with amendments.

On motion of Mr Causley, the Report was adopted.

Ordered by Mr Rixon, Acting Speaker, That the third reading stand an Order of the Day for tomorrow.

18 NATIVE TITLE (NEW SOUTH WALES) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Fahey, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Deputy Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Deputy Speaker resumed the Chair and Mr Rixon, Temporary Chairman, reported the bill with an amendment.

On motion of Mr Hartcher, on behalf of Mr Fahey, the Report was adopted.

Mr Deputy Speaker having consented to the third reading being taken forthwith.

Bill, on motion of Mr Hartcher, read a third time.

19 STATE REVENUE LEGISLATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Collins, read a third time.

20 STATE BANK OF SOUTH AUSTRALIA (TRANSFER OF UNDERTAKING) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

The House continued to sit after midnight—

WEDNESDAY 11 MAY 1994 a.m.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Collins, read a third time.

21 GAMING AND BETTING (TELEPHONE BETTING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Downy, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Downy, read a third time.

22 MOTOR ACCIDENTS (AMENDMENT) BILL

Mr Deputy Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Motor Accidents Act 1988 and the Motor Vehicles (Third Party Insurance) Act 1942 with respect to the payment of interest on awards of damages" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
10 May 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Mr Hartcher (by leave), tabled the second reading speech.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
10 and 11 May 1994 a.m.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

23 JUSTICES (FINE DEFAULT) AMENDMENT BILL

Mr Deputy Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Justices Act 1902 and certain other Acts to make further provision with respect to the enforcement of convictions and orders requiring the payment of fines and other amounts; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
10 May 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Mr Hartcher (by leave), tabled the second reading speech.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

24 COURTS LEGISLATION (MEDIATION AND EVALUATION) AMENDMENT BILL

Mr Deputy Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend certain Acts with respect to the referral of matters for mediation or neutral evaluation in certain court proceedings; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
10 May 1994

DOUGLAS F. MOPPETT
Acting President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Mr Hartcher (by leave), tabled the second reading speech.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

25 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

10 May 1994

Mental Health (Amendment) Bill
Statute Law (Miscellaneous Provisions) Bill.

26 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr West gave notice, on behalf of the Premier, of business to be dealt with on 11 May 1994—

Board of Vocational Educational and Training Bill
Fish Marketing Bill
Irrigation Corporations Bill
Liquor (Amendment) Bill
Registered Clubs (Amendment) Bill
Local Government Legislation (Miscellaneous Amendments) Bill.

27 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.20 a.m., until 2.15 p.m. this day.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 20

WEDNESDAY 11 MAY 1994

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

10 May 1994

Judges' Pension (Amendment) Bill
Lotteries and Art Unions (Amendment) Bill
Mines Rescue Bill
Supreme Court (Amendment) Bill
Criminal Appeal (Amendment) Bill
University Legislation (Amendment) Bill.

2 CRIMES (FEMALE GENITAL MUTILATION) AMENDMENT BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crimes Act 1900 to prohibit female genital mutilation" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
11 May 1994 a.m.

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for a later hour of the day.

3 NOTICE OF MOTION FOR URGENT CONSIDERATION—ROYAL COMMISSION INTO THE POLICE SERVICE

Mr Hatton gave notice of a motion for the establishment of a Royal Commission into the Police Service.

4 QUESTIONS**5 NOTICES OF MOTIONS****6 PETITIONS**

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Knowles—from certain citizens requesting a permanent police station at Ingleburn and upgrade of the existing police station at Macquarie Fields.

Mr Knowles—from certain citizens requesting that the Ingleburn Fire Station remain open.

Mr Bowman—from certain citizens requesting increased assistance for the Home and Community Care Program.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

7 PLACING OR DISPOSAL OF BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).
- No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, postponed (Mr Martin).
- No. 3 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 4 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 6 National Parks and Wildlife (Aboriginal Ownership) Amendment Bill, postponed (Mr Markham).
- No. 9 Environmental Planning and Assessment (Appeals) Amendment Bill, postponed (Dr Macdonald).
- No. 11 Michael Black (Compensation) Bill, postponed (Mr Sullivan).

(2) Orders of the Day of General Business (for Bills)

- No. 1 Government Publicity Control Bill, postponed (Mr Carr).
- No. 2 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 3 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 4 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).
- No. 5 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 6 South Tweed TAFE College Land Bill, postponed (Mr Face).
- No. 7 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 8 Public Finance and Audit (Special Dividends) Amendment Bill, postponed (Mr J. H. Murray).
- No. 9 Lake Macquarie State Recreation Area Bill, postponed (Mr Hunter).

No. 10 Threatened Species Conservation Bill, postponed (Dr Macdonald).

No. 16 Prohibited Weapons (Amendment) Bill, postponed (Mr Carr).

(3) Orders of the Day of General Business (General Orders)

No. 1 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).

No. 2 Hospital Financial Management Reference to the Public Accounts Committee, postponed (Dr Refshauge).

No. 3 Private Hospital Bed Licences, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices)

No. 2 North East Forest Alliance, postponed (Mr Fraser).

No. 3 Minister for Agriculture—Narromine Feedlot Case, postponed (Mr Martin).

No. 4 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).

No. 5 Consideration of the Parliamentary Electorates and Elections (Method of Voting) Amendment Bill, postponed (Mr Whelan).

No. 6 Standing Orders and Procedure Committee, postponed (Mr Whelan).

No. 7 Legal Assistance for Dr Michael Ryan, postponed (Mr Whelan).

No. 8 Public Inquiry into the Operation of the Victims Compensation Tribunal, postponed (Mr Whelan).

No. 9 Inner West Hospital, postponed (Dr Refshauge).

No. 10 Standing Order 78, postponed (Mr Whelan).

No. 11 Collins v Ryan & Ors, postponed (Mr Whelan).

No. 14 Engineering Standards at Franklins, postponed (Mr Whelan).

No. 15 Standing Order 54—Sydney Harbour Tunnel, postponed (Mr Murray).

No. 16 Picket at the Franklins Chullora Warehouse, postponed (Mr Gibson).

No. 17 Standing Order 54—Monorail, postponed (Mr Murray).

No. 18 Developmentally Disabled Infants, postponed (Mr Moss).

No. 19 Standing Order 54—Darling Harbour, postponed (Mr Murray).

No. 20 Joint Standing Committee on Environmental Impact of Capital Works, postponed (Dr Macdonald).

8 RE-ORDERING OF GENERAL BUSINESS—INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE) AMENDMENT BILL

Mr Nagle moved, That General Business Order of the Day (for Bills) No. 15 (Industrial Relations (Contracts of Carriage) Amendment Bill) be re-ordered to take precedence on Thursday 12 May 1994.

Question put and passed.

9 SELECT COMMITTEE UPON THE OPERATIONS OF HOMEFUND AND FANMAC

Mr Hatton tabled the Report of the Committee upon the Operations of HomeFund and FANMAC, dated May 1994.

Ordered to be printed.

Mr Hatton also tabled—

(1) Submissions to the Committee.

(2) Evidence taken by the Committee.

(3) Documents received from the Office of the Ombudsman.

(a) Report on the Operations of HomeFund and FANMAC.

(b) Report on the Role of Consumer Affairs regarding HomeFund, dated October 1993.

(c) Key Documents from Department of Housing and Treasury files.

10 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—ROYAL COMMISSION INTO THE POLICE SERVICE

Mr Hatton moved, pursuant to notice, That Standing and Sessional Orders be suspended as would allow:

(1) The consideration forthwith with precedence of all other business of the following motion:

That this House calls upon the Premier, in consultation with the Leader of the Opposition, to establish a Royal Commission, staffed by personnel other than serving or former New South Wales police, to inquire into the operations of the Police Service, with particular reference to—

(a) Entrenched corruption within the New South Wales Police Service.

- (b) The activities of the Professional Responsibility and Internal Affairs Branches of the Police Service in dealing with any problems of corruption and internal investigations generally.
- (c) The system of promotion in the Service.
- (d) The impartiality of the Service and other agencies in investigating and pursuing prosecutions including, but not limited to paedophile activity.
- (e) The failure of the internal informers policy.
- (f) Any other matter appertaining to the aforesaid matters concerning possible criminal activity, neglect or violation of duty, the inquiry into which the Royal Commissioner shall deem to be in the public interest.

That if such Royal Commission is not appointed by 20 July 1994, the House shall meet for the despatch of business on Tuesday, 26 July, 1994 at 2.15 p.m.

(2) The following time limits applying to the debate:

Mover of the Motion; Minister for Police; Premier; and Leader of the Opposition	Unlimited
Other speakers	20 minutes
Mover in reply	20 minutes

Question put and passed.

11 ROYAL COMMISSION INTO THE POLICE SERVICE

Mr Hatton moved, pursuant to notice,

"That" this House calls upon the Premier, in consultation with the Leader of the Opposition, to establish a Royal Commission, staffed by personnel other than serving or former New South Wales police, to inquire into the operations of the Police Service, with particular reference to—

- (a) Entrenched corruption within the New South Wales Police Service.
- (b) The activities of the Professional Responsibility and Internal Affairs Branches of the Police Service in dealing with any problems of corruption and internal investigations generally.
- (c) The system of promotion in the Service.
- (d) The impartiality of the Service and other agencies in investigating and pursuing prosecutions including, but not limited to paedophile activity.
- (e) The failure of the internal informers policy.

(f) Any other matter appertaining to the aforesaid matters concerning possible criminal activity, neglect or violation of duty, the inquiry into which the Royal Commissioner shall deem to be in the public interest.

That if such Royal Commission is not appointed by 20 July 1994, the House shall meet for the despatch of business on Tuesday, 26 July, 1994 at 2.15 p.m.

Mr Fahey moved, That the motion be amended by leaving out all words after the word "That" with a view to inserting instead the following words:

"this House requests the Independent Commission Against Corruption to investigate, with personnel other than serving or former New South Wales police, and report into the operations of the Police Service, with particular reference to—

(a) Entrenched corruption within the New South Wales Police Service.

(b) The activities of the Professional Responsibility and Internal Affairs Branches of the Police Service in dealing with any problems of corruption and internal investigations generally.

(c) The system of promotion in the Service.

(d) The impartiality of the Service and other agencies in investigating and pursuing prosecutions including, but not limited to paedophile activity.

(e) The failure of the internal informers policy.

(f) Any other matter appertaining to the aforesaid matters concerning possible criminal activity, neglect or violation of duty, the Independent Commission Against Corruption deems to be in the public interest."

Debate ensued.

Mrs Grusovin moved (by leave), That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

12 FISHERIES MANAGEMENT BILL

The Order of the Day was read.

Mr West moved, on behalf of Mr Causley, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

13 ROYAL COMMISSION INTO THE POLICE SERVICE

The Order of the Day was read for the resumption of the adjourned debate.

Question proposed—That the amendment be agreed to.

Debate resumed.

The House continued to sit after midnight—

THURSDAY 12 MAY 1994 a.m.

Question put.

The House divided.

Ayes 45

Mr Armstrong
Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovski
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan

Mr Griffiths
Mr Hartcher
Mr Hazzard
Dr Kernohan
Mr Kinross
Mr Longley
Mr Merton
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Phillips
Mr Photios
Mr Richardson
Mr Rixon

Mr Schipp
Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Noes 46

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Iemma
Mr Irwin

Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Dr Macdonald
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Mr Newman
Ms Nori

Mr Page
Mr Price
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
11 and 12 May 1994 a.m.

Pairs

Mr Humpherson
Ms Machin
Mr Petch

Mr Carr
Mr Clough
Dr Refshauge

Question negatived.

Original question put.

The House divided.

Ayes 46

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Iemma
Mr Irwin

Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Dr Macdonald
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Mr Newman
Ms Nori

Mr Page
Mr Price
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

Noes 45

Mr Armstrong
Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovski
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan

Mr Griffiths
Mr Hartcher
Mr Hazzard
Dr Kernohan
Mr Kinross
Mr Longley
Mr Merton
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Phillips
Mr Photios
Mr Richardson
Mr Rixon

Mr Schipp
Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Pairs

Mr Carr
Mr Clough
Dr Refshauge

Mr Humpherson
Ms Machin
Mr Petch

Question passed.

14 SUSPENSION OF STANDING ORDERS—VOTE OF NO CONFIDENCE—CHAIRMAN OF COMMITTEES

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the consideration of General Business Notice of Motions (General Notices) No. 12 forthwith.

Question put and passed.

15 VOTE OF NO CONFIDENCE—CHAIRMAN OF COMMITTEES

Mr Whelan moved, pursuant to notice, That this House deplores the action of the Chairman of Committees when during the proceedings of the Committee of the Whole on the Crimes Legislation (Unsworn Evidence) Amendment Bill on 3 May, 1994, he did not comply with the provisions of Standing Order 162 and therefore no longer possesses the confidence of the House.

Debate ensued.

Question put.

The House divided.

Ayes 43

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Knowles	Mr Rogan
Mr Anderson	Mr Langton	Mr Rumble
Mr Aquilina	Mrs Lo Po'	Mr Scully
Mr A. S. Aquilina	Mr McBride	Mr Shedden
Mr Bowman	Mr McManus	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Neilly	Tellers
Mr Hunter	Mr Newman	
Mr Iemma	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Davoren

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
11 and 12 May 1994 a.m.

Noes 48

Mr Armstrong	Mr Hatton	Mr Rixon
Mr Baird	Mr Hazzard	Mr Schipp
Mr Beck	Mr Humpherson	Mr Schultz
Mr Blackmore	Dr Kernohan	Mrs Skinner
Mr Causley	Mr Kinross	Mr Small
Mr Chappell	Mr Longley	Mr Smith
Mrs Chikarovski	Dr Macdonald	Mr Souris
Mr Cochran	Mr Merton	Mr Tink
Mrs Cohen	Ms Moore	Mr Turner
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr Windsor
Mr Debnam	Mr O'Doherty	Mr Zammit
Mr Downy	Mr D. L. Page	
Mr Fraser	Mr Peacocke	Tellers
Mr Glachan	Mr Phillips	
Mr Griffiths	Mr Photios	Mr Jeffery
Mr Hartcher	Mr Richardson	Mr Kerr

Pairs

Mr Carr	Mr Fahey
Mr Clough	Ms Machin
Dr Refshauge	Mr Petch

Question negatived.

16 DISALLOWANCE OF REGULATION UNDER THE CLEAN WATERS ACT 1970

Notice of Motion under Standing Order 113A called on, postponed until tomorrow (Dr Macdonald).

17 CRIMES LEGISLATION (UNSWORN EVIDENCE) AMENDMENT BILL

The Order of the Day was read, Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the recommittal for the further consideration of the whole bill.

Mr Speaker resumed the Chair and the Chairman reported the bill a second time with an amendment.

On motion of Mr Hartcher, the Report was adopted.

Mr Speaker having consented to the third reading being taken forthwith.

Bill, on motion of Mr Hartcher, read a third time.

18 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 11 May 1994, returning the Gaming and Betting (Telephone Betting) Amendment Bill, without amendment.

19 FILM AND VIDEO TAPE CLASSIFICATION (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Film and Video Tape Classification Act 1984 to provide for the classification and regulation of computer games" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
11 May 1994

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for tomorrow.

20 ADJOURNMENT

Mr Hartcher moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.16 a.m., until 9.00 a.m., this day.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 21

THURSDAY 12 MAY 1994

1 GENERAL BUSINESS NOTICE OF MOTION (for Bills) No. 7

General Business Notice of Motion (for Bills) No. 7 was called on and postponed to a later hour of the day (Mr Martin).

2 PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION) AMENDMENT BILL

Mr Windsor moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Pay-roll Tax Act 1971 to make provision for the exemption of certain industries in country areas from pay-roll tax; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Windsor moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

3 TWEED HEADS (AFEX PARK) BILL

Mr Martin moved, pursuant to notice, That leave be given to bring in a bill for an Act to vest certain land, known as Afex Park, in the Tweed Council and to declare the land to be a public reserve.

Question put and passed.

Bill presented and read a first time.

Mr Martin moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

4 CAPITAL PUNISHMENT REFERENDUM BILL

Mr Windsor moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for a referendum in relation to capital punishment for exceptional cases of the crime of murder.

Question put and passed.

Bill presented and read a first time.

Mr Windsor moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

5 MYALL LODGE (ADDITIONAL LAND) BILL

Mr Martin moved, pursuant to notice, That leave be given to bring in a bill for an Act with respect to the carrying out of development on certain land adjacent to Myall Lodge at Hawks Nest.

Question put and passed.

Bill presented and read a first time.

Mr Martin moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

At 9.30 a.m. General Business Orders of the Day (for Bills) proceeded with.

6 INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Nagle, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and Mr Rixon, Temporary Chairman, reported the bill with amendments.

On motion of Mr Nagle the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for a later hour of the day.

7 HOMEFUND LEGISLATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Grusovin, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Schipp, be allowed to continue his speech for a further period of 5 minutes.

SUSPENSION OF STANDING ORDERS—CONTINUATION OF DEBATE

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow continuation of debate on the HomeFund Legislation (Amendment) Bill past 11.30 a.m.

Debate ensued.

Question put and passed.

Question put.

The House divided.

Ayes 45

Ms Allan	Mr Knight	Ms Nori
Mr Amery	Mr Knowles	Mr Page
Mr Anderson	Mr Langton	Mr Price
Mr Aquilina	Mrs Lo Po'	Dr Refshauge
Mr A. S. Aquilina	Mr McBride	Mr Rogan
Mr Bowman	Mr McManus	Mr Rumble
Mr Crittenden	Dr Macdonald	Mr Shedden
Mr Doyle	Mr Markham	Mr Sullivan
Mr Face	Mr Martin	Mr Thompson
Mr Gaudry	Mr Mills	Mr Whelan
Mr Gibson	Ms Moore	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	Mr Beckroge
Mr Irwin	Mr Newman	Mr Davoren

Noes 44

Mr Armstrong	Mr Hartcher	Mr Schipp
Mr Baird	Mr Hazzard	Mr Schultz
Mr Beck	Mr Humpherson	Mrs Skinner
Mr Blackmore	Dr Kernohan	Mr Small
Mr Causley	Mr Kinross	Mr Smith
Mr Chappell	Mr Longley	Mr Tink
Mrs Chikarovski	Mr Merton	Mr Turner
Mr Cochran	Mr Morris	Mr West
Mrs Cohen	Mr Murray	Mr Windsor
Mr Collins	Mr O'Doherty	Mr Zammit
Mr Cruickshank	Mr D. L. Page	
Mr Debnam	Mr Peacocke	Tellers
Mr Downy	Mr Phillips	
Mr Fraser	Mr Photios	Mr Jeffery
Mr Glachan	Mr Richardson	Mr Kerr
Mr Griffiths	Mr Rixon	

Pairs

Mr Carr	Mr Fahey
Mr Clough	Ms Machin
Mr Iemma	Mr Petch
Mr Scully	Mr Souris

Question passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill with amendments.

On motion of Mrs Grusovin, the Report was adopted.

Ordered by Mr Rixon, Acting Speaker, That the third reading stand an Order of the Day for a later hour of the day.

8 SUSPENSION OF STANDING ORDERS—PRIVATE MEMBERS' STATEMENTS

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the taking of private members' statements forthwith until 1.00 p.m.

Question put and passed.

9 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

It being 1.00 p.m. pursuant to Sessional Orders, General Business Orders of the Day (Committee Reports) proceeded with.

10 REPORT OF THE SELECT COMMITTEE UPON THE OPERATIONS OF HOMEFUND AND FANMAC

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

11 ANTI-DISCRIMINATION (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Anti-Discrimination Act 1977 to make provision with respect to HIV/AIDS vilification and to make further provision with respect to racial vilification, racial discrimination and discrimination on the ground of disability, and to make miscellaneous amendments with respect to the grounds of discrimination, complaints procedure, the liability of principals and employers, penalties,

exemptions and other matters; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
12 May 1994

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for a later hour of the day.

12 CRIMINAL PROCEDURE (INDICTABLE OFFENCES) AMENDMENT BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Criminal Procedure Act 1986 with respect to the summary disposal of indictable offences by Local Courts, and to amend other Acts consequentially" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
12 May 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for a later hour of the day.

13 MOTION FOR URGENT CONSIDERATION—STANDING ORDER 54

Ms Moore gave notice of a motion for papers to be tabled pursuant to Standing Order 54.

14 SUSPENSION OF STANDING ORDERS—TABLING OF PAPERS

Mr Whelan sought leave to suspend Standing Orders to allow the tabling of certain papers.

Leave not granted.

15 QUESTIONS

16 NOTICES OF MOTIONS

17 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk gave notice of the making of, and tabled, the following statutory instruments:

Co-operatives Act 1992—Regulation (Relating to requirements for accounts and accounting records). (Gazette 65, 6 May 1994, page 2005.)

Credit Act 1984—Regulation (Relating to minor law revision). (Gazette 65, 6 May 1994, page 2005.)

Credit (Home Finance Contracts) Act 1984—Regulation (Relating to minor law revision). (Gazette 65, 6 May 1994, page 2006.)

Crown Lands Act 1989—By-law (Relating to Botany Cemetery). (Gazette 65, 6 May 1994, page 2011.)

Police Service Act 1990—Regulation (Relating to the suspension of commissioned police officers). (Gazette 65, 6 May 1994, page 2006.)

State Authorities Superannuation Act 1987—State Authorities Superannuation (Centre for Bone and Joint Disease Employees' Superannuation) Regulation 1994. (Gazette 65, 6 May 1994, page 2007.)

18 PAPER

Mr West (by leave) tabled—

Report and Determinations of the Local Government Remuneration Tribunal under sections 239 and 241 of the Local Government Act 1993, dated 22 April 1994.

19 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Martin—from certain citizens opposing plans to privatise the Hunter Valley coal rail industry.

Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Beckroge—from certain citizens requesting that Cobar Public School revert to the old system of learning and abandon the multiple composite system.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Beckroge—from certain citizens requesting increased breast cancer research with a mobile mammography unit to travel to all districts of New South Wales.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

20 PLACING OF BUSINESS—POSTPONEMENTS—NOTICES UNDER STANDING ORDER No. 113A

(1) Notice of Motion No. 1 under Standing Order No. 113A postponed, by Dr Macdonald, until tomorrow.

(2) Notice of Motion No. 2 under Standing Order No. 113A postponed, by Mr Amery, until tomorrow.

21 PRINTING OF PAPERS

(Formal Business)—Ordered, on motion of Mr West, That the following papers be printed:

Statistical Return for the By-election held in the Electoral District of Vaucluse, held on Saturday 9 April 1994.

Report of the Broken Hill Water Board for 1993.

Report of the Technical Education Trust Funds (Technical and Further Education Commission) for 1993.

Report of the Dried Fruits Board for 1993.

Report of the Public Defenders for 1993.

Report of the Parramatta Stadium Trust for 1993.

22 INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE) AMENDMENT BILL

(Formal Order of the Day)—Bill, on motion of Mr Nagle, read a third time.

23 HOMEFUND LEGISLATION (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mrs Grusovin, read a third time.

24 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS

Ms Moore moved, pursuant to notice, That, pursuant to Standing Order 54, this House orders to be laid before it, and made public without restricted access, by the conclusion of the sitting on Friday 13 May 1994, all documents relating to the proposed transfer of the RAS from Moore Park to Homebush Bay including, but not limited to:

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
12 May 1994

- (a) The letter of intent signed by the Government and the Royal Agricultural Society on 2 November 1989 regarding the relocation of the Royal Agricultural Society to Homebush Bay.
- (b) All current and proposed private leases over parts of the Moore Park site.
- (c) All reports dealing with possible refurbishment of the existing Moore Park site.
- (d) All current and proposed private leases held over parts of the proposed Homebush Bay site.

Debate ensued.

Question put.

The House divided.

Ayes 47

Ms Allan	Mr Knight	Mr Page
Mr Amery	Mr Knowles	Mr Price
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mrs Lo Po'	Mr Rogan
Mr A. S. Aquilina	Mr McBride	Mr Rumble
Mr Bowman	Mr McManus	Mr Scully
Mr Crittenden	Dr Macdonald	Mr Shedden
Mr Doyle	Mr Markham	Mr Sullivan
Mr Face	Mr Martin	Mr Thompson
Mr Gaudry	Mr Mills	Mr Whelan
Mr Gibson	Ms Moore	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Mr Neilly	
Mr Iemma	Mr Newman	Mr Beckroge
Mr Irwin	Ms Nori	Mr Davoren

Noes 46

Mr Armstrong	Mr Hazzard	Mr Schultz
Mr Baird	Mr Humpherson	Mrs Skinner
Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Kinross	Mr Smith
Mr Causley	Mr Longley	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	
Mr Fraser	Mr Photios	Tellers
Mr Glachan	Mr Richardson	
Mr Griffiths	Mr Rixon	Mr Jeffery
Mr Hartcher	Mr Schipp	Mr Kerr

Pairs

Mr Carr	Mr Fahey
Mr Clough	Ms Machin

Question passed.

25 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

12 May 1994

Native Title (New South Wales) Bill
State Bank of South Australia (Transfer of Undertaking) Bill
State Revenue Legislation (Amendment) Bill.

26 FILM AND VIDEO TAPE CLASSIFICATION (AMENDMENT) BILL

The Order of the Day was read.

Mr Hartcher moved, That this bill be now read a second time.

Mr Hartcher (by leave) tabled the second reading speech.

Debate adjourned (Mr Whelan) and the resumption of the adjourned debate made an Order of the Day for a later hour of the day.

27 CRIMES (FEMALE GENITAL MUTILATION) AMENDMENT BILL

The Order of the Day was read.

Mr Hartcher moved, That this bill be now read a second time.

Mr Hartcher (by leave) tabled the second reading speech.

Debate adjourned (Mr Whelan) and the resumption of the adjourned debate made an Order of the Day for a later hour of the day.

28 ANTI-DISCRIMINATION (AMENDMENT) BILL

The Order of the Day was read.

Mr Hartcher moved, That this bill be now read a second time.

Debate adjourned (Mr J. H. Murray) and the resumption of the adjourned debate made an Order of the Day for a later hour of the day.

29 BOARD OF VOCATIONAL EDUCATION AND TRAINING BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Chikarovski, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mrs Chikarovski, read a third time.

**30 LIQUOR (AMENDMENT) BILL
REGISTERED CLUBS (AMENDMENT) BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mrs Cohen, That these bills be now read a second time—

Question again proposed and debate resumed.

Ordered, That Mr Debnam, be allowed to continue his speech for a further period of 5 minutes.

It being 5.15 p.m. debate interrupted for private members' statements.

31 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

**32 LIQUOR (AMENDMENT) BILL
REGISTERED CLUBS (AMENDMENT) BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mrs Cohen, That these bills be now read a second time—

Question again proposed and debate resumed.

Question put and passed.

Bills read a second time.

Mr Rixon, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr Tink, Acting Speaker, resumed the Chair and the Chairman reported the Liquor (Amendment) Bill with amendments and the Registered Clubs (Amendment) Bill, with an amendment.

On motion of Mrs Cohen, the Report was adopted.

Ordered by Mr Tink, Acting Speaker That the third reading stand an Order of the Day for tomorrow.

33 SUSPENSION OF STANDING ORDERS—SERVICE OF PROCESS

Mr Whelan sought leave to suspend Standing Orders to move a motion in relation to the service of process in relation to a Member.

Leave not granted.

34 IRRIGATION CORPORATIONS BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Amery moved,

(1) That the Irrigation Corporations Bill be referred to a Legislation Committee for consideration and report to the House on such amendments as it considers should be proposed to the Committee of the Whole on the bill.

(2) That such committee consist of:

(a) three members supporting the Government nominated by the Leader of the House in writing to the Clerk of the Legislative Assembly; and

(b) three members not supporting the Government nominated by the Leader of the Opposition in writing to the Clerk of the Legislative Assembly.

(3) That the committee report by 10 November 1994.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
12 May 1994

The House divided.

Ayes 45

Ms Allan	Mr Knowles	Mr Page
Mr Amery	Mr Langton	Mr Price
Mr Anderson	Mrs Lo Po'	Dr Refshauge
Mr Aquilina	Mr McBride	Mr Rogan
Mr A. S. Aquilina	Mr McManus	Mr Rumble
Mr Bowman	Dr Macdonald	Mr Scully
Mr Crittenden	Mr Markham	Mr Shedden
Mr Doyle	Mr Martin	Mr Sullivan
Mr Face	Mr Mills	Mr Thompson
Mr Gaudry	Ms Moore	Mr Whelan
Mr Gibson	Mr Moss	Mr Yeadon
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hunter	Mr Neilly	
Mr Iemma	Mr Newman	Mr Beckroge
Mr Irwin	Ms Nori	Mr Davoren

Noes 46

Mr Armstrong	Mr Hazzard	Mr Schultz
Mr Baird	Mr Humpherson	Mrs Skinner
Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Kinross	Mr Smith
Mr Causley	Mr Longley	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mr Collins	Mr O'Doherty	Mr Windsor
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Photios	Tellers
Mr Griffiths	Mr Richardson	
Mr Hartcher	Mr Rixon	Mr Jeffery
Mr Hatton	Mr Schipp	Mr Kerr

Pairs

Mr Carr	Mrs Cohen
Mr Clough	Mr Fahey
Mr Knight	Ms Machin

Question negatived.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill with amendments.

On motion of Mr Souris the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

35 MOTOR ACCIDENTS (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

The House continued to sit after midnight—

FRIDAY 13 MAY 1994 a.m.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Hartcher, read a third time.

36 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Friday 13 May 1994 at 9.00 a.m.

Question put and passed.

37 SUSPENSION OF STANDING ORDERS—PRECEDENCE OF BUSINESS

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow Government Business to have precedence of all other business until 2.15 p.m. on Friday 13 May 1994 followed by the Routine of Business outlined in the Sessional Orders.

Question put and passed.

38 COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION

Mr West moved (by leave), That in accordance with section 67 (1) of the Health Care Complaints Act 1993, the following Members of the Legislative Assembly be and are hereby appointed to serve on the Committee on the Health Care Complaints Commission—

Mr Glachan
Dr Macdonald
Mr Mills
Mr Murray

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
12 and 13 May 1994 a.m.

Mr Neilly
Mr O'Doherty

Question put and passed.

Mr West moved, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly desires to acquaint the Legislative Council that it has this day agreed to the following resolution—

That in accordance with section 67 (1) of the Health Care Complaints Act 1993, the following Members of the Legislative Assembly be and are hereby appointed to serve on the Committee on the Health Care Complaints Commission—

Mr Glachan
Dr Macdonald
Mr Mills
Mr Murray
Mr Neilly
Mr O'Doherty,

and requests that the Legislative Council inform the Legislative Assembly of the names of the members of the Legislative Council appointed to serve on such committee.

Legislative Assembly
12 May 1994

K. R. ROZZOLI
Speaker

39 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day agreed to the "Industrial Relations (Contracts of Carriage) Amendment Bill" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
12 May 1994

M. F. WILLIS
President

INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE) AMENDMENT BILL

Schedule of the amendment referred to in Message of 12 May 1994.

JOHN EVANS
Clerk of the Parliaments

Page 4, Schedule 1 (1), line 31. Omit "a panel", insert instead "the Tribunal".

Examined
DUNCAN GAY
Chairman of Committees

Ordered, by Mr Speaker, That the consideration of the Legislative Council amendment be set down as an Order of the Day for tomorrow.

Mr Speaker also reported messages from the Legislative Council returning the following Bills without amendment:

12 May 1994

Fisheries Management Bill
Board of Vocational Education and Training Bill.

40 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.11 a.m., until 9.00 a.m. this day.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 22

FRIDAY 13 MAY 1994

1 INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE) AMENDMENT BILL

The Order of the Day was read, Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendment made by the Legislative Council in the Industrial Relations (Contracts of Carriage) Amendment Bill.

Mr Speaker resumed the Chair, and Mr Rixon, Temporary Chairman, reported that the Committee had agreed to the Council amendment.

Report adopted.

2 FISH MARKETING BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Causley, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Tink, Acting Speaker, resumed the Chair and the Chairman reported the bill with an amendment.

On motion of Mr Causley, the Report was adopted.

Ordered, That the third reading stand an Order of the Day for a later hour of the day.

3 IRRIGATION CORPORATIONS BILL

The Order of the Day was read.

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

Question put and passed.

Bill read a third time.

4 LIQUOR (AMENDMENT) BILL REGISTERED CLUBS (AMENDMENT) BILL

The Order of the Day was read.

Mr West moved, on behalf of Mrs Cohen, That these bills be now read a third time.

Question put and passed.

Bills read a third time.

5 LOCAL GOVERNMENT LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Hazzard, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr West, the Report was adopted.

Ordered, That the third reading stand an Order of the Day for a later hour of the day.

6 MINISTERIAL ARRANGEMENTS

Mr Fahey informed the House that during the absence of the Honourable Wendy Susan Machin, Minister for Consumer Affairs, Minister Assisting the Minister for Roads, and Minister Assisting the Minister for Transport, the Honourable Ian Morton Armstrong, Deputy Premier, Minister for Public Works, and Minister for Ports, would answer questions on behalf of the Minister, and that during the absence of the Honourable Anne Margaret Cohen, Chief Secretary, and Minister for Administrative Services, the Honourable Christopher Peter Hartcher, Minister for the Environment, would answer questions on behalf of the Minister.

7 COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to acquaint the Legislative Assembly that it has this day agreed to the following resolution:

(1) That in accordance with section 64 of the Health Care Complaints Act 1993 a Joint Committee known as the Committee on the Health Care Complaints Commission be appointed.

(2) That in accordance with section 67 (1) (a) of the Health Care Complaints Act 1993 Mrs Evans, Miss Gardiner and Mrs Isaksen be appointed to serve on such Committee as the Members of the Legislative Council.

Legislative Council
13 May 1994

M. F. WILLIS
President

8 MOTION FOR URGENT CONSIDERATION—CONDEMNATION OF PREMIER AND GOVERNMENT IN RELATION TO THE MEMBER FOR BLUE MOUNTAINS

Mr Carr gave notice of a motion condemning the Premier and the Government.

9 QUESTIONS

10 PRIVILEGE—PARLIAMENTARY SECURITY SERVICES

The Honourable Member for Ashfield, Mr Whelan, raised as a matter of privilege the role of the Parliamentary Security Services in relation to the movements of the Honourable Member for Blue Mountains. Mr Whelan stated that such actions constituted a threat against him and impeded his access to certain parts of the parliamentary precincts.

Mr Speaker ruled a prima facie case had not been established.

11 PRIVILEGE—SECURITY AND PRIVACY

The Honourable Member for Miranda, Mr Phillips, raised as a matter of privilege that photographers with telescopic lenses had been positioned outside the rear of the Parliamentary premises scanning their cameras into those offices.

Mr Speaker stated that he would investigate the matter and report to the House.

12 NOTICES OF MOTIONS**13 PETITIONS**

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry—from certain citizens opposing plans to privatise the Hunter Valley coal rail industry.

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Harrison—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

14 PLACING OF BUSINESS—POSTPONEMENT—NOTICE UNDER STANDING ORDER No. 113A

Notice of Motion No. 1 under Standing Order No. 113A postponed, by Dr Macdonald, until tomorrow.

15 SUSPENSION OF STANDING ORDERS—PRECEDENCE OF BUSINESS

Mr West sought leave of the House to suspend Standing Orders to allow consideration of a Notice of Motion given this day to refer Standing Order 54 to the Standing Orders and Procedure Committee for consideration and report.

Leave not granted.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 May 1994

16 MOTION FOR URGENT CONSIDERATION—CONDEMNATION OF PREMIER AND GOVERNMENT IN RELATION TO THE MEMBER FOR BLUE MOUNTAINS

Mr Carr moved, pursuant to notice, That this House condemns the Premier and his Government for aiding the Member for Blue Mountains to avoid service for two days of nine summonses relating to serious criminal matters.

Debate ensued.

Question put.

The House divided.

Ayes 42

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McBride	Mr Shedden
Mr Carr	Mr McManus	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	Tellers
Mr Harrison	Mr Neilly	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 47

Mr Armstrong	Mr Hazzard	Mr Schipp
Mr Baird	Mr Humpherson	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Causley	Mr Kinross	Mr Small
Mr Chappell	Mr Longley	Mr Smith
Mrs Chikarovski	Dr Macdonald	Mr Souris
Mr Cochran	Mr Merton	Mr Tink
Mr Collins	Ms Moore	Mr Turner
Mr Cruickshank	Mr Morris	Mr West
Mr Debnam	Mr Murray	Mr Windsor
Mr Downy	Mr O'Doherty	Mr Zammit
Mr Fahey	Mr D. L. Page	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Phillips	Tellers
Mr Griffiths	Mr Photios	
Mr Hartcher	Mr Richardson	Mr Jeffery
Mr Hatton	Mr Rixon	Mr Kerr

Pairs

Mr Clough	Mr Blackmore
Mrs Grusovin	Mrs Cohen
Mr Nagle	Ms Machin
Mr Rumble	Mr Peacocke

Question negatived.

17 SUSPENSION OF STANDING ORDERS—LOCAL GOVERNMENT LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the reading of the Order of the Day on the Local Government Legislation (Miscellaneous Amendments) Bill forthwith.

Question put and passed.

18 LOCAL GOVERNMENT LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

The Order of the Day was read.

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

Question put and passed.

Bill read a third time.

19 PAPERS

Mr Hartcher (by leave) tabled—

Report and Determination of the Legal Fees and Costs Board pursuant to section 180 of the Legal Profession Act 1987. (Gazette 117, 22 October 1993, page 6413.)

Report and Determination of the Legal Fees and Costs Board pursuant to section 178A of the Legal Profession Act 1987. (Gazette 142, 24 December 1993, page 7524.)

Report and Determination of the Legal Fees and Costs Board pursuant to section 180 of the Legal Profession Act 1987. (Gazette 46, 18 March 1994, page 1228.)

Report and Determination of the Legal Fees and Costs Board pursuant to sections 178A and 180 of the Legal Profession Act 1987. (Gazette 58, 15 April 1994, page 1666.)

Report and Determination of the Legal Fees and Costs Board pursuant to section 13 of the Public Notaries Act 1985. (Gazette 104, 24 September 1993, page 6021.)

20 DISALLOWANCE OF REGULATION UNDER THE LEGAL PROFESSION ACT 1987

Mr Amery moved, pursuant to notice, That this House pursuant to section 188 (1) of the Legal Profession Act 1987 disallows the Determination of the Legal Fees and Costs Board made pursuant to section 178A of the Act and contained in its report published in Government Gazette No. 58 of 15 April 1994 from page 1666.

Debate ensued.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 May 1994

The House divided.

Ayes 38

Ms Allan	Mr Knight	Dr Refshauge
Mr Amery	Mr Knowles	Mr Rogan
Mr Anderson	Mr Langton	Mr Scully
Mr Aquilina	Mr McBride	Mr Shedden
Mr A. S. Aquilina	Mr McManus	Mr Sullivan
Mr Bowman	Mr Markham	Mr Thompson
Mr Crittenden	Mr Martin	Mr Whelan
Mr Doyle	Mr Mills	Mr Yeadon
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Neilly	
Mr Iemma	Mr Newman	Mr Beckroge
Mr Irwin	Ms Nori	Mr Davoren

Noes 41

Mr Armstrong	Dr Kernohan	Mr Schipp
Mr Baird	Mr Kinross	Mrs Skinner
Mr Beck	Mr Longley	Mr Smith
Mr Causley	Dr Macdonald	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Ms Moore	Mr Turner
Mr Cochran	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Windsor
Mr Cruickshank	Mr O'Doherty	Mr Zammit
Mr Debnam	Mr D. L. Page	
Mr Downy	Mr Petch	Tellers
Mr Griffiths	Mr Phillips	
Mr Hartcher	Mr Photios	
Mr Hazzard	Mr Richardson	Mr Jeffery
Mr Humpherson	Mr Rixon	Mr Kerr

Pairs

Mr Carr	Mr Blackmore
Mr Clough	Mrs Cohen
Mr Face	Mr Fahey
Mrs Grusovin	Mr Fraser
Mr Hunter	Mr Glachan
Mrs Lo Po'	Ms Machin
Mr Page	Mr Peacocke
Mr Price	Mr Schultz
Mr Rumble	Mr Small

Question negatived.

21 BUSH FIRES (FURTHER AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Griffiths, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Hazzard, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Acting Speaker, resumed the Chair, and the Chairman reported progress and obtained leave to sit again at a later hour of the day.

22 SUSPENSION OF STANDING ORDERS—PRIVATE MEMBERS' STATEMENTS

Mr West moved (by leave), That Standing and Sessional Orders be suspended to not take private members' statements at this sitting.

Question put and passed.

23 BUSH FIRES (FURTHER AMENDMENT) BILL

The Order of the Day was read, Mr Hazzard, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bill.

Mr Hazzard, Acting Speaker, resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Griffiths, the Report was adopted.

Mr Acting Speaker, consented to the third reading being taken forthwith.

Bill, on motion of Mr Griffiths, read a third time.

24 FIRE BRIGADES (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Griffiths, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 May 1994

The House divided.

Ayes 36

Mr Armstrong
Mr Baird
Mr Causley
Mr Chappell
Mrs Chikarovski
Mr Cochran
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Griffiths
Mr Hartcher
Mr Hatton
Dr Kernohan

Mr Kinross
Mr Longley
Dr Macdonald
Mr Merton
Ms Moore
Mr Morris
Mr O'Doherty
Mr Petch
Mr Phillips
Mr Photios
Mr Richardson
Mr Rozzoli
Mrs Skinner
Mr Smith

Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Noes 31

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Crittenden
Mr Doyle
Mr Gibson
Mr Iemma
Mr Irwin
Mr Knight

Mr Knowles
Mr Langton
Mr McBride
Mr Martin
Mr Mills
Mr Moss
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Dr Refshauge
Mr Rogan

Mr Scully
Mr Shedden
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

Pairs

Mr Beck
Mr Blackmore
Mrs Cohen
Mr Fahey
Mr Fraser
Mr Glachan
Mr Humpherson
Ms Machin
Mr Murray
Mr D. L. Page
Mr Peacocke
Mr Rixon
Mr Schipp
Mr Schultz
Mr Small

Mr Carr
Mr Clough
Mr Face
Mr Gaudry
Mrs Grusovin
Mr Harrison
Mr Hunter
Mrs Lo Po'
Mr McManus
Mr Markham
Mr Murray
Mr Neilly
Mr Price
Mr Rumble
Mr Sullivan

Question passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Griffiths, read a third time.

25 ELECTRICITY (BROKEN HILL) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr West, read a third time.

26 RETAIL LEASES BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Chappell, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Hazzard, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Hazzard, Acting Speaker, resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Chappell, the Report was adopted.

Mr Acting Speaker, consented to the third reading being taken forthwith.

Bill, on motion of Mr Chappell, read a third time.

27 FILM AND VIDEO TAPE CLASSIFICATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr West, on behalf of Mr Hartcher, read a third time.

28 FISH MARKETING BILL

The Order of the Day was read.

Mr Causley moved, "That" this bill be now read a third time.

Mr Martin moved, That the question be amended by leaving out all the words after the word "That" with a view to inserting the words "the bill be recommitted for the reconsideration of clause 14" and consideration of a new schedule 3".

Question—That the amendment be agreed to—put and passed.

Question—That the bill be recommitted for the reconsideration of clause 14 and consideration of a new schedule 3—put and passed.

Mr Deputy Speaker left the Chair and the House resolved itself into a Committee of the Whole for the reconsideration of clause 14 and consideration of a new schedule 3.

Mr Deputy Speaker resumed the Chair and Mr Tink, Temporary Chairman, reported the bill a second time with further amendments.

On motion of Mr Causley, the Report was adopted.

Ordered, That the third reading stand an Order of the Day for a later hour of the day.

29 ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Deputy Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Deputy Speaker resumed the Chair and Mr Tink, Temporary Chairman, reported the bill with amendments.

On motion of Mr Photios, on behalf of Mr Souris, the Report was adopted.

Mr Deputy Speaker consented to the third reading being taken forthwith.

Bill, on motion of Mr Photios, read a third time.

Mr Photios moved, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly has this day agreed to the Bill intituled "An Act to amend the Environmental Planning and Assessment Act 1979 to make further provision concerning the consideration and determination of development applications; and for other purposes" with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly
13 May 1994

K. R. ROZZOLI
Speaker

ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) BILL

Schedule of the amendments referred to in the Legislative
Assembly's Message of 13 May 1994

RUSSELL D. GROVE
Clerk of the Legislative Assembly

-
- No. 1 Pages 3 and 4, Schedule 1, line 9 on page 3 to line 29 on page 4. Omit all words on those lines.
- No. 2 Pages 4 and 5, Schedule 1, line 30 on page 4 to line 23 on page 5. Omit all words on those lines.
- No. 3 Page 5, Schedule 1 (4), line 32. Omit "may" insert instead "must".
- No. 4 Page 5, Schedule 1 (4), lines 33-36. Omit all words on those lines. Insert instead "The condition may specify the means by which the outcome or objective may be achieved."
- No. 5 Page 6, Schedule 1, line 15. After "consent," where firstly occurring, insert "or within a period of 60 days after lodgment of that development application with the consent authority, whichever is the longer period,".

Examined
ANDREW TINK
Temporary Chairman of Committees

30 JUSTICES (FINE DEFAULT) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Photios, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Photios, read a third time.

31 FISH MARKETING BILL

The Order of the Day was read.

Mr West moved, on behalf of Mr Causley, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

32 VICTIMS COMPENSATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Kerr be allowed to continue his speech for a further period of 5 minutes.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair, and Mr Hazzard, Temporary Chairman reported progress and obtained leave to sit again at a later hour of the day.

33 CO-OPERATIVES (AMENDMENT) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Co-operatives Act 1992 to make further provision with respect to the application of provisions of the Corporations Law to co-operatives, the obtaining of financial accommodation by a co-operative, requisitioning of general meetings and annual returns of co-operatives; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Photios moved, on behalf of Mr West, That this bill be now read a second time.

Debate adjourned (Mr Amery) and the resumption of the debate made an Order of the Day for a future day.

34 AGRICULTURAL AND VETERINARY CHEMICALS (NEW SOUTH WALES) BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to apply certain laws of the Commonwealth relating to agricultural and veterinary chemical products as laws of New South Wales; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Causley moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

Mr Speaker left the Chair at 9.25 p.m. until the ringing of one long bell.

Mr Speaker resumed the Chair at 10.49 p.m.

35 ANTI-DISCRIMINATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Hazzard, Acting Speaker, resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Hartcher, the Report was adopted.

Mr Acting Speaker, consented to the third reading being taken forthwith.

Bill, on motion of Mr Hartcher, read a third time.

Mr Hartcher moved, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly has this day agreed to the Bill intituled "An Act to amend the Anti-Discrimination Act 1977 to make provision with respect to HIV/AIDS vilification and to make further provision with respect to racial vilification, racial discrimination and discrimination on the ground of disability, and to make miscellaneous amendments with respect to the grounds of discrimination, complaints procedure, the liability of principals and employers, penalties, exemptions and other matters; and for other purposes" with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly
13 May 1994

K. R. ROZZOLI
Speaker

ANTI-DISCRIMINATION (AMENDMENT) BILL

Schedule of the amendments referred to in the Legislative
Assembly's Message of 13 May 1994

RUSSELL D. GROVE
Clerk of the Legislative Assembly

-
- No. 1 Page 3, Schedule 2, lines 19 and 20. Omit "or serious contempt for", insert instead "serious contempt for, or severe ridicule of".
- No. 2 Page 3, Schedule 2, line 27. Omit "hatred towards or serious contempt for", insert instead "hatred towards, serious contempt for, or severe ridicule of".
- No. 3 Page 4, Schedule 2, line 10. Omit "hatred towards or serious contempt for", insert instead "hatred towards, serious contempt for, or severe ridicule of".
- No. 4 Pages 18 and 19, Schedule 4, line 33 on page 18 to line 4 on page 19. Omit all words on those lines, insert instead:

Act done because of unlawful discrimination and for other reasons

4A. If:

- (a) an act is done for 2 or more reasons; and
- (b) one of the reasons consists of unlawful discrimination under this Act against a person (whether or not it is the dominant or a substantial reason for doing the act),

then, for the purposes of this Act, the act is taken to be done for that reason.

Examined
JOHN TURNER
Chairman of Committees

36 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

13 May 1994

Bush Fires (Further Amendment) Bill
Electricity (Broken Hill) Amendment Bill
Fire Brigades (Amendment) Bill
Fish Marketing Bill
Irrigation Corporations Bill
Liquor (Amendment) Bill
Registered Clubs (Amendment) Bill
Local Government Legislation (Miscellaneous Amendments) Bill.

37 MINISTERIAL STATEMENT—RETURN TO ORDER

Mr West made a ministerial statement concerning the return to order under Standing Order 54.

38 SUSPENSION OF STANDING ORDERS—RETURN TO ORDER UNDER STANDING ORDER 54

Ms Moore moved (by leave), That so much of the Standing and Sessional Orders be suspended as would allow, as an interim measure, partial compliance by the Government with the motion passed by this House requiring delivery of documents relating to the proposed transfer of the Royal Agricultural Society from Moore Park to Homebush Bay pursuant to Standing Order 54.

Question put and passed.

39 PAPERS—RETURN TO ORDER

Mr West tabled, pursuant to the resolution of the House on 12 May 1993—

Memorandum from the Acting Director-General of the Premier's Department to the Premier, concerning the tabling of documents under Standing Order 54, dated 13 May 1994.

Documents relating to the proposed transfer of the RAS from Moore Park to Homebush Bay including:

- (a) The letter of intent signed by the Government and the Royal Agricultural Society on November 2, 1989 regarding the relocation of the Royal Agricultural Society to Homebush Bay;
- (b) Current and proposed private leases over parts of the Moore Park site;
- (c) Reports dealing with possible refurbishment of the existing Moore Park site; and
- (d) Current and proposed private leases held over parts of the proposed Homebush Bay site.

40 ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the Assembly's amendments Nos 1 to 5 in the Environmental Planning and Assessment (Amendment) Bill.

Legislative Council
13 May 1994

A. B. MANSON
Acting President

41 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Tuesday 13 September 1994, at 2.15 p.m.

Debate ensued.

Question put and passed.

42 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.29 p.m., until Tuesday 13 September 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 23

TUESDAY 13 SEPTEMBER 1994

1 VACANT SEAT—ELECTORAL DISTRICT OF PARRAMATTA

Mr Speaker informed the House that he had issued a writ on 15 July 1994 for the election of a member to serve in the room of Andrew Charles Frederick Ziolkowski, and the writ had been returned, with a certificate endorsed by the returning officer, of the election of Gabrielle Mary Harrison to serve as member for the electoral district of Parramatta.

Ms Harrison was introduced, took and subscribed the oath of allegiance and signed the Roll of the House and took her seat as member for the electoral district of Parramatta.

2 DEATH OF NORMAN JOHN MANNIX, A FORMER MINISTER OF THE CROWN

Mr Fahey moved—

(1) That this House desires to place on record its sense of the loss this State has sustained by the death of Norman John Mannix, a former Minister of the Crown.

(2) That this House extends to Mrs Mannix and family the deep sympathy of the members of the Legislative Assembly in the loss sustained.

The motion was seconded by Mr Carr and supported by Mr Armstrong, Mr Whelan and Mr Anderson.

Question put and carried unanimously—members and officers of the House standing.

3 DEATH OF ROBERT REGINALD DOWNING, A.C., Q.C., A FORMER ATTORNEY-GENERAL AND MINISTER OF THE CROWN

Mr Fahey moved—

(1) That this House desires to place on record its sense of the loss this State has sustained by the death of Robert Reginald Downing, a former Attorney-General and Minister of the Crown.

(2) That this House extends to the family the deep sympathy of the members of the Legislative Assembly in the loss sustained.

The motion was seconded by Mr Carr and supported by Mr Armstrong, Mr Whelan and Mr Martin.

Question put and carried unanimously—members and officers of the House standing.

4 VACANT SEAT—ELECTORAL DISTRICT OF CABRAMATTA

Mr Speaker informed the House of the death which took place on 5 September 1994, of John Paul Newman, lately serving in the Legislative Assembly of New South Wales as member for the electoral district of Cabramatta.

Mr Fahey moved, That the seat of John Paul Newman, member for the electoral district of Cabramatta has become, and is now vacant, by reason of the death of the said John Paul Newman.

Question put and passed.

5 DEATH OF JOHN PAUL NEWMAN—MEMBER FOR CABRAMATTA

Mr Fahey moved,

(1) That this House desires to place on record its sense of the loss this State has sustained by the death of John Paul Newman, Member for Cabramatta.

(2) That Mr Speaker convey to the family the deep sympathy of the members of the Legislative Assembly in the loss sustained.

(3) That, as a mark of respect, this House do now adjourn until tomorrow at 2.15 p.m.

The motion was seconded by Mr Carr and supported by Mr Armstrong, Dr Refshauge, Mr West, Mr Whelan, Mr Photios, Mr Face, Mrs Cohen, Mr Aquilina, Mr Zammit, Mr Amery, Mr Hazzard, Mr Gibson, Mr Jeffery, Mr Mills, Mr Small, Mr Hatton, Mr Moss, Mr Harrison, Mr Nagle, Mr Rumble, Mr McBride and Mr Scully.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 September 1994

Question put and carried unanimously—members and officers of the House standing.

The House adjourned, as a mark of respect, at 5.38 p.m., until tomorrow at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 24

WEDNESDAY 14 SEPTEMBER 1994

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

16 May 1994

Crimes Legislation (Dangerous Articles) Amendment Bill
Gaming and Betting (Race-meetings) Amendment Bill
Health Legislation (Miscellaneous Amendments) Bill
Property, Stock and Business Agents (Amendment) Bill
Timber Industry (Interim Protection) Amendment Bill

30 May 1994

Anti-Discrimination (Amendment) Bill
Bush Fires (Amendment) Bill
Crimes Legislation (Unsworn Evidence) Amendment Bill
Electricity Commission (Amendment) Bill
Environmental Planning and Assessment (Amendment) Bill
Film and Video Tape Classification (Amendment) Bill

Justices (Fine Default) Amendment Bill
Mental Health (Amendment) Bill
Motor Accidents (Amendment) Bill
State Emergency and Rescue Management (Amendment) Bill

2 June 1994

Board of Vocational Education and Training Bill
Bush Fires (Further Amendment) Bill
Electricity (Broken Hill) Amendment Bill
Fire Brigades (Amendment) Bill
Fish Marketing Bill
Fisheries Management Bill
Gaming and Betting (Telephone Betting) Amendment Bill
Industrial Relations (Contracts of Carriage) Amendment Bill
Irrigation Corporations Bill
Liquor (Amendment) Bill
Registered Clubs (Amendment) Bill
Local Government Legislation (Miscellaneous Amendments) Bill
Native Title (New South Wales) Bill
Retail Leases Bill
State Bank of South Australia (Transfer of Undertaking) Bill
State Revenue Legislation (Amendment) Bill
Statute Law (Miscellaneous Provisions) Bill.

2 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 13 May 1994, returning the Retail Leases Bill, without amendment.

3 ANTI-DISCRIMINATION (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the Assembly's amendments Nos. 1 to 4 in the Anti-Discrimination (Amendment) Bill.

Legislative Council
13 May 1994

DUNCAN GAY
Deputy President

4 MINISTERIAL ANNOUNCEMENTS

Mr Fahey informed the House that on 27 June 1994, His Excellency the Governor accepted the resignation of the Honourable Terence Allan Griffiths, M.P., as Minister for Police, and Minister for Emergency Services, and as a Member of the Executive Council, and the resignation of the Honourable Garry Bruce West, M.P., as Minister for Energy, and Minister for Local Government and Co-operatives.

On the same date His Excellency the Governor appointed the Honourable Garry Bruce West, M.P., Minister for Police, and Minister for Emergency Services, and the Honourable Edward Phillip Pickering, M.L.C., as a Member of the Executive Council and as Minister for Energy, and Minister for Local Government and Co-operatives.

Mr Fahey also informed the House of the appointment on 11 July 1994 of Andrew Arnold Tink, M.P., as Parliamentary Secretary assisting the Premier, and Minister for Economic Development, following the resignation of the Honourable Edward Phillip Pickering, M.L.C., as Parliamentary Secretary.

5 MINISTERIAL ARRANGEMENTS

Mr Fahey informed the House that the Attorney General would be represented by the Minister for the Environment; the Minister for Justice by the Minister for Multicultural and Ethnic Affairs; the Minister for Planning and Housing would be represented by the Minister for Land and Water Conservation; the Minister for Education, Training and Youth Affairs would be represented by the Minister for Industrial Relations and Employment and Minister for the Status of Women; the Minister for Tourism would be represented by the Minister for Transport and Minister for Roads; the Minister for Energy, and Minister for Local Government and Co-operatives would be represented by the Minister for Police and Minister for Emergency Services.

6 MOTION FOR URGENT CONSIDERATION—PUBLIC ACCOUNTS COMMITTEE REFERENCE—RURAL ASSISTANCE AUTHORITY

Mr Martin gave notice of a motion for the referral to the Public Accounts Committee of the performance of the Rural Assistance Authority of New South Wales.

7 LEAVE OF ABSENCE

Mr Beckroge moved, That leave of absence for the present session be granted to Westby James Davoren, member for Lakemba, on account of absence from the State.

Question put and passed.

8 QUESTIONS

9 NOTICES OF MOTIONS

10 OFFICE OF THE OMBUDSMAN

Mr Speaker, pursuant to section 31 of the Ombudsman Act, announced receipt of the following report:

2 July 1994

Discussion Paper from the Office of the Ombudsman entitled "Race Relations and Our Police", dated July 1994, made public under section 27 of the Act.

11 INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker, pursuant to section 74 of the Independent Commission Against Corruption Act 1988, announced receipt of the following paper:

28 June 1994

Report of the Independent Commission Against Corruption on Investigation into Matters Relating to Police and Confidential Information, dated June 1994, made public pursuant to section 78 (2) of the Act.

12 RETURN TO ORDER FOR PAPERS

The Clerk, pursuant to the resolution of the House of 10 May 1994, announced receipt of the following papers:

19 May 1994

All documents relating to the approval of grants under the capital assistance program, Department of Sport and Recreation for financial years 1984/85 up to and including 1993/94 and all papers relating to the approval for improvements to the Goulburn racetrack under the Racecourse Development Fund, administered by the Racecourse Development Committee.

13 AUDITOR-GENERAL

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following reports—

19 May 1994

Auditor-General's Report for 1994, Volume One.

31 August 1994

Performance Audit Reports entitled "Statutory Investments and Business Enterprises", New South Wales Aboriginal Land Council and "Aboriginal Land Claims", Aboriginal Land Rights Act 1983.

14 LOCAL GOVERNMENT ACT 1993

The Clerk, pursuant to the Royal Commissions Act 1923, announced receipt of the following report—

24 May 1994

Report by Commissioner Day concerning the Public Inquiry into Burwood Council, dated 16 May 1994.

15 STATE OWNED CORPORATIONS

The Clerk, pursuant to section 27 of the State Owned Corporations Act 1989, announced receipt of the following report—

4 July 1994

Half-yearly Report of the State Bank of New South Wales Limited for the period ended 31 March 1994.

16 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following papers—

15 June 1994

Report of the Public Accounts Committee concerning Public Defenders, dated June 1994.

20 June 1994

Minutes of Evidence, and Submissions and Exhibits taken before the Public Accounts Committee concerning the Public Defenders inquiry, dated June 1994.

30 June 1994

Report of the Public Accounts Committee concerning Matters Arising from the Auditor-General's Reports, dated June 1994.

Report of the Public Accounts Committee concerning Preparation for Peer Review of Auditor-General's Office, dated June 1994.

17 SELECT COMMITTEE UPON MOTOR VEHICLE EMISSIONS

The Clerk, pursuant to the terms of reference of the Committee, announced receipt of the following paper—

18 May 1994

Select Committee upon Motor Vehicle Emissions Issues Paper, dated May 1994.

18 REPORTS RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Departments) Act 1985, announced receipt of the following reports—

8 June 1994

Report of the Department of School Education Overview for 1993.

Department of School Education Financial Statements and Appendices for year ended 30 June 1993.

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following papers—

17 May 1994

Report of the Wild Dog Destruction Board for 1993.

20 May 1994

Report of Charles Sturt University for 1993.

Report of the University of New England for 1993.

Report of the University of New South Wales for 1993.

Report of the University of Newcastle for 1993.

Report of the University of Wollongong for 1993.

24 May 1994

Report of the Trustees of the ANZAC Memorial Building for 1993.

25 May 1994

Report of Macquarie University for 1993.

Report of the University of Sydney for 1993.

Report of the University of Technology, Sydney for 1993.

7 June 1994

Report of the University of Western Sydney for 1993.

24 June 1994

Report of the Wine Grapes Marketing Board for 1993.

1 August 1994

Report of the Real Estate Services Council for the year ended 31 March 1994.

3 August 1994

Report of the Lake Illawarra Authority for the year ended 31 March 1994.

4 August 1994

Report of the Public Sector Executives Superannuation Board for the year ended 31 March 1994.

Report of the Sydney Cricket and Sports Ground Trust for the year ended 28 February 1994.

Report of the Tobacco Leaf Marketing Board for 1993.

26 August 1994

Report of the New South Wales Medical Board for the year ended 31 March 1994.

1 September 1994

Report of the Sydney Market Authority for the year ended 31 March 1994.

9 September 1994

Report of the Board of Veterinary Surgeons of New South Wales for the year ended 30 June 1993.

13 September 1994

Report of the New South Wales Aboriginal Land Council for the fifteen month period ended 30 September 1991.

Report of the New South Wales Aboriginal Land Council for the year ended 30 September 1992.

19 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of the following statutory instruments:

Adoption of Children Act 1965—Regulation (Relating to fees for adoption order applications and assessments of suitability to adopt). (Gazette 115, 9 September 1994, page 5636.)

Air Transport Act 1964—Air Transport Regulation 1994. (Gazette 111, 31 August 1994, page 5334.)

Animal Research Act 1985—Regulation (Relating to the Animal Research Review Panel). (Gazette 106, 19 August 1994, page 4435.)

Arbitration (Civil Actions) Act 1983—Arbitration (Civil Actions) Regulation 1994. (Gazette 108, 26 August 1994, page 4559.)

Associations Incorporation Act 1984—Associations Incorporation Regulation 1994. (Gazette 108, 26 August 1994, page 4561.)

Bail Act 1978—Bail Regulation 1994. (Gazette 108, 26 August 1994, page 4603.)

Business Licences Act 1990—Business Licences (Fees) Order 1994 No. 2. (Gazette 83, 24 June 1994, page 3187.)

Children (Care and Protection) Act 1987—

(a) Regulation (Relating to the conditions of a licence for a family day care service). (Gazette 83, 24 June 1994, page 3110.)

(b) Regulation (Relating to the conditions of a licence for a home-based child care service). (Gazette 83, 24 June 1994, page 3111.)

Children (Community Service Orders) Act 1987—Regulation (Relating to law revision). (Gazette 83, 24 June 1994, page 3112.)

Chiropractors and Osteopaths Act 1991—Regulation (Relating to advertising). (Gazette 88, 1 July 1994, page 3248.)

Coastal Protection Act 1979—Coastal Protection (Non-Local Government Areas) Regulation 1994. (Gazette 111, 31 August 1994, page 5335.)

Commercial Tribunal Act 1984—Commercial Tribunal Regulation 1994. (Gazette 108, 26 August 1994, page 4635.)

Commercial Vessels Act 1979—

(a) Regulation (Relating to fees in connection with load lines). (Gazette 104, 12 August 1994, page 4231.)

(b) Regulation (Relating to fees in connection with vessel permits). (Gazette 104, 12 August 1994, page 4232.)

(c) Regulation (Relating to fees in connection with certificates of competency). (Gazette 104, 12 August 1994, page 4235.)

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Community Land Development Act 1989—Regulation (Relating to fees for lodging plans for registration). (Gazette 76, 3 June 1994, page 2632.)

Community Service Orders Act 1979—Regulation (Relating to forms). (Gazette 83, 24 June 1994, page 3113.)

Compensation Court Act 1984—Amendments to Compensation Court Rules (3). (Gazette 104, 12 August 1994, page 4400; Gazette 108, 26 August 1994, page 5297; Gazette 115, 9 September 1994, page 5687.)

Construction Safety Act 1912—

(a) Regulation (Relating to registration of amusement devices). (Gazette 73, 27 May 1994, page 2436.)

(b) Regulation (Relating to the use of explosives in building, excavation and compressed air work). (Gazette 88, 1 July 1994, page 3249.)

Conveyancing Act 1919—Regulation (Relating to fees). (Gazette 76, 3 June 1994, page 2629.)

Co-operation Act 1923—Co-operation (Starr-Bowkett and Co-operative Housing Societies) Regulation 1994. (Gazette 108, 26 August 1994, page 4640.)

Credit Act 1984—Regulation (Relating to statements as to maximum annual percentage rates). (Gazette 80, 17 June 1994, page 2918.)

Crown Lands Act 1989—Regulation (Relating to offences). (Gazette 106, 19 August 1994, page 4437.)

Dairy Industry Act 1979—

(a) Regulation (Relating to the calculation of milk prices). (Gazette 80, 17 June 1994, page 2920.)

(b) Dairy Industry Conference Regulation 1994. (Gazette 108, 26 August 1994, page 4671.)

Darling Harbour Authority Act 1984—

(a) Regulation (Relating to management of the public areas of Darling Harbour). (Gazette 97, 22 July 1994, page 3755.)

(b) Darling Harbour Authority (General) Regulation 1994. (Gazette 111, 31 August 1994, page 5337.)

(c) Regulation (Relating to management of the public areas of Darling Harbour). (Gazette 115, 9 September 1994, page 5639.)

De Facto Relationships Act 1984—De Facto Relationships Regulation 1994. (Gazette 108, 26 August 1994, page 4683.)

Disability Services Act 1993—Regulation (Relating to the definition of "designated services" in section 4 of the Act). (Gazette 108, 26 August 1994, page 4697.)

District Court Act 1973—

(a) Amendments to District Court Rules (3). (Gazette 73, 27 May 1994, page 2533; Gazette 80, 17 June 1994, page 3012; Gazette 88, 1 July 1994, page 3377.)

(b) Practice Note No. 32. (Gazette 99, 29 July 1994, page 4028.)

Dormant Funds Act 1942—Dormant Funds Regulation 1994. (Gazette 108, 26 August 1994, page 4699.)

Driving Instructors Act 1992—

(a) Regulation (Relating to bush fire brigades). (Gazette 83, 24 June 1994, page 3114.)

(b) Regulation (Relating to fees). (Gazette 83, 24 June 1994, page 3115.)

Election Funding Act 1981—Election Funding Regulation 1994. (Gazette 108, 26 August 1994, page 4702.)

Electricity Act 1945—

(a) Regulation (Prescribing an area to be included in Broken Hill Electricity's electricity distribution district). (Gazette 88, 1 July 1994, page 3250.)

(b) Electricity Distributors (Contract Tendering) Regulation 1994. (Gazette 99, 29 July 1994, page 3962.)

(c) Electricity (Accounts) Regulation 1994. (Gazette 108, 26 August 1994, page 4717.)

(d) Electricity (Equipment Safety) Regulation 1994. (Gazette 108, 26 August 1994, page 4721.)

Electricity Commission Act 1950—Electricity Commission (Elections) Regulation 1994. (Gazette 111, 31 August 1994, page 5356.)

Environmental Planning and Assessment Act 1979—

(a) Regulation (Relating to designated development). (Gazette 80, 17 June 1994, page 2925.)

(b) Regulation (Relating to prescribed persons for Crown development applications). (Gazette 88, 1 July 1994, page 3251.)

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(c) Environmental Planning and Assessment Regulation 1994. (Gazette 108, 26 August 1994, page 4740.)

(d) Regulation (Relating to savings and transitional matters). (Gazette 115, 9 September 1994, page 5642.)

Environmentally Hazardous Chemicals Act 1985—Environmentally Hazardous Chemicals Regulation 1994. (Gazette 106, 19 August 1994, page 4439.)

Fair Trading Act 1987—

(a) Regulation (Relating to baby walkers). (Gazette 97, 22 July 1994, page 3758.)

(b) Order under section 31 of the Act. (Gazette 97, 22 July 1994, page 3762.)

(c) Regulation (Repeal of unnecessary product information standards relating to millet brooms and toys made outside Australia). (Gazette 106, 19 August 1994, page 4445.)

Film and Video Tape Classification Act 1984—Regulation (Relating to computer games). (Gazette 80, 17 June 1994, page 2921.)

Fire Brigades Act 1989—Regulation (Relating to law revision). (Gazette 78, 10 June 1994, page 2841.)

Firearms Act 1989—Regulation (Relating to amnesties for firearms and ammunition). (Gazette 88, 1 July 1994, page 3252.)

Fisheries and Oyster Farms Act 1935—

(a) Regulation (Relating to spanner crab nets). (Gazette 80, 17 June 1994, page 2923.)

(b) Regulation (Relating to the Jervis Bay scallops restricted fishery). (Gazette 88, 1 July 1994, page 3254.)

(c) Regulation (Relating to the rock lobster fishery). (Gazette 93, 15 July 1994, page 3642.)

Food Act 1989—Regulation (Relating to standards for milk). (Gazette 90, 8 July 1994, page 3466.)

Forestry Act 1916—Forestry Regulation 1994. (Gazette 108, 26 August 1994, page 4807.)

Funeral Funds Act 1979—Funeral Funds Regulation 1994. (Gazette 108, 26 August 1994, page 4841.)

Government and Related Employees Appeal Tribunal Act 1980—Government and Related Employees Appeal Tribunal Regulation 1994. (Gazette 80, 17 June 1994, page 2947.)

Greyhound Racing Control Board Act 1985—

(a) Rules of the Greyhound Racing Control Board 1994. (Gazette 108, 26 August 1994, page 4856.)

(b) Greyhound Racing Control Board (Appeals) Regulation 1994. (Gazette 108, 26 August 1994, page 4904.)

Guardianship Act 1987—Regulation (Relating to law revision). (Gazette 71, 20 May 1994, page 2306.)

Harness Racing Authority Act 1977—Harness Racing Authority (Appeals) Regulation 1994. (Gazette 108, 26 August 1994, page 4909.)

Health Administration Act 1982—Regulation (Renaming the Health Administration (Quality Assurance Committees) Regulation 1990, repealing the Health Administration Regulation 1983 and expanding and transferring to the renamed Regulation a provision of the repealed Regulation concerning the disclosure of information). (Gazette 108, 26 August 1994, page 4917.)

Horticultural Stock and Nurseries Act 1969—Regulation (Relating to registration and renewal of registration fees for nurserymen and resellers). (Gazette 97, 22 July 1994, page 3760.)

Impounding Act 1993—Regulation (Relating to penalty notice offences). (Gazette 88, 1 July 1994, page 3257.)

Industrial Relations Act 1991—Regulation (Relating to notification of claims for compensation in respect of termination of contracts of carriage). (Gazette 99, 29 July 1994, page 3962.)

Intoxicated Persons Act 1979—Intoxicated Persons Regulation 1994. (Gazette 108, 26 August 1994, page 4921.)

Irrigation Act 1912—Irrigation (Interest on Overdue Rates and Charges) Regulation 1994. (Gazette 108, 26 August 1994, page 4919.)

Justices Act 1902—

(a) Regulation (Relating to short descriptions of offences under the Crimes Act 1900, the Dog Act 1966 and the Rural Lands Protection Act 1989). (Gazette 68, 13 May 1994, page 2171.)

(b) Regulation (Relating to forms in fine default matters). (Gazette 83, 24 June 1994, page 3116.)

(c) Justices (Short Descriptions of Impounding Offences) Regulation 1994. (Gazette 88, 1 July 1994, page 3258.)

(d) Regulation (Relating to short descriptions of offences under the Local Government Act 1993). (Gazette 88, 1 July 1994, page 3260.)

(e) Regulation (Relating to short descriptions of offences under the Motor Traffic Regulations 1935 and the Roads (General) Regulation 1994). (Gazette 111, 31 August 1994, page 5366.)

(f) Regulation (Prescribing the short descriptions of certain railway offences). (Gazette 111, 31 August 1994, page 5376.)

(g) Regulation (Prescribing the short descriptions of certain offences under the Crown Lands Act 1989). (Gazette 112, 1 September 1994, page 5459.)

Land and Environment Court Act 1979—Land and Environment Court (Fees) Regulation 1994. (Gazette 108, 26 August 1994, page 4927.)

Land Tax Management Act 1956—Regulation (Relating to the application fee for land tax certificates). (Gazette 80, 17 June 1994, page 2951.)

Landlord and Tenant (Amendment) Act 1948—Landlord and Tenant Regulation 1994. (Gazette 108, 26 August 1994, page 4932.)

Legal Profession Act 1987—

(a) Report of the Legal Fees and Costs Board pursuant to section 180. (Gazette 68, 13 May 1994, page 2281.)

(b) Report of the Legal Fees and Costs Board pursuant to section 180. (Gazette 73, 27 May 1994, page 2536.)

(c) Report of the Legal Fees and Costs Board pursuant to section 179. (Gazette 83, 24 June 1994, page 3192.)

(d) Report of the Legal Fees and Costs Board pursuant to section 179. (Gazette 83, 24 June 1994, page 3195.)

(e) Report of the Legal Fees and Costs Board pursuant to sections 178A, 179 and 180. (Gazette 83, 24 June 1994, page 3196.)

(f) Legal Profession Regulation 1994. (Gazette 78, 10 June 1994, page 2764.)

(g) Legal Practitioners Transitional Admission Rules 1994. (Gazette 88, 1 July 1994, page 3383.)

Listening Devices Act 1984—Listening Devices Regulation 1994. (Gazette 108, 26 August 1994, page 4939.)

Local Courts Act 1982—Local Courts Regulation 1994. (Gazette 111, 31 August 1994, page 5379.)

Local Courts (Civil Claims) Act 1970—

- (a) Rule (Amending Local Courts (Civil Claims) Rules 1988). (Gazette 80, 17 June 1994, page 3012.)
- (b) Rule (Amending Local Courts (Civil Claims) Rules 1988). (Gazette 97, 22 July 1994, page 3932.)

Local Government Act 1993—

- (a) Regulation (Relating to fire detection and alarm systems). (Gazette 73, 27 May 1994, page 2438.)
- (b) Regulation (Relating to levies on caravan parks, camping grounds and manufactured home estates). (Gazette 78, 10 June 1994, page 2842.)
- (c) Regulation (Relating to the accreditation of temporary structures). (Gazette 80, 17 June 1994, page 2952.)
- (d) Regulation (Omission of unnecessary provisions concerning the placement of survey marks). (Gazette 88, 1 July 1994, page 3261.)
- (e) Regulation (Relating to council meetings). (Gazette 88, 1 July 1994, page 3262.)
- (f) Regulation (Relating to elections). (Gazette 88, 1 July 1994, page 3267.)
- (g) Regulation (Relating to the financial management of councils). (Gazette 88, 1 July 1994, page 3274.)
- (h) Regulation (Relating to the payment and writing off of rates and charges). (Gazette 88, 1 July 1994, page 3276.)
- (i) Regulation (Relating to penalty notice offences). (Gazette 88, 1 July 1994, page 3278.)
- (j) Regulation (Relating to water, sewerage and drainage). (Gazette 88, 1 July 1994, page 3279.)
- (k) Regulation (Relating to the Luna Park Reserve Trust). (Gazette 108, 26 August 1994, page 4941.)

Lord Howe Island Act 1953—

- (a) Lord Howe Island (General) Regulation 1994. (Gazette 108, 26 August 1994, page 4942.)
- (b) Lord Howe Island (Elections) Regulation 1994. (Gazette 108, 26 August 1994, page 4967.)

Lotteries and Art Unions Act 1901—

(a) Regulation (Relating to the keeping of records, the retention of unsold tickets, and to authorised inspectors). (Gazette 88, 1 July 1994, page 3284.)

(b) Regulation (Relating to prizes, penalties for offences and proceeds to be devoted to fundraising objects). (Gazette 112, 1 September 1994, page 5456.)

Lotto Act 1979—Regulation (Relating to prescribed contracts under section 17B of the Lotto Act 1979). (Gazette 78, 10 June 1994, page 2843.)

Maritime Services Act 1935—

(a) Regulation (Abolishing the system of port craft licences). (Gazette 88, 1 July 1994, page 3289.)

(b) Regulation (Relating to the registration of commercial vessels). (Gazette 88, 1 July 1994, page 3290.)

(c) Regulation (Relating to fees for occupation licences). (Gazette 104, 12 August 1994, page 4227.)

(d) Regulation (Relating to fees). (Gazette 104, 12 August 1994, page 4229.)

Meat Industry Act 1978—

(a) Regulation (Relating to fees). (Gazette 90, 8 July 1994, page 3467.)

(b) Meat Industry (Elections) Regulation 1994. (Gazette 108, 26 August 1994, page 4985.)

(c) Meat Industry (Meat Industry Levy) Regulation 1994. (Gazette 108, 26 August 1994, page 5000.)

Medical Practice Act 1992—

(a) Medical Tribunal Rules made under section 158 of the Act. (Gazette 71, 20 May 1994, page 2382.)

(b) Correction notice re Medical Tribunal Rules made under section 158 of the Act. (Gazette 73, 27 May 1994, page 2534.)

Mines Inspection Act 1901—Mines Inspection General Rule 1994. (Gazette 111, 31 August 1994, page 5435.)

Mining Act 1992—Regulation (Relating to fees). (Gazette 108, 26 August 1994, page 4984.)

Motor Vehicle Sports (Public Safety) Act 1985—Motor Vehicle Sports (Public Safety) Regulation 1994. (Gazette 108, 26 August 1994, page 5006.)

National Parks and Wildlife Act 1974—**(a) Proclamations reserving certain lands as part of—**

Boatharbour Nature Reserve. (Gazette 68, 13 May 1994, page 2278.)
Budderoo National Park. (Gazette 108, 26 August 1994, page 5300.)
Gamilaroi Nature Reserve. (Gazette 71, 20 May 1994, page 2380.)
Kings Plains Nature Reserve. (Gazette 76, 3 June 1994, page 2677.)
Rileys Island Nature Reserve. (Gazette 71, 20 May 1994, page 2380.)
Tomaree National Park. (Gazette 68, 13 May 1994, page 2279.)
Wadbilliga National Park. (Gazette 115, 9 September 1994, page 5690.)
Wyrabalong National Park. (Gazette 68, 13 May 1994, page 2279.)

(b) Regulation (Relating to vehicles unlawfully using tracks and trails and increasing penalties for offences). (Gazette 88, 1 July 1994, page 3292.)

(c) National Parks and Wildlife (Fauna Protection) Regulation 1994. (Gazette 108, 26 August 1994, page 5019.)

New South Wales Lotteries Act 1990—New South Wales Lotteries (Instant Lotteries) Regulation 1994. (Gazette 108, 26 August 1994, page 5029.)

Occupational Health and Safety Act 1983—Occupational Health and Safety (Carcinogenic Substances) (Transitional) Regulation 1994. (Gazette 106, 19 August 1994, page 4446.)

Optical Dispensers Act 1963—Regulation (Relating to the definition of optical dispensing). (Gazette 93, 15 July 1994, page 3647.)

Pay-roll Tax Act 1971—Regulation (Relating to allowances paid under an award). (Gazette 80, 17 June 1994, page 2954.)

Periodic Detention of Prisoners Act 1981—Regulation (Relating to the possession and use of drugs, alcohol and other substances by periodic detainees). (Gazette 93, 15 July 1994, page 3648.)

Physiotherapists Registration Act 1945—Regulation (Relating to the remuneration of Professional Standards Committee members). (Gazette 80, 17 June 1994, page 2955.)

Podiatrists Act 1989—Regulation (Relating to the remuneration of Professional Standards Committee members). (Gazette 80, 17 June 1994, page 2956.)

Poisons Act 1966—

(a) Regulation (Relating to anabolic steroids and to wholesale dealing in substances for use by police dive medical technicians and by nurses involved in vaccination programs). (Gazette 106, 19 August 1994, page 4450.)

(b) Poisons Regulation 1994. (Gazette 108, 26 August 1994, page 5039.)

(c) Proclamations amending the poisons list. (Gazette 108, 26 August 1994, page 5300.)

Pollution Control Act 1970—Regulation (Relating to fees). (Gazette 83, 24 June 1994, page 3118.)

Prevention of Cruelty to Animals Act 1979—Regulation (Relating to the use of prescribed electrical devices). (Gazette 73, 27 May 1994, page 2439.)

Prisons Act 1952—Regulation (Relating to the possession and use of drugs, alcohol and other substances by prisoners). (Gazette 88, 1 July 1994, page 3293.)

Private Hospitals and Day Procedure Centres Act 1988—

(a) Regulation (Relating to monthly statistics of day procedure centres). (Gazette 106, 19 August 1994, page 4453.)

(b) Regulation (Relating to monthly statistics of private hospitals). (Gazette 106, 19 August 1994, page 4454.)

Prohibited Weapons Act 1989—

(a) Regulation (To prohibit the possession and use of certain sprays). (Gazette 71, 20 May 1994, page 2307.)

(b) Regulation (Relating to a temporary amnesty for firearms). (Gazette 88, 1 July 1994, page 3295.)

(c) Regulation (Relating to the use of prohibited items by officers of the Department of Juvenile Justice and Sheriff's officers). (Gazette 115, 9 September 1994, page 5644.)

Psychologists Act 1989—Regulation (Relating to the remuneration of Professional Standards Committee members). (Gazette 80, 17 June 1994, page 2957.)

Public Authorities (Financial Arrangements) Act 1987—Regulation (Relating to the investment powers of the Home Purchase Assistance Authority) (2). (Gazette 78, 10 June 1994, page 2844; Gazette 108, 26 August 1994, page 5103.)

Public Finance and Audit Act 1983—Regulation (Relating to the Albury-Wodonga (New South Wales) Corporation). (Gazette 115, 9 September 1994, page 5645.)

Public Health Act 1991—Regulation (Relating to disclosure of HIV/AIDS related information). (Gazette 88, 1 July 1994, page 3296.)

Racing Appeals Tribunal Act 1983—Racing Appeals Tribunal Regulation 1994. (Gazette 108, 26 August 1994, page 5104.)

Registered Clubs Act 1976—

(a) Regulation (Relating to work permits). (Gazette 73, 27 May 1994, page 2439.)

(b) Regulation (Relating to the grant of a functions authority and miscellaneous matters). (Gazette 88, 1 July 1994, page 3297.)

Registration of Interests in Goods Act 1986—

(a) Regulation (To give effect to arrangements made with Victoria in relation to interests in goods). (Gazette 101, 3 August 1994, page 4139.)

(b) Registration of Interests in Goods Regulation 1994. (Gazette 108, 26 August 1994, page 5109.)

Roads Act 1993—

(a) Regulation (Relating to evidentiary certificates issued on behalf of roads authorities). (Gazette 68, 13 May 1994, page 2208.)

(b) Regulation (Relating to bush fire brigades). (Gazette 83, 24 June 1994, page 3119.)

(c) Roads (General) Regulation 1994. (Gazette 111, 31 August 1994, page 5382.)

Search Warrants Act 1985—Search Warrants Regulation 1994. (Gazette 108, 26 August 1994, page 5116.)

Seeds Act 1982—Seeds Regulation 1994. (Gazette 108, 26 August 1994, page 5136.)

Sentencing Act 1989—

(a) Regulation (Relating to parole orders for serious offenders). (Gazette 88, 1 July 1994, page 3299.)

(b) Regulation (Relating to parole). (Gazette 106, 19 August 1994, page 4456.)

Soccer Football Pools Act 1975—Soccer Football Pools (Application of Subscriptions) Regulation 1994. (Gazette 68, 13 May 1994, page 2210.)

South-west Tablelands Water Supply Administration Act 1941—South-west Tablelands Water Supply Administration (Price of Water) Regulation 1994. (Gazette 111, 31 August 1994, page 5404.)

Sporting Injuries Insurance Act 1978—Sporting Injuries Insurance Regulation 1994. (Gazette 102, 5 August 1994, page 4146.)

State Authorities Superannuation Act 1987—Regulation (Relating to the transfer of superannuation benefits of certain former Government Cleaning Service employees). (Gazette 108, 26 August 1994, page 5146.)

Stock Medicines Act 1989—Order under section 46 of the Act (2). (Gazette 31, 4 February 1994, page 470; and Gazette 83, 24 June 1994, page 3130.)

Strata Titles Act 1973—Regulation (Relating to fees for lodging plans for registration). (Gazette 76, 3 June 1994, page 2630.)

Strata Titles (Leasehold) Act 1986—Regulation (Relating to fees for lodging plans for registration). (Gazette 76, 3 June 1994, page 2631.)

Subordinate Legislation Act 1989—Regulation (Relating to matters not requiring regulatory impact statements). (Gazette 108, 26 August 1994, page 5144.)

Superannuation Act 1916—Regulation (Relating to the transfer of superannuation benefits of certain former Government Cleaning Service employees). (Gazette 108, 26 August 1994, page 5145.)

Superannuation Administration Act 1991—Regulation (Repeal of Superannuation Administration (Approved Deposit Fund) Regulation 1990. (Gazette 106, 19 August 1994, page 4458.)

Supreme Court Act 1970—

(a) Regulation (Relating to fees). (Gazette 83, 24 June 1994, page 3120.)

(b) Supreme Court Rules (Amendment No. 285). (Gazette 83, 24 June 1994, page 3198.)

(c) Correction Notice relating to Supreme Court Rules (Amendment No. 285). (Gazette 88, 1 July 1994, page 3382.)

(d) Practice Note No. 79 issued by or on behalf of the Court under section 124 of the Act. (Gazette 30, 31 January 1994, page 435.)

(e) Practice Note No. 80 issued by or on behalf of the Court under section 124 of the Act. (Gazette 30, 31 January 1994, page 438.)

(f) Practice Note No. 81 issued by or on behalf of the Court under section 124 of the Act. (Gazette 30, 31 January 1994, page 439.)

(g) Practice Note No. 82 issued by or on behalf of the Court under section 124 of the Act. (Gazette 90, 8 July 1994, page 3526.)

(h) Supreme Court Rules (Amendment No. 286). (Gazette 106, 19 August 1994, page 4527.)

Surveyors Act 1929—

(a) Regulation (Relating to annual roll fees for candidates and registered surveyors and fees for examinations). (Gazette 83, 24 June 1994, page 3122.)

(b) Surveyors (General) Regulation 1994. (Gazette 108, 26 August 1994, page 5147.)

Sydney Cricket and Sports Ground Act 1978—

(a) Sydney Cricket Ground and Sydney Football Stadium By-law 1994. (Gazette 108, 26 August 1994, page 5198.)

(b) Sydney Cricket and Sports Ground (Elections) By-law 1994. (Gazette 108, 26 August 1994, page 5212.)

Teaching Services Act 1980—Teaching Services (Education Teaching Service) Regulation 1994. (Gazette 108, 26 August 1994, page 5160.)

Technical and Further Education Commission Act 1990—Technical and Further Education Commission (Student Discipline) Regulation 1994. (Gazette 113, 2 September 1994, page 5470.)

Technical Education Trust Funds Act 1967—By-law (Relating to the J.P. Franki Memorial Fund, the William King McLean Prize Fund, the Dr Purdy Memorial Fund and the Mary Ellen Roberts Memorial Fund). (Gazette 90, 8 July 1994, page 3469.)

Timber Marketing Act 1977—Regulation (Relating to fees and prescribed forms). (Gazette 73, 27 May 1994, page 2440.)

Tobacco Advertising Prohibition Act 1991—Regulation (Relating to custom built billboards and illuminated signs for tobacco advertisements and price boards for tobacco products). (Gazette 99, 29 July 1994, page 3963.)

Totalizator (Off-course Betting) Act 1964—Totalizator (Off-course Betting) Regulation 1994. (Gazette 108, 26 August 1994, page 5167.)

Traffic Act 1909—

(a) Regulation (Relating to motor cycle licences and the carriage of pillion passengers by holders of motor cycle learner's licences). (Gazette 80, 17 June 1994, page 2958.)

(b) Regulation (Increasing the level of penalties imposed by penalty notices for traffic and parking infringements). (Gazette 88, 1 July 1994, page 3300.)

(c) Regulation (Relating to fees and charges). (Gazette 88, 1 July 1994, page 3313.)

(d) Regulation (Relating to the tinting of windows of motor vehicles). (Gazette 99, 29 July 1994, page 3964.)

(e) Regulation (Relating to parking meters and other paid parking). (Gazette 111, 31 August 1994, page 5406.)

(f) Regulation (Relating to the issue of authorisations for the inspection of vehicles and to use premises as inspection stations). (Gazette 115, 9 September 1994, page 5646.)

Transport Administration Act 1988—

(a) Transport Administration (Railway Offences) Regulation 1994. (Gazette 111, 31 August 1994, page 5419.)

(b) Regulation (Relating to penalties). (Gazette 111, 31 August 1994, page 5432.)

Trustee Act 1925—Regulation (Relating to GIO Building Society Limited). (Gazette 88, 1 July 1994, page 3315.)

Trustee Companies Act 1964—Trustee Companies Regulation 1994. (Gazette 108, 26 August 1994, page 5180.)

University of New South Wales Act 1989—By-law (Relating to the conduct of elections). (Gazette 78, 10 June 1994, page 2846.)

Valuation of Land Act 1916—Regulation (Prescribing certain classes of leasehold land for the purposes of the Act). (Gazette 88, 1 July 1994, page 3317.)

Water Act 1912—Water (Interest on Overdue Rates and Charges) Regulation 1994. (Gazette 108, 26 August 1994, page 5190.)

Wild Dog Destruction Act 1921—Wild Dog Destruction Regulation 1994. (Gazette 108, 26 August 1994, page 5192.)

Workers Compensation Act 1987—

(a) Regulation (Relating to ministers of religion). (Gazette 68, 13 May 1994, page 2211.)

(b) Regulation (Relating to conditions of insurance policies). (Gazette 82, 24 June 1994, page 3102.)

(c) Regulation (Relating to notice of premium calculation and to payments by instalments). (Gazette 82, 24 June 1994, page 3103.)

(d) Regulation (Relating to the prescribed rates for treatment in public hospitals). (Gazette 88, 1 July 1994, page 3318.)

(e) Regulation (Relating to occupational rehabilitation services). (Gazette 93, 15 July 1994, page 3650.)

(f) Regulation (Relating to ministers of religion). (Gazette 102, 5 August 1994, page 4148.)

(g) Regulation (Relating to weekly payments, conciliation of disputes, and consequential matters). (Gazette 104, 12 August 1994, page 4239.)

(h) Regulation (Relating to contributions to the Insurers' Contribution Fund). (Gazette 113, 2 September 1994, page 5469.)

20 PETITIONS

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

Mr Beckroge and Mr Schultz—from certain citizens requesting that the retail price for fuel in country areas be limited to the average Sydney metropolitan price.

Mr Markham—from certain citizens requesting the improvement of pedestrian and traffic safety at Gwynneville and Keiraville.

Mr Souris—from certain citizens requesting the sealing with bitumen of Main Road 215.

Mr Beck—from certain citizens requesting the re-routing of the proposed Pacific Highway bypass between Chinderah and Billinudgel.

Mr Peacocke—from certain citizens requesting the establishment of an Aboriginal Women's Legal and Advocacy Centre, the upgrading of sexual assault services, reform of the sexual assault and criminal law and increase of safety for women and children.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Face—from certain citizens requesting the retention of the Camp Mackay property of the Federation of NSW Police Citizens' Youth Clubs.

Mr Peacocke—from certain citizens requesting increased police resources in the City of Dubbo.

Dr Refshauge—from certain citizens opposing the closure of the Queen Victoria Memorial Hospital, Picton.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Fraser—from certain citizens requesting the upgrading of the Coffs Harbour Base Hospital Oncology Unit.

Mr Petch—from certain citizens requesting exemptions from penalties for doctors and nurses who do not perform certain medical procedures as conscientious objectors.

Dr Refshauge—from certain citizens requesting the establishment of a pain treatment unit at Nepean Hospital, Penrith.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Hatton—from certain citizens requesting an expansion of the services provided by Milton/Ulladulla Hospital.

Dr Refshauge—from certain citizens praying that Canterbury Hospital be retained and upgraded.

Mr Bowman—from certain citizens requesting increased assistance for the Home and Community Care program.

Mr Hatton—from certain citizens opposing the Sydney Casino.

21 PLACING OF BUSINESS—BUSINESS OF THE HOUSE—POSTPONEMENT

Notice of Motion (under Standing Order No. 113A) postponed, by Dr Macdonald, until tomorrow.

22 PLACING OR DISPOSAL OF BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).
- No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, postponed (Mr Martin).
- No. 3 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 4 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 7 Environmental Planning and Assessment (Appeals) Amendment Bill, postponed (Dr Macdonald).
- No. 10 Crimes (Dock Statements) Amendment Bill, postponed (Dr Macdonald).

(2) Orders of the Day of General Business (for Bills)

- No. 1 Government Publicity Control Bill, postponed (Mr Carr).
- No. 2 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 3 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 4 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).

- No. 5 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 6 South Tweed TAFE College Land Bill, postponed (Mr Face).
- No. 7 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 10 Threatened Species Conservation Bill, postponed (Dr Macdonald).
- No. 14 Prohibited Weapons (Amendment) Bill, postponed (Mr Carr).
- No. 17 Pay-roll Tax (Country Industries Exemption) Amendment Bill, postponed (Mr Windsor).
- No. 18 Capital Punishment Referendum Bill, postponed (Mr Windsor).

(3) Orders of the Day of General Business (General Orders)

- No. 1 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).
- No. 2 Hospital Financial Management Reference to the Public Accounts Committee, postponed (Dr Refshauge).
- No. 3 Private Hospital Bed Licences, postponed (Dr Refshauge).
- No. 4 St George Hospital Hydrotherapy Facilities

Mr Thompson moved, That the Order of the Day be discharged.

Question put and passed.

(4) Notices of Motions of General Business (General Notices)

- No. 2 North East Forest Alliance, lapsed (Mr Fraser not being present).
- No. 3 Minister for Agriculture—Narromine Feedlot Case, postponed (Mr Martin).
- No. 4 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).
- No. 12 Standing Order 54—Coogee Bay Hotel Rezoning, postponed (Mr Murray).
- No. 14 Standing Order 54—Sydney Harbour Tunnel, postponed (Mr Murray).
- No. 16 Standing Order 54—Monorail, postponed (Mr Murray).
- No. 18 Standing Order 54—Darling Harbour, postponed (Mr Murray).

23 SUSPENSION OF STANDING ORDERS—APPROPRIATION BILL AND COGNATE BILLS

Mr West moved (by leave), That so much of the Standing and Sessional Orders be suspended as would preclude the—

Appropriation Bill
Parliamentary Appropriation Bill
Business Franchise Licences (Petroleum Products) Amendment Bill
Motor Vehicles Taxation (Amendment) Bill
Road Improvement (Special Funding) Amendment Bill,

notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Provided that any business before the House shall be interrupted at 4.15 p.m. for the introduction of the Appropriation Bill and cognate Bills.

Question put and passed.

24 MOTION FOR URGENT CONSIDERATION—PUBLIC ACCOUNTS COMMITTEE REFERENCE—RURAL ASSISTANCE AUTHORITY

Mr Martin moved, pursuant to notice, That this House refers to the Public Accounts Committee the performance of the Rural Assistance Authority of New South Wales.

Debate ensued.

Question put and passed.

25 APPROPRIATION BILL
PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

(1) Mr Collins moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Government for the year 1994-95 and sums for supplementary charges and payments under section 22 of the Public Finance and Audit Act 1983 from the Consolidated Fund for the year 1993-94; and for certain other purposes.
- (ii) A bill for an Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Legislature for the year 1994-95.

- (iii) A bill for an Act to amend the Business Franchise Licences (Petroleum Products) Act 1987 to increase the fees paid for licences under that Act.
- (iv) A bill for an Act to amend the Motor Vehicles Taxation Act 1988 to increase the rate of motor vehicle tax.
- (v) A bill for an Act to amend the Road Improvement (Special Funding) Act 1989 to increase the rate at which petroleum product licence fees are payable.

Bills presented and read a first time.

(2) Mr Collins moved, That these bills be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the adjourned debate made an Order of the Day for a future day.

(3) Mr Speaker laid upon the Table a copy of the Budget Estimates 1994-95 (Budget Paper No. 3).

Ordered, That the Paper be printed and referred to the Committee of the Whole on the bills.

26 PAPERS—FINANCIAL STATEMENT

Mr Collins laid upon the Table—

- (1) Copy of the Budget Speech delivered by him this day (Budget Paper No. 1).
- (2) Budget Information 1994-95 (Budget Paper No. 2).
- (3) State Capital Projects 1994-95 (Budget Paper No. 4).
- (4) Government Finance Statistics and Loan Council Reporting 1994-95 (Budget Paper No. 6).

Ordered to be printed.

27 MATTER OF PUBLIC IMPORTANCE—PUBLIC HOSPITALS SECURITY—DEATH OF DIANE BURKE

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Clough moved, That this House notes, as a matter of public importance:

The findings of the coronial inquiry held on 11 and 12 May, 1994 by the Westmead Coroner into the death of Diane Burke and the need to review the powers and procedures of public hospitals with regard to restraint of voluntary patients.

Debate ensued.

It being 5.15 p.m. debate interrupted for private members' statements.

28 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

29 MATTER OF PUBLIC IMPORTANCE—PUBLIC HOSPITALS SECURITY—DEATH OF DIANE BURKE

The Order of the Day was read for the resumption of the interrupted debate.

Debate resumed.

Question put and passed.

30 PUBLIC ACCOUNTS COMMITTEE

Mr West moved (by leave), That pursuant to section 54(5) and (6) of the Public Finance and Audit Act 1983, Andrew Humpherson be appointed to serve on the Public Accounts Committee in place of Andrew Arnold Tink.

Question put and passed.

31 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr West moved (by leave),

(1) That Andrew Arnold Tink be discharged from attendance upon the Committee on the Independent Commission Against Corruption and that Stephen Mark O'Doherty be appointed to serve on such committee.

(2) That a message be sent acquainting the Legislative Council of the resolution.

Question put and passed.

32 JOINT STANDING COMMITTEE UPON ROAD SAFETY

Mr West moved (by leave),

(1) That Ian McManus be appointed to serve on the Joint Standing Committee upon Road Safety in place of John Paul Newman, deceased.

(2) That a message be sent acquainting the Legislative Council of the resolution.

33 SUSPENSION OF STANDING ORDERS—LIQUOR (FURTHER AMENDMENT) BILL AND COGNATE BILL—INTRODUCTION AND MINISTER'S SECOND READING SPEECH

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the Liquor (Further Amendment) Bill and the Registered Clubs (Further Amendment) Bill, notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Question put and passed.

34 SUSPENSION OF STANDING ORDERS—INDEPENDENT COMMISSION AGAINST CORRUPTION (COMMISSIONER) BILL—ALL STAGES

Mr West sought leave of the House to move for the suspension of Standing and Sessional Orders to allow the Independent Commission Against Corruption (Commissioner) Bill, notice of which was given this day for tomorrow, being brought in and passed through all stages at this sitting.

Leave not granted.

35 SUSPENSION OF STANDING ORDERS—INDEPENDENT COMMISSION AGAINST CORRUPTION (COMMISSIONER) BILL—INTRODUCTION AND MINISTER'S SECOND READING SPEECH

Mr West sought leave of the House to move for the suspension of Standing and Sessional Orders to allow the Independent Commission Against Corruption (Commissioner) Bill, notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Leave not granted.

36 BUILDING SERVICES CORPORATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Ms Machin, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Richardson, be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Nagle, be allowed to continue his speech for a further period of 5 minutes.

Question put and passed.

Bill read a second time.

Mr Hazzard, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Hazzard, Acting Speaker, resumed the Chair and Mr Rixon, Temporary Chairman, reported the bill with amendments.

On motion of Ms Machin, the Report was adopted.

Ordered by Mr Hazzard, Acting Speaker, That the third reading stand an Order of the Day for tomorrow.

**37 LIQUOR (FURTHER AMENDMENT) BILL
REGISTERED CLUBS (FURTHER AMENDMENT) BILL**

Mrs Cohen moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the Liquor Act 1982 to abolish licence fees on low alcohol liquor, to make provision with respect to breath analysis instruments and to make further provision with respect to the grant of licences, conditions on licences, and administrative matters; and for other purposes.
- (ii) A bill for an Act to amend the Registered Clubs Act 1976 to abolish registration fees on low alcohol liquor, to make provision with respect to breath analysis instruments and to make further provision with respect to administrative matters; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mrs Cohen moved, That these bills be now read a second time.

Debate adjourned (Mr Face) and the resumption of the adjourned debate made an Order of the Day for a future day.

38 AGRICULTURAL AND VETERINARY CHEMICALS (NEW SOUTH WALES) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Causley, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Causley, read a third time.

39 GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to constitute the Greek Orthodox Archdiocese of Australia Consolidated Trust, to specify the Trust's functions, and to provide for the vesting of certain property in the Trust; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
14 September 1994

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Speaker, That the second reading of this bill stand an Order of the Day for tomorrow.

40 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Thursday 15 September 1994, at 9.00 a.m.

Question put and passed.

41 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.12 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 25

THURSDAY 15 SEPTEMBER 1994

**1 NATIONAL PARKS AND WILDLIFE (ABORIGINAL OWNERSHIP) AMENDMENT
BILL**

Mr Markham moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the National Parks and Wildlife Act 1974 to enable the revocation of the reservation or dedication under that Act of certain land of Aboriginal cultural significance and the vesting of that land in an Aboriginal Land Council or Councils subject to native title and subject to a lease in favour of the Minister and subsequent reservation or dedication of the leased land; to make consequential amendments to the Aboriginal Land Rights Act 1983; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Markham moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

At 9.30 a.m. General Business Orders of the Day (for Bills) proceeded with.

2 PUBLIC FINANCE AND AUDIT (SPECIAL DIVIDENDS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr J. H. Murray, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Humpherson be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Longley be allowed to continue his speech for a further period of 5 minutes.

At 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

3 SELECT COMMITTEE UPON LEAD POLLUTION

Mr Hunter moved, pursuant to notice, as amended by leave,

(1) That a Select Committee be appointed to examine and report upon the following terms of reference:

- (a) The extent of lead pollution past and present in New South Wales;
- (b) The impact of lead pollution on the health of people in the community, especially infants and school children, in particular the emissions from:
 - (i) the Pasminco Metals-Sulphide smelter at Boolaroo;
 - (ii) the Southern Copper smelter at Port Kembla;
 - (iii) mining, processing and smelting operations at Broken Hill;

- (iv) other mining operations in New South Wales;
 - (v) other lead based industries in New South Wales including lead-acid battery manufacture; and
 - (vi) motor vehicles with particular emphasis on inner city areas and known locations of traffic congestion.
- (c) To recommend:
- (i) strategies, measures and priorities for remediation of contaminated areas, properties, buildings and waterways;
 - (ii) strategies, measures and priorities for monitoring the health of persons at risk in the community;
 - (iii) a timetable for enforcement of lower national and international goals, guidelines and standards for lead in blood and ambient air quality;
 - (iv) the extent of financial responsibility of the polluting industries for the cost of remediation and monitoring;
 - (v) guidelines for action by the Environmental Protection Authority on emission and discharge limits in industry operating licences; and
 - (vi) any other action deemed necessary to address the lead problem.
- (2) That the committee consist of Mr Beckroge, Mr Hunter, Mr Kinross, Ms Moore, Ms Nori, Mr Petch and Mr Rixon.
- (3) That at any meeting of the committee any 4 members shall constitute a quorum.
- (4) That the committee meet within 7 days of appointment.
- (5) That the committee have leave to meet during any sitting or any adjournment of the House; to adjourn from place to place; to make visits of inspection within New South Wales and the Commonwealth and have power to take evidence and send for persons and papers; and to report from time to time.
- (6) That the committee report by 23 November 1994.

Debate ensued.

Question put.

The House divided.

Ayes 47

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr Bowman
Mr Carr
Mr Clough
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Ms Harrison
Mr Hatton
Mr Hunter

Mr Iemma
Mr Irwin
Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Dr Macdonald
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly

Ms Nori
Mr Page
Mr Price
Dr Refshauge
Mr Rogan
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Rumble

Noes 46

Mr Armstrong
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovaki
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fraser
Mr Glachan
Mr Griffiths
Mr Hartcher
Mr Hazzard

Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Ms Machin
Mr Merton
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Phillips
Mr Photios
Mr Richardson
Mr Rixon
Mr Schipp

Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Pairs

Mr A.S. Aquilina
Mr Davoren

Mr Baird
Mr Fahey

Question passed.

4 MESSAGE TO LEGISLATIVE COUNCIL—PARLIAMENTARY ELECTORATES AND ELECTIONS (METHOD OF VOTING) AMENDMENT BILL

General Business Notice of Motion (General Notice) No. 4 was called on and postponed until tomorrow (Mr Whelan).

5 SUPPLEMENTARY QUESTIONS—REFERENCE TO THE STANDING ORDERS AND PROCEDURE COMMITTEE

Mr Whelan moved, pursuant to notice, That this House refers to the Standing Orders and Procedure Committee the rules relating to supplementary questions.

Debate ensued.

Question put and passed.

6 LEGAL ASSISTANCE TO DR MICHAEL RYAN

Mr Whelan moved, pursuant to notice, That this House supports the payment of legal assistance to Dr Michael Ryan in the investigation by the Independent Commission Against Corruption into the settlement of the Treasurer's private defamation action.

And Mr Whelan speaking—

It being 1.00 p.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day (Committee Reports).

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

7 SELECT COMMITTEE UPON THE MOTOR VEHICLE EMISSIONS—ISSUES PAPER

Question proposed—That the House take note of the Report.

Question put and passed.

8 PUBLIC ACCOUNTS COMMITTEE—REPORT CONCERNING PUBLIC DEFENDERS

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

9 PUBLIC ACCOUNTS COMMITTEE—REPORT CONCERNING MATTERS ARISING FROM THE AUDITOR-GENERAL'S REPORT

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

10 PUBLIC ACCOUNTS COMMITTEE—REPORT CONCERNING PREPARATION FOR PEER REVIEW OF THE AUDITOR-GENERAL'S OFFICE

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

11 APPOINTMENT OF TEMPORARY CHAIRMAN OF COMMITTEES

Mr Speaker informed the House that he had received the resignation of Andrew Arnold Tink from the position of Temporary Chairman of Committees.

Mr Speaker, pursuant to Standing Order 28A, nominated Ian Doric Glachan as Temporary Chairman of Committees for the present session.

12 JOINT STANDING COMMITTEE UPON ROAD SAFETY

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the following resolution:

That Mr Pickering be discharged from the Joint Standing Committee Upon Road Safety and that Mrs Sham-Ho be appointed as a Member of the Committee.

Legislative Council
15 September 1994

M.F. WILLIS
President

13 MOTION FOR URGENT CONSIDERATION—APPOINTMENT OF JUSTICE BARRY O'KEEFE—REFERENCE TO THE JOINT COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Carr gave notice of a motion to refer the matter of Justice Barry O'Keefe's proposed appointment as Commissioner of the Independent Commission Against Corruption to the Joint Committee on the Independent Commission Against Corruption for reconsideration.

14 QUESTIONS**15 PETITIONS**

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

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr McManus—from certain citizens requesting the completion of the Scarborough tunnel as a matter of urgency.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of Shellharbour Public Hospital.

Mr Gaudry—from certain citizens requesting the elimination of waiting lists at public hospitals.

Mr Cruickshank—from certain citizens requesting the banning of Pit Bull Terriers within the State.

16 BUILDING SERVICES CORPORATION (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr West, on behalf of Ms Machin, read a third time.

17 JOINT COMMITTEE ON THE OFFICE OF THE OMBUDSMAN

Mr Fraser tabled—Report of the Joint Committee on the Office of the Ombudsman entitled "Access and Awareness Inquiry", dated September 1994.

Ordered to be printed.

Mr Fraser also tabled the Minutes of Evidence and Submissions taken before the Committee.

18 SUSPENSION OF STANDING ORDERS—CONSIDERATION OF GENERAL BUSINESS NOTICES OF MOTIONS

Mr West sought leave to move for the suspension of Standing and Sessional Orders to allow General Business Notices of Motions (General Notices) Nos. 19, 20 and 21 to be referred to the Standing Orders and Procedure Committee.

Leave not granted.

19 MOTION FOR URGENT CONSIDERATION—APPOINTMENT OF JUSTICE BARRY O'KEEFE—REFERENCE TO THE JOINT COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Carr moved, pursuant to notice, That this House refers the matter of Justice Barry O'Keefe's proposed appointment as Commissioner of the Independent Commission Against Corruption to the Joint Committee on the Independent Commission Against Corruption for reconsideration.

Debate ensued.

Question put and passed.

20 PAPERS

Mr Collins (by leave) tabled copies of various correspondence between himself, the Minister for Planning, the National Trust concerning work proposed for Old Government House, Parramatta and copies of certain letters sent by the Hon. Mr Justice Barry O'Keefe.

21 MATTER OF PUBLIC IMPORTANCE—ADMINISTRATION OF THE POLICE ACADEMY

Mr Speaker have previously informed the House of receipt of a notice of a matter of public importance—

Mr Iemma moved, That this House notes, as a matter of public importance:

The state of administration of the New South Wales Police Academy.

Debate ensued.

Question put and passed.

22 MESSAGE TO THE LEGISLATIVE COUNCIL—REFERENCE TO THE JOINT COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr West moved, That the following message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly desires to acquaint the Legislative Council that it has this day agreed to the following resolution—

That this House refers the matter of Justice Barry O'Keefe's proposed appointment as Independent Commission Against Corruption Commissioner to the Joint Committee on the Independent Commission Against Corruption for reconsideration.

And the Legislative Assembly requests the Legislative Council to pass a similar resolution.

Legislative Assembly
15 September 1994

K.R. ROZZOLI
Speaker

Question put and passed.

23 DISALLOWANCE OF REGULATION UNDER THE CLEAN WATERS ACT 1970

Mr Speaker called on Notice of Motion under Standing Order 113A and Dr Macdonald being absent, the motion lapsed.

24 INDEPENDENT COMMISSION AGAINST CORRUPTION (COMMISSIONER) BILL

Mr West moved, on behalf of Mr Fahey, pursuant to notice, That leave be given to bring in a bill for an Act relating to the conditions of appointment of a Judge of the Supreme Court as Commissioner under the Independent Commission Against Corruption Act 1988.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

25 POLICE SERVICE (RECRUITMENT) AMENDMENT BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Police Service Act 1990 in relation to the recruitment of police officers.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Anderson) and the resumption of the debate made an Order of the Day for a future day.

26 RURAL LANDS PROTECTION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Causley, That this bill be now read a second time.

Question again proposed and debate resumed.

It being 5.15 p.m. debate interrupted for private members' statements.

27 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

28 RURAL LANDS PROTECTION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Causley, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Rixon, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill with an amendment.

Report adopted.

Ordered by Mr Rixon, Acting Speaker, That the third reading stand an Order of the Day for tomorrow.

29 SUSPENSION OF STANDING ORDERS—LIQUOR (FURTHER AMENDMENT) BILL AND COGNATE BILL

Mrs Cohen moved (by leave), That so much of the Standing and Sessional Orders be suspended as would preclude the Liquor (Further Amendment) Bill and Registered Clubs (Further Amendment) Bill being passed through all remaining stages this day.

Question put and passed.

**30 LIQUOR (FURTHER AMENDMENT) BILL
REGISTERED CLUBS (FURTHER AMENDMENT) BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mrs Cohen, That these bills be now read a second time—

Question again proposed and debate resumed.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mrs Cohen, read a third time.

**31 SUPPLY BILL
PARLIAMENTARY SUPPLY BILL**

Mr Collins moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to apply certain sums out of the Consolidated Fund towards the services of the year 1994-1995.
- (ii) A bill for an Act to apply certain sums out of the Consolidated Fund towards the services of the Legislature for the year 1994-1995.

Question put and passed.

Bills presented and read a first time.

Mr Collins declared these bills were urgent bills.

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

Mr Collins moved, That these bills be now read a second time.

Debate ensued.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Collins, read a third time.

32 COURTS LEGISLATION (MEDIATION AND EVALUATION) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Hartcher, read a third time.

33 COURTS LEGISLATION (CROWN APPEALS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Photios, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Photios, read a third time.

34 CRIMES (FEMALE GENITAL MUTILATION) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr West moved, that this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

35 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Tuesday 20 September 1994, at 2.15 p.m.

Debate ensued.

Question put and passed.

36 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.00 p.m., until Tuesday 20 September 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 26

TUESDAY 20 SEPTEMBER 1994

1 VACANT SEAT—ELECTORAL DISTRICT OF CABRAMATTA

Mr Speaker informed the House that in accordance with section 70 of the Parliamentary Electorates and Elections Act 1912, he had issued a writ for the election of a member to serve in the room of John Paul Newman, deceased.

Particulars of Writ:

Date of Writ	19 September 1994
Nomination day	28 September 1994
Polling day	22 October 1994
Return of writ	11 November 1994

2 DEATH OF ERNEST NOEL PARK, D.S.O., E.D., A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Fahey moved—

That this House extends to Mrs Park and family, the deep sympathy of Members of the Legislative Assembly in the loss sustained by the death of Ernest Noel Park, D.S.O., E.D., a former Member of this House.

The motion was seconded by Mr Carr and supported by Mr Armstrong, Mr Souris, Mr Murray, Mr Windsor, Mr West, Dr Refshauge, Mr Causley, Mr Whelan, Mr Chappell, Mr Peacocke, Mr Cochran, Mr Beck, Mr Neilly, Mr D.L. Page, Mr Hatton, Mr Small and Ms Allan.

Question put and carried unanimously—Members and officers of the House standing.

3 SUSPENSION OF STANDING ORDERS—APPROPRIATION BILL AND COGNATE BILLS AND ROUTINE OF BUSINESS

Mr West moved (by leave), That so much of the Standing and Sessional Orders be suspended as would allow the Leader of the Opposition's reply speech on the Appropriation Bill and cognate bills being given forthwith, followed by the routine of business and private members' statements.

Question put and passed.

**4 APPROPRIATION BILL
PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL**

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That these bills be now read a second time.

Question again proposed and debate resumed.

Mr Armstrong moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for a later hour of the day.

5 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that, having had under consideration the Assembly's Message of 15 September 1994 regarding the Committee on the Independent Commission Against Corruption, it has this day agreed to the following resolution:

That this House refers the matter of Justice Barry O'Keefe's proposed appointment as Independent Commission Against Corruption Commissioner to the Joint Committee on the Independent Commission Against Corruption for reconsideration.

Legislative Council
20 September 1994

M.F. WILLIS
President

6 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

20 September 1994

Supply Bill
Parliamentary Supply Bill.

7 QUESTIONS

8 NOTICES OF MOTIONS

9 PAPERS

(1) Mr Fahey tabled—

Report and Determination of the Parliamentary Remuneration Tribunal, pursuant to section 13(1) of the Parliamentary Remuneration Act 1989, dated 20 May 1994.

Report and Determination No. 2 of the Government Pricing Tribunal concerning charges by the Water Board for Water, Sewerage and Drainage Services, dated 20 May 1994.

Report and Determination No. 3 of the Government Pricing Tribunal concerning charges by the Hunter Water Corporation for Water, Sewerage and Drainage Services, dated 20 May 1994.

Reports and Determinations Nos. 4 and 5 of the Government Pricing Tribunal concerning Public Transport Fares, dated 23 May 1994.

Report and Determination No. 6 of the Government Pricing Tribunal concerning charges by Gosford City Council for Water, Sewerage and Drainage Services, dated 3 June 1994.

Report and Determination No. 7 of the Government Pricing Tribunal concerning charges by Wyong Council for Water, Sewerage and Drainage Services, dated 3 June 1994.

(2) Mr Souris tabled—

Environmental Impact Statement Strategy Progress Report as required under schedule 4 of the Timber Industry (Interim Protection) Act, 1992, dated 30 June 1994.

Report of the Murray-Darling Basin Commission for the year ended 30 June 1993.

Report of the Sydney Cove Redevelopment Authority for the year ended 31 March 1994.

Crown Lands Act 1989—Proposed addition to a dedication under section 82. (Gazette 80, 17 June 1994, page 2982.)

(3) Mr Collins tabled—

Public Finance and Audit Act 1983—

(a) Variations of the Payment Estimates and Appropriations in terms of section 24 of the Act, in relation to the transfer of the Education Export Unit from the Ministry of Education and Youth Affairs to the Department of Industrial Relations, Employment, Training and Further Education.

(b) Variations of the Receipts and Payment Estimates and Appropriations for 1993-94, in terms of section 26 of the Public Finance and Audit Act, 1983, in relation to the Department of Health, the Department of Community Services, the NSW TAFE Commission, the Department of Industrial Relations, Employment Training and Further Education, the Ministry of Education and Youth Affairs, the Roads and Traffic Authority and Community Service Obligations to Other Government Bodies Under the Control of the Minister for Planning and Minister for Housing.

(4) Mr Phillips tabled—

Report of the Director-General of the Department of Health under section 301 of the Mental Health Act 1990 for the year ended 30 June 1994.

(5) Mrs Chikarovski tabled—

Report of the New South Wales Youth Advisory Council for 1993.

Report of the Sydney College of Divinity for 1993.

Report of the Avondale College for 1993.

(6) Mr Causley tabled—

Report of the Animal Research Review Panel New South Wales for year ended 30 June 1993.

Report of the Rural Lands Protection Boards' Association for 1993.

Memorandum and Articles of Association of the Milk Distribution Services (NSW) Pty Limited.

(7) Mr Hartcher tabled—

Report to Parliament under section 14 of the Timber Industry (Interim Protection) Act, 1992 on the operation of the Endangered Fauna (Interim Protection) Act 1991, dated April 1994.

Report to Parliament under section 14 of the Timber Industry (Interim Protection) Act, 1992 on the operation of the Endangered Fauna (Interim Protection) Act 1991, dated July 1994.

Report of the Conveyancers Licensing Committee for year ended 30 June 1994.

Report of the Legal Fees and Costs Board for year ended 30 June 1994.

Supreme Court of New South Wales, Common Law Division, Practice Note No 81: Differential Case Management, Sydney.

(8) Mrs Cohen tabled—

Casino Control Act 1992—Ministerial direction to Casino Control Authority under section 5(1)(b). (Gazette 102, 5 August 1994, page 4209.)

10 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Chappell—from certain citizens requesting the replacement of the approaches and bridge over Burying Ground Creek on Main Road 74.

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Cruickshank—from certain citizens requesting the banning of Pit Bull Terriers within the State.

11 RURAL LANDS PROTECTION (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr West, on behalf of Mr Causley, read a third time.

12 SELECT COMMITTEE UPON LEAD POLLUTION

Mr West moved (by leave), That Ivan John Petch be discharged from the Select Committee upon Lead Pollution and that Paul John Zammit be appointed to serve on the Committee

Question put and passed.

It being 5.36 p.m. private members' statements proceeded with.

13 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

14 APPROPRIATION BILL

PARLIAMENTARY APPROPRIATION BILL

BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL

MOTOR VEHICLES TAXATION (AMENDMENT) BILL

ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That these bills be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Gibson, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Merton, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Dr Kernohan, be allowed to continue her speech for a further period of 10 minutes.

Ordered, That Mr Beck, be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr McManus, be allowed to continue his speech for a further period of 10 minutes.

Mr Morris moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for tomorrow.

15 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Rixon, Acting Speaker, reported messages from the Legislative Council returning the following bills without amendment:

20 September 1994

Liquor (Further Amendment) Bill
Registered Clubs (Further Amendment) Bill.

16 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Wednesday 21 September 1994, at 2.15 p.m.

Question put and passed.

17 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.03 p.m., until tomorrow, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 27

WEDNESDAY 21 SEPTEMBER 1994

1 DISTINGUISHED VISITORS

Mr Speaker drew the attention of the House to the presence in the gallery of a delegation from the United Kingdom led by The Right Honourable Sir Peter Emery M.P.

2 MOTION FOR URGENT CONSIDERATION—LEGAL ASSISTANCE FOR THE MEMBER FOR GEORGES RIVER

Mr Whelan gave notice of a motion concerning the granting of legal assistance to the Member for Georges River.

3 QUESTIONS

4 NOTICES OF MOTIONS

5 PETITIONS

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

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Mills—from certain citizens requesting the retention of the bushland corridor of the eastern half of the Marshall Street Reserve, Rankin Park for local environmental and recreational purposes.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Mills—from certain citizens requesting a school childrens' crossing supervisor for the Lake Avenue crossing at Cardiff South Public School.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Cruickshank—from certain citizens requesting the banning of Pit Bull Terriers within the State.

6 PLACING OR DISPOSAL OF BUSINESS—CALLOVER OF GENERAL BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).
- No. 2 Stock Medicines (Prohibition of Growth Hormones) Amendment Bill, lapsed (Mr Martin not being present).
- No. 3 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 4 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 5 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 6 Environmental Planning and Assessment (Appeals) Amendment Bill, postponed (Dr Macdonald).
- No. 8 Katherine Wentworth (Admission as Legal Practitioner) Bill, postponed (Mr Hatton).
- No. 9 Crimes (Dock Statements) Amendment Bill, postponed (Dr Macdonald).

No. 10 Legal Profession (Admission) Amendment Bill, postponed (Mr Hatton).

(2) Orders of the Day of General Business (for Bills):

No. 1 Government Publicity Control Bill, postponed (Mr Carr).

No. 2 Forestry (Amendment) Bill, postponed (Dr Macdonald).

No. 3 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).

No. 4 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).

No. 5 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).

No. 6 South Tweed TAFE College Land Bill, lapsed (Mr Face not being present).

No. 7 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).

No. 10 Threatened Species Conservation Bill, postponed (Dr Macdonald).

No. 14 Prohibited Weapons (Amendment) Bill, postponed (Mr Carr).

No. 15 Johann Pohl (Compensation) Bill, postponed (Mr Thompson).

No. 16 Tweed Heads (Afex Park) Bill, postponed (Mr Martin).

No. 19 Myall Lodge (Additional Land) Bill, postponed (Mr Martin).

(3) Orders of the Day of General Business (General Orders):

No. 2 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).

No. 3 Hospital Financial Management reference to the Public Accounts Committee, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices):

No. 2 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).

No. 8 Standing Order 54—Coogee Bay Hotel Rezoning, postponed (Mr Murray).

No. 10 Standing Order 54—Sydney Harbour Tunnel, postponed (Mr Murray).

No. 12 Standing Order 54—Monorail, postponed (Mr Murray).

No. 14 Standing Order 54—Darling Harbour, postponed (Mr Murray).

7 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Kerr tabled the Report of the Committee on the Independent Commission Against Corruption in response to the reference of both Houses to reconsider the proposed appointment of Justice Barry O'Keefe as Commissioner of the Independent Commission Against Corruption, dated 21 September 1994.

Ordered to be printed.

8 SUSPENSION OF STANDING ORDERS—REPORT OF THE COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Whelan sought leave to move for the suspension of Standing and Sessional Orders to allow debate forthwith on the Report of the Committee on the Independent Commission Against Corruption tabled today.

Leave not granted.

9 MOTION FOR URGENT CONSIDERATION—LEGAL ASSISTANCE FOR THE MEMBER FOR GEORGES RIVER

Mr Whelan moved, pursuant to notice, That this House condemns the Government for granting legal assistance to the Member for Georges River and calls upon the Government to rescind its decision.

Debate ensued.

Mr Nagle moved, That the question be amended by adding the words, "and calls upon the Premier to table Ms Niland's letter recommending that the Member for Georges River be granted legal assistance".

Question proposed—That the amendment be agreed to.

Question put and passed.

Question—That the motion as amended be agreed to—put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
21 September 1994

The House divided.

Ayes 43

Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr Bowman	Mrs Lo Po'	Mr Scully
Mr Carr	Mr McBride	Mr Shedden
Mr Clough	Mr McManus	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Ms Moore	
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Ms Harrison	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Davoren

Noes 47

Mr Baird	Mr Hazzard	Mr Rixon
Mr Beck	Mr Humpherson	Mr Schipp
Mr Blackmore	Dr Kernohan	Mr Schultz
Mr Causley	Mr Kinross	Mrs Skinner
Mr Chappell	Mr Longley	Mr Small
Mrs Chikarovski	Dr Macdonald	Mr Smith
Mr Cochran	Ms Machin	Mr Souris
Mrs Cohen	Mr Merton	Mr Tink
Mr Collins	Mr Morris	Mr Turner
Mr Cruickshank	Mr Murray	Mr West
Mr Debnam	Mr O'Doherty	Mr Windsor
Mr Downy	Mr D. L. Page	
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Griffiths	Mr Phillips	
Mr Hartcher	Mr Photios	Mr Jeffery
Mr Hatton	Mr Richardson	Mr Kerr

Pairs

Ms Allan	Mr Armstrong
Mr A. S. Aquilina	Mr Fahey
Mr Iemma	Mr Zammit

Question negatived.

10 APPROPRIATION BILL
PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on motion of Mr Collins, That these bills be now read a second time—

Question again proposed and debate resumed.

Ordered, That Mr Morris be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Sullivan be allowed to continue his speech for a further period of 10 minutes.

It being 5.15 p.m. debate interrupted for private members' statements.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 APPROPRIATION BILL

PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

The Order of the Day was read for the resumption of the interrupted debate, on motion of Mr Collins, That these bills be now read a second time—

Question again proposed and debate resumed.

Ordered, That Mr Nagle be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Clough be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Blackmore be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Gaudry be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Small be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr O'Doherty be allowed to continue his speech for a further period of 10 minutes.

Mr Shedden moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for tomorrow.

13 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 21 September 1994, returning the Building Services Corporation (Amendment) Bill, without amendment.

14 PROFESSIONAL STANDARDS BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to provide for the limitation of liability of members of occupational associations in certain circumstances and to facilitate improvement in the standards of services provided by those members" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
21 September 1994

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for tomorrow.

15 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Thursday 22 September 1994, at 9.00 a.m.

Question put and passed.

16 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.57 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 28

THURSDAY 22 SEPTEMBER 1994

1 MICHAEL BLACK (COMPENSATION) BILL

Mr Sullivan moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the assessment of compensation in relation to the quashed convictions of arson imposed on Michael J. Black.

Question put and passed.

Bill presented and read a first time.

Mr Sullivan moved, That this bill be now read a second time.

Debate adjourned (Ms Machin) and the resumption of the debate made an Order of the Day for a future day.

2 PUBLIC FINANCE AND AUDIT (AUDITOR-GENERAL'S ACCESS) AMENDMENT BILL

Mr J. H. Murray moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Public Finance and Audit Act 1983 in order to remove certain restrictions relating to access by the Auditor-General to Cabinet documents.

Question put and passed.

Bill presented and read a first time.

Mr J. H. Murray moved, That this bill be now read a second time.

Debate adjourned (Ms Machin) and the resumption of the debate made an Order of the Day for a future day.

3 GENERAL BUSINESS NOTICE OF MOTION (FOR BILLS)—POSTPONEMENT

General Business Notice of Motion (for Bills) No. 11 called on and postponed, by Mr Moss, until tomorrow.

4 HOMEFUND MORTGAGES (REVIEWS AND APPEALS) BILL

Mrs Grusovin moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide that the powers of the Supreme Court to grant relief under the Contracts Review Act 1980 may be exercised by the Commercial Tribunal in respect of certain mortgages; to amend the HomeFund Commissioner Act 1993 to provide for appeals to that Tribunal; to amend the HomeFund Restructuring Act 1993 to extend the period allowed for taking certain proceedings; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mrs Grusovin moved, That this bill be now read a second time.

Debate adjourned (Ms Machin) and the resumption of the debate made an Order of the Day for a future day.

At 9.30 a.m. General Business Orders of the Day (for Bills) proceeded with.

5 PUBLIC FINANCE AND AUDIT (SPECIAL DIVIDENDS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr J. H. Murray, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Hazzard, Acting Speaker, resumed the Chair and the Chairman reported the bill with an amendment.

On motion of Mr J.H. Murray, the report was adopted.

Ordered by Mr Hazzard, Acting Speaker, That the third reading stand an Order of the Day for a later hour of the day.

6 LAKE MACQUARIE STATE RECREATION AREA BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hunter, That this bill be now read a second time.

Question again proposed and Mr Hunter, having pre-audience under Standing Order 118, spoke again.

Mr Hartcher moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

7 PRIVATISATION OF CORE GOVERNMENT SERVICES BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hatton, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Murray be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Richardson be allowed to continue his speech for a further period of 5 minutes.

And Mr Debnam speaking—

At 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

8 LEGAL ASSISTANCE TO DR MICHAEL RYAN

The Order of the Day was read for the resumption of the interrupted speech, on the motion of Mr Whelan.

Debate ensued.

Question put and passed.

9 PRIVATE HOSPITAL BED LICENCES

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Dr Refshauge, That this House calls on the Government to hold public hearings before the granting of private hospital bed licences.

Question again proposed and debate resumed.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
22 September 1994

The House divided.

Ayes 44

Ms Allan	Mr Hunter	Mr Price
Mr Amery	Mr Irwin	Dr Refshauge
Mr Anderson	Mr Knight	Mr Rogan
Mr A. S. Aquilina	Mr Knowles	Mr Rumble
Mr Bowman	Mr Langton	Mr Scully
Mr Carr	Mrs Lo Po'	Mr Shedden
Mr Clough	Mr McBride	Mr Sullivan
Mr Crittenden	Mr McManus	Mr Thompson
Mr Doyle	Mr Markham	Mr Whelan
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	Tellers
Mr Harrison	Mr Neilly	
Ms Harrison	Ms Nori	Mr Beckroge
Mr Hatton	Mr Page	Mr Davoren

Noes 47

Mr Armstrong	Mr Humpherson	Mr Rixon
Mr Baird	Dr Kernohan	Mr Schipp
Mr Beck	Mr Kinross	Mr Schultz
Mr Blackmore	Mr Longley	Mrs Skinner
Mr Causley	Dr Macdonald	Mr Small
Mr Chappell	Ms Machin	Mr Smith
Mrs Chikarovaki	Mr Merton	Mr Souris
Mr Cochran	Ms Moore	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Windsor
Mr Cruickshank	Mr O'Doherty	Mr Zammit
Mr Debnam	Mr D. L. Page	
Mr Fraser	Mr Peacocke	Tellers
Mr Glachan	Mr Petch	
Mr Griffiths	Mr Phillips	Mr Jeffery
Mr Hartcher	Mr Photios	Mr Kerr
Mr Hazzard	Mr Richardson	

Pairs

Mr Aquilina	Mr Downy
Mr Iemma	Mr Fahey
Mr Martin	Mr Tink

Question negatived.

10 GENERAL BUSINESS NOTICE OF MOTION (GENERAL NOTICES)—
POSTPONEMENTS

(1) General Business Notice of Motion (General Notices) No. 1 called on and postponed, by Mr Martin, until tomorrow.

(2) General Business Notice of Motion (General Notices) No. 3 called on and postponed, by Mr Whelan, until tomorrow.

11 VICTIMS COMPENSATION TRIBUNAL

Mr Whelan moved, pursuant to notice, That a public inquiry be established to examine and to review the provisions of victims compensation and the operations of Victims Compensation Act, 1987 and the Victims Compensation Tribunal with the following terms of reference:

- To examine the basis upon which a person may be entitled to victims compensation and in particular as to whether the existing definition of an "act of violence" is an adequate or proper statutory means of determining entitlement.
- To examine the basis upon which compensation is to be determined and in particular as to whether common law principles should apply.
- To examine the way in which victims compensation applications should be determined and in particular as to whether such applications should be determined by way of a tribunal based system or one operated by the Courts.
- To examine where applicants for victims compensation should be entitled, as of right, to a hearing as distinct from a determination of the matter without a hearing.
- To examine the way in which victims of sexual assault have their applications determined with a view to removing delay and anxiety occasioned to such victims.
- To examine and make recommendations in respect of the availability of counselling and specialist services to the victims of sexual assault and victims of crime generally.
- To examine the way in which moneys are recovered from offenders.
- To examine the methods of payment of legal costs and actual expenses in actions against the Victims Compensation Tribunal.
- To examine the role played by the Attorney General and the Attorney General's Department.

Debate ensued.

And Mr Hartcher speaking—

It being 1.00 p.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day (Committee Reports).

12 JOINT COMMITTEE ON THE OFFICE OF THE OMBUDSMAN—ACCESS AND AWARENESS INQUIRY REPORT

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

13 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION—REPORT IN RESPONSE TO THE PARLIAMENTARY REFERENCE CONCERNING JUSTICE BARRY O'KEEFE

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

14 MINISTERIAL STATEMENT—LUCY WANG

Mr West made a ministerial statement concerning the whereabouts of Ms Lucy Wang.

15 MOTION FOR URGENT CONSIDERATION—VOTE OF CENSURE—PREMIER—WILDERNESS

Mr Carr gave notice of a motion for a vote of censure on the Premier.

16 QUESTIONS

17 NOTICES OF MOTIONS

18 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of the following statutory instruments:

Legal Profession Act 1987—Legal Practitioners Transitional Admission Rules 1994. (Gazette 120, 16 September 1994, page 5829.)

Local Government Act 1993—Regulation (Relating to by-elections for popularly elected mayors). (Gazette 120, 16 September 1994, page 5784.)

19 PETITIONS

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

Mr Beckroge—from certain citizens requesting that the retail price for fuel in country areas be limited to the average Sydney metropolitan price.

Mr Yeadon—from certain citizens requesting secure bicycle storage facilities at Guildford Railway Station.

Mr Gaudry and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Langton—from certain citizens requesting additional noise attenuation measures on the M5 motorway.

Mr Mills—from certain citizens requesting the retention of the bushland corridor of the eastern half of the Marshall Street Reserve, Rankin Park for local environmental and recreational purposes.

Dr Refshauge—from certain citizens requesting the completion of the Picton, Tahmoor, Thirlmere Sewerage Scheme.

Mr Yeadon—from certain citizens requesting additional police resources at Granville Police Station.

Mr Price—from certain citizens requesting the retention of the Camp Mackay property of the Federation of NSW Police Citizens' Youth Clubs.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Mills—from certain citizens requesting a school childrens' crossing supervisor for the Lake Avenue crossing at Cardiff South Public School.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Davoren—from certain citizens opposing any reduction in services or closure of Canterbury Hospital.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Price—from certain citizens requesting the licensing of demolition contractors.

20 PRINTING OF PAPERS

Formal Business—Ordered, on motion of Mr West, That the following papers be printed—

Report and Determination of the Parliamentary Remuneration Tribunal, pursuant to section 13(1) of the Parliamentary Remuneration Act 1989, dated 20 May 1994.

Report and Determination No. 2 of the Government Pricing Tribunal concerning charges by the Water Board for Water, Sewerage and Drainage Services, dated 20 May 1994.

Report and Determination No. 3 of the Government Pricing Tribunal concerning charges by the Hunter Water Corporation for Water, Sewerage and Drainage Services, dated 20 May 1994.

Reports and Determinations Nos. 4 and 5 of the Government Pricing Tribunal concerning Public Transport Fares, dated 23 May 1994.

Report and Determination No. 6 of the Government Pricing Tribunal concerning charges by Gosford City Council for Water, Sewerage and Drainage Services, dated 3 June 1994.

Report and Determination No. 7 of the Government Pricing Tribunal concerning charges by Wyong Council for Water, Sewerage and Drainage Services, dated 3 June 1994.

Environmental Impact Statement Strategy Progress Report as required under schedule 4 of the Timber Industry (Interim Protection) Act, 1992, dated 30 June 1994.

Report of the Murray-Darling Basin Commission for the year ended 30 June 1993.

Report of the Sydney Cove Redevelopment Authority for the year ended 31 March 1994.

Report of the Director-General of the Department of Health under section 301 of the Mental Health Act 1990 for the year ended 30 June 1994.

Report of the New South Wales Youth Advisory Council for 1993.

Report of the Sydney College of Divinity for 1993.

Report of the Avondale College for 1993.

Report of the Animal Research Review Panel New South Wales for year ended 30 June 1993.

Report of the Rural Lands Protection Board's Association for 1993.

Memorandum and Articles of Association of the Milk Distribution Services (NSW) Pty Limited.

Report of the Conveyancers Licensing Committee for year ended 30 June 1994.

Report of the Legal Fees and Costs Board for year ended 30 June 1994.

Supreme Court of New South Wales, Common Law Division, Practice Note No 81: Differential Case Management, Sydney.

21 REGULATION REVIEW COMMITTEE

Mr Cruickshank tabled Report No. 28 of the Regulation Review Committee concerning the operation of the Subordinate Legislation Act 1989 with respect to the postponement of the staged repeal of principal statutory rules, dated September 1994

Ordered to be printed.

22 LEGISLATION COMMITTEE ON THE ENDANGERED AND OTHER THREATENED SPECIES CONSERVATION BILL

Mr West moved (by leave), That so much of the Standing and Sessional Orders be suspended to allow the reporting date for the Legislation Committee on the Endangered and Other Threatened Species Conservation Bill being extended until 18 October 1994.

Question put and passed.

23 SELECT COMMITTEE UPON THE SYDNEY MARKET AUTHORITY

Mr West moved (by leave), That the reporting date for the Select Committee upon the Sydney Market Authority be extended to 17 November 1994.

Question put and passed.

24 MOTION FOR URGENT CONSIDERATION—VOTE OF CENSURE—SUSPENSION OF STANDING ORDERS

Mr Carr moved, pursuant to notice, That Standing and Sessional Orders be suspended to allow:

(1) The consideration forthwith of the following motion:

That this House censures the Premier for breaching his promise on wilderness.

(2) The following time limits applying to debate:

Mover of the motion and Premier	Unlimited
Any other member	20 minutes
Premier in reply	20 minutes
Mover in reply	20 minutes

Question put and passed.

25 VOTE OF CENSURE—PREMIER—WILDERNESS

Mr Carr moved, pursuant to notice, That this House censures the Premier for breaching his promise on wilderness.

Debate ensued.

It being 5.15 p.m. debate interrupted for private members' statements.

26 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

27 VOTE OF CENSURE—PREMIER—WILDERNESS

The Order of the Day was read for the resumption of the interrupted debate on the motion of Mr Carr—

That this House censures the Premier for breaching his promise on wilderness.

Debate resumed.

Question put.

The House divided.

Ayes 45

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Carr
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Ms Harrison
Mr Hatton

Mr Hunter
Mr Irwin
Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Dr Macdonald
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle

Ms Nori
Mr Page
Mr Price
Dr Refshauge
Mr Rogan
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

Noes 44

Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovaki
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Griffiths

Mr Hartcher
Mr Hazzard
Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Mr Merton
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Phillips
Mr Photios
Mr Richardson

Mr Rixon
Mr Schipp
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor

Tellers

Mr Jeffery
Mr Kerr

Pairs

Mr Clough
Mr Iemma
Mr Neilly
Mr Rumble

Mr Armstrong
Ms Machin
Mr Schultz
Mr Zammit

Question passed.

28 STATEMENT BY SPEAKER—MEMBERS' STATIONERY

Mr Speaker made a statement alerting Members to the unauthorised use of Members' stationery and the falsification of Members' correspondence.

29 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

22 September 1994

Agricultural and Veterinary Chemicals (New South Wales) Bill
Rural Lands Protection (Amendment) Bill.

30 SUSPENSION OF STANDING ORDERS—INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL

Mr West moved (by leave), That so much of the Standing and Sessional Orders be suspended as would preclude the Independent Commission Against Corruption (Amendment) Bill, notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Question put and passed.

31 INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL

Mr West moved, on behalf of Mr Fahey, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Independent Commission Against Corruption Act 1988 in relation to the nature of corrupt conduct.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

32 ROYAL COMMISSION (POLICE SERVICE) BILL

Mr West moved, on behalf of Mr Fahey, pursuant to notice, That leave be given to bring in a bill for an Act to confer additional powers on the Royal Commission of inquiry into the operations of the New South Wales Police Service and to assist the conduct of that inquiry; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Anderson) and the resumption of the debate made an Order of the Day for a future day.

33 WATER BOARD (CORPORATISATION) BILL

Mr Souris moved, pursuant to notice, That leave be given to bring in a bill for an Act to establish a State owned corporation in relation to the supply of water, the provision of sewerage and stormwater drainage systems and the disposal of waste water in Sydney and other regions and certain other matters; to provide for the transfer of assets, rights and liabilities of the Water Board; to amend the State Owned Corporations Act 1989; to amend the Government Pricing Tribunal Act 1992 in relation to the fixing of maximum prices for government monopoly services; to amend certain other Acts; to repeal the Water Board Act 1987; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Souris moved, That this bill be now read a second time.

Debate adjourned (Mr Knowles) and the resumption of the debate made an Order of the Day for a future day.

34 PAPER

Mr Souris, by leave, tabled a document entitled "Sydney Water Corporation Proposed Instruments", dated 22 September 1994.

35 PROFESSIONAL STANDARDS BILL

The Order of the Day was read.

Mr Hartcher moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

36 GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST BILL

The Order of the Day was read.

Mr Hartcher moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made on Order of the Day for tomorrow.

37 CRIMES (FEMALE GENITAL MUTILATION) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Hartcher, read a third time.

38 SPECIAL ADJOURNMENT

Mr Hartcher moved, That this House at its rising this day do adjourn until Tuesday 11 October 1994, at 2.15 p.m.

Question put and passed.

39 ADJOURNMENT

Mr Hartcher moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.38 p.m., until Tuesday 11 October 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 29

TUESDAY 11 OCTOBER 1994

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

23 September 1994.

Liquor (Further Amendment) Bill
Registered Clubs (Further Amendment) Bill.

28 September 1994

Agricultural and Veterinary Chemicals (New South Wales) Bill
Building Services Corporation (Amendment) Bill
Courts Legislation (Crown Appeals) Amendment Bill
Courts Legislation (Mediation and Evaluation) Amendment Bill
Rural Lands Protection (Amendment) Bill
Supply Bill
Parliamentary Supply Bill.

5 October 1994

Crimes (Female Genital Mutilation) Amendment Bill.

2 MOTION FOR URGENT CONSIDERATION—VOTE OF NO CONFIDENCE—
MINISTER FOR HEALTH

Dr Refshauge gave notice of a motion for a vote of no confidence in the Minister for Health.

3 QUESTIONS

4 NOTICES OF MOTIONS

5 INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker, pursuant to section 74 of the Independent Commission Against Corruption Act 1988, announced receipt of the following paper:

30 September 1994

Interim Report of the Independent Commission Against Corruption on Investigation into Alleged Police Protection of Paedophiles, dated September 1994, made public pursuant to section 78(2) of the Act.

6 DISCLOSURES BY MEMBERS

Mr Speaker laid upon the Table: Copy of the Register of Disclosures by Members of the Legislative Assembly being—

(a) Primary Returns as at 30 June 1994.

(b) Ordinary Returns as at 30 June 1994.

Ordered to be printed.

7 PAPERS

(1) Mr Fahey tabled—

Report and Determination of the Statutory and Other Offices Remuneration Tribunal under section 13 of the Statutory and Other Offices Remuneration Act 1975, concerning Judges, Magistrates and Related Group, dated 30 August 1994.

Report and Determination of the Statutory and Other Offices Remuneration Tribunal under section 13 of the Statutory and Other Offices Remuneration Act 1975, concerning Tribunals, Court Officers and Related Group, dated 30 August 1994.

Statistical Return for the By-election held in the Electoral District of Parramatta on 27 August 1994.

(2) Mr Souris tabled—

Statement of Corporate Intent of the Hunter Water Corporation for 1994/95.

Environmental Impact Statement Strategy Progress Report under the Timber Industry (Interim Protection) Act, 1992, dated 30 September 1994.

Letter from the Minister for Planning and Minister for Housing directing the Chairman of the Hunter Water Corporation to undertake the work being an extension to the Hunter Sewerage Project outlined by the Government's Capital Works Committee, pursuant to section 11 of the State Owned Corporations Act, 1989, dated 17 August 1994.

Crown Lands Act 1989—

(a) Proposed addition to a dedication under section 81 for the purposes of the Luna Park site.

(b) Proposed revocation of dedications pursuant to section 84. (4) (Gazette 71, 20 May 1994, page 2317; Gazette 76, 3 June 1994, page 2644; Gazette 90, 8 July 1994, page 3478; Gazette 99, 29 July 1994, page 3987.)

(3) Mrs Chikarovski tabled—

Report of the Industrial Registrar for 1993.

(4) Mr Causley tabled—

Report of the New South Wales Dairy Industry Conference for the year ended 30 June 1994.

(5) Mr Hartcher tabled—

Report of the Anti-Discrimination Board for year ended 30 June 1994.

(6) Ms Machin tabled—

Special Report of the HomeFund Commissioner of New South Wales to the Minister for Consumer Affairs, dated 1 June 1994.

8 REPORTS RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following reports—

23 September 1994

Final Report of the Central Coast (NSW) Citrus Marketing Board for the year ended 30 June 1993.

28 September 1994

Report of the M.I.A. Citrus Fruit Promotion Marketing Committee for the year ended 30 April 1994.

9 AUDITOR-GENERAL

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following reports—

26 September 1994

Report entitled "Late Submission of Public Accounts", dated 26 September 1994.

10 October 1994

Performance Audit Report entitled "Children's Services", dated 10 October 1994.

10 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of the following statutory instruments:

Country Industries (Pay-roll Tax Rebates) Act 1977—Country Industries (Pay-roll Tax Rebates) Regulation 1994. (Gazette 126, 23 September 1994, page 5857.)

Environmental Offences and Penalties Act 1989—Regulation (Relating to penalty notices). (Gazette 132, 30 September 1994, page 6048.)

Fair Trading Act 1987—

(a) Regulation (Relating to outlets in swimming pools and spas). (Gazette 126, 23 September 1994, page 5862.)

(b) Order under section 31 of the Act. (Gazette 126, 23 September 1994, page 5876.)

Local Courts (Civil Claims) Act 1970—Rule (Amending Local Courts (Civil Claims) Rules 1988). (Gazette 126, 23 September 1994, page 5955.)

Maritime Services Act 1935—

(a) Regulation (Relating to penalty notices for offences concerning commercial vessels). (Gazette 126, 23 September, page 5866.)

(b) Regulation (Relating to coastal waters). (Gazette 126, 23 September 1994, page 5869.)

Motor Accidents Act 1988—Order under section 80 of the Act. (Gazette 126, 23 September 1994, page 5875.)

National Parks and Wildlife Act 1974—

(a) Proclamation dedicating certain land as part of Gulguer Nature Reserve. (Gazette 126, 23 September 1994, page 5961.)

(b) Proclamation reserving certain land as part of Hat Head National Park. (Gazette 126, 23 September 1994, page 5966.)

Poisons Act 1966—Regulation (Relating to application fees and annual licence fees for licences to manufacture and supply drugs of addiction). (Gazette 124, 21 September 1994, page 5849.)

Public Finance and Audit Act 1983—Regulation (Relating to the audit of certain university superannuation schemes). (Gazette 132, 30 September 1994, page 6049.)

Small Businesses' Loans Guarantee Act 1977—Small Businesses' Loans Guarantee Regulation 1994. (Gazette 126, 23 September 1994, page 5872.)

Supreme Court Act 1970—Supreme Court Rules 1970 (Amendment No. 287). (Gazette 126, 23 September 1994, page 5987.)

Surveyors Act 1929—Regulation (Relating to survey practices). (Gazette 132, 30 September 1994, page 6051.)

Therapeutic Goods and Cosmetics Act 1972—Regulation (Relating to application and licence fees). (Gazette 124, 21 September 1994, page 5850.)

Traffic Act 1909—

(a) Regulation (Relating to the tinting of windows of motor vehicles). (Gazette 126, 23 September 1994, page 5874.)

(b) Regulation (Relating to pedestrians crossing intersections diagonally). (Gazette 132, 30 September 1994, page 6059.)

11 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Fahey—from certain citizens opposing the reduction of train services to and from the Southern Highlands and the high cost of train fares.

Mr Aquilina—from certain citizens requesting the construction of a safe pedestrian crossing adjacent to Quakers Hill Parish and Barnier Primary Schools.

Mr Mills—from certain citizens requesting a School Children's Crossing Supervisor for the Lake Avenue crossing at Cardiff South Public School.

Mr Gaudry and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Mills—from certain citizens requesting the retention of the bushland corridor of the eastern half of the Marshall Street Reserve, Rankin Park for local environmental and recreational purposes.

Ms Nori—from certain citizens opposing the establishment of a casino on the Old Pyrmont Power Station site.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Gaudry—from certain citizens requesting the retention of Hamilton Police Station as a 24 hour Police Station.

Mr Mills—from certain citizens requesting improved pay and working conditions for part-time TAFE teachers.

Ms Nori—from certain citizens requesting that services for the mentally ill be maintained at Rozelle Hospital.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Fraser—from certain citizens requesting the upgrading of the Coffs Harbour Base Hospital Oncology Unit.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mrs Cohen—from certain citizens requesting increased assistance for the Home and Community Care program.

Mr Hatton—from certain citizens opposing the Sydney Casino.

12 PLACING OF GENERAL BUSINESS—WITHDRAWAL—PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION) AMENDMENT BILL

(1) Mr Windsor moved, That Order of the Day No. 16 of General Business be discharged.

Question put and passed.

(2) Mr Windsor moved, That the Pay-roll Tax (Country Industries Exemption) Amendment Bill be withdrawn.

Question put and passed.

**13 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS
—VOTE OF NO CONFIDENCE**

Dr Refshauge moved, by leave, That Standing and Sessional Orders be suspended to allow the following time limits applying to the debate on the motion for urgent consideration notice of which was given this day by the member for Marrickville:

Mover of the motion and Premier	Unlimited
Minister named	Unlimited
Other Members	30 minutes
Minister named, in response	30 minutes
Mover in reply	30 minutes

Question put and passed.

14 VOTE OF NO CONFIDENCE—MINISTER FOR HEALTH

Dr Refshauge moved, pursuant to notice, "That" due to:

- (a) the Minister's decision to privatise St Vincent's Hospital;
- (b) the Minister's decision to privatise community and mental health services in Port Macquarie;
- (c) the Minister's misleading of the people of Parramatta on his promise of 590 nurses to be employed this year;
- (d) the Minister's misleading of the Parliament on Thursday, 22 September, 1994, regarding comments made by the Deputy Leader of the Opposition to a conference of the Health Services Association;
- (e) the continuation of productivity cuts in health;
- (f) the closure, downgrading and privatising of 30 public hospitals;
- (g) the closure of 5,300 hospital beds;
- (h) the increase in the number of people waiting for elective surgery to 45,500;
- (i) the Government's record on community health and prevention,

the Minister for Health no longer possesses the confidence of this House and accordingly the House calls upon the Premier to remove him from office.

Debate ensued.

SUSPENSION OF STANDING ORDERS—PRIVATE MEMBER'S STATEMENTS

Mr West moved, by leave, That so much of the Standing and Sessional Orders be suspended as would preclude the taking of private member's statements at this sitting.

Question put and passed.

Debate continued.

Dr Macdonald moved, That the question be amended by the omission of all words after "That" with a view to inserting instead the following words:

this House censures the Minister for Health on the basis of:

- (1) the continuation of productivity cuts in health;
- (2) the increase in the number of patients waiting for elective surgery to 45,000; and
- (3) the unacceptable delays for treatment in Accident and Emergency departments."

Question proposed, That the amendment be agreed to.

The House continued to sit after midnight—

WEDNESDAY 12 OCTOBER 1994 a.m.

Question put and voices given—Mr Speaker stated his opinion that the Noes had it.

Whereupon, Division called for, and Mr Speaker declared the determination of the House to be in the negative, as there were only two Members (Mr Hatton, and Dr Macdonald) in the minority who had challenged his decision.

Original question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
11 and 12 October 1994 a.m.

The House divided.

Ayes 42

Ms Allan	Mr Lemma	Mr Page
Mr Amery	Mr Irwin	Mr Price
Mr Anderson	Mr Knight	Dr Refshauge
Mr Aquilina	Mr Knowles	Mr Rogan
Mr Bowman	Mr Langton	Mr Scully
Mr Crittenden	Mrs Lo Po'	Mr Shedden
Mr Doyle	Mr McBride	Mr Sullivan
Mr Face	Mr McManus	Mr Thompson
Mr Gaudry	Mr Martin	Mr Whelan
Mr Gibson	Mr Mills	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Ms Harrison	Mr Nagle	
Mr Hatton	Mr Neilly	Mr Davoren
Mr Hunter	Ms Nori	Mr Rumble

Noes 45

Mr Baird	Dr Kernohan	Mr Schipp
Mr Beck	Mr Kinross	Mr Schultz
Mr Blackmore	Mr Longley	Mrs Skinner
Mr Causley	Dr Macdonald	Mr Small
Mr Chappell	Mr Merton	Mr Smith
Mrs Chikarovski	Ms Moore	Mr Souris
Mr Cochran	Mr Morris	Mr Tink
Mrs Cohen	Mr Murray	Mr Turner
Mr Cruickshank	Mr O'Doherty	Mr West
Mr Debnam	Mr D. L. Page	Mr Windsor
Mr Downy	Mr Peacocke	Mr Zammit
Mr Fahey	Mr Petch	
Mr Fraser	Mr Phillips	Tellers
Mr Glachan	Mr Photios	
Mr Hartcher	Mr Richardson	Mr Jeffery
Mr Hazzard	Mr Rixon	Mr Kerr

Pairs

Mr A. S. Aquilina	Mr Armstrong
Mr Beckroge	Mr Collins
Mr Carr	Mr Griffiths
Mr Clough	Mr Humpherson
Mr Markham	Ms Machin

Question negatived.

15 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Wednesday 12 October 1994, at 2.15 p.m.

Question put and passed.

16 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 2.20 a.m., until 2.15 p.m. this day.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**
No. 30

WEDNESDAY 12 OCTOBER 1994

1 NOTICES OF MOTIONS FOR URGENT CONSIDERATION

Mr Langton—Standing Order 54—Order for papers relating to the proposed demolition of the Cahill Expressway.

Mr Hartcher—Mineral Exploration in National Parks.

2 QUESTIONS

3 NOTICES OF MOTIONS

4 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Petch—from certain citizens requesting a pedestrian crossing on Lane Cove Road at the junction of Lorna Avenue and Napier Crescent, North Ryde.

Mr Mills—from certain citizens requesting a School Children's Crossing Supervisor for the Lake Avenue crossing at Cardiff South Public School.

Mr Hunter and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Mills—from certain citizens requesting the retention of the bushland corridor of the eastern half of the Marshall Street Reserve, Rankin Park for local environmental and recreational purposes.

Mr Clough—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Ms Nori—from certain citizens requesting the repeal of sections 82, 83 and 84 of the Crimes Act.

Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Bowman—from certain citizens requesting that Green Point Estate be preserved as a regional bushland park.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Mills—from certain citizens requesting improved working conditions for part-time TAFE teachers.

Mr McBride—from certain citizens requesting the upgrading of Long Jetty Hospital.

Mr Davoren—from certain citizens requesting that Canterbury Hospital be retained and upgraded.

Mr Petch—from certain citizens requesting appropriate facilities for psychiatric patients in the Northern Sydney Area Health Service.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Davoren—from certain citizens requesting the retention of the Betsy Bankstown Womens Refuge and Crisis Centre.

Mr Iemma—from certain citizens requesting the review of the Fair Trading Act to cover all purchases.

5 PLACING OR DISPOSAL OF BUSINESS—CALLOVER OF GENERAL BUSINESS

(1) Notices of Motions of General Business (for Bills):

No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
12 October 1994

- No. 2 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 3 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 4 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 5 Environmental Planning and Assessment (Appeals) Amendment Bill, postponed (Dr Macdonald).
- No. 7 Crimes (Dock Statements) Amendment Bill, postponed (Dr Macdonald).
- No. 12 Farm Debt Mediation Bill, postponed (Mr Amery).

(2) Orders of the Day of General Business (for Bills):

- No. 1 Government Publicity Control Bill, lapsed (Mr Carr not being present).
- No. 2 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 3 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 4 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).
- No. 5 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 6 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 9 Threatened Species Conservation Bill, postponed (Dr Macdonald).
- No. 13 Prohibited Weapons (Amendment) Bill, lapsed (Mr Carr not being present).
- No. 14 Johann Pohl (Compensation) Bill, postponed (Mr Thompson).

(3) Orders of the Day of General Business (General Orders):

- No. 1 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).
- No. 2 Hospital Financial Management reference to the Public Accounts Committee, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices):

- No. 1 Narromine Feedlot Case, postponed (Mr Martin).

- No. 2 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).
- No. 4 Level 4 Accident and Emergency Services for the new Inner West Hospital, postponed (Dr Refshauge).
- No. 7 Standing Order 54—Coogee Bay Hotel Rezoning, postponed (Mr Murray).
- No. 9 Standing Order 54—Sydney Harbour Tunnel, postponed (Mr Murray).
- No. 11 Standing Order 54—Monorail, postponed (Mr Murray).
- No. 13 Standing Order 54—Darling Harbour, postponed (Mr Murray).
- No. 19 Select Committee upon sports betting, lapsed (Mr Face not being present).
- No. 21 Coffs Harbour Hospital redevelopment, postponed (Dr Refshauge).
- No. 23 Grafton Hospital funding, postponed (Dr Refshauge).
- No. 24 Re-opening of the Orange Abattoir, postponed (Mr Martin).
- No. 26 Tenure on Gravesites, lapsed (Mr Harrison not being present).
- 6 RE-ORDERING OF GENERAL BUSINESS—HOMEFUND MORTGAGES (REVIEWS AND APPEALS) BILL

Mrs Grusovin moved, That General Business Order of the Day (for Bills) No. 21 (HomeFund Mortgages (Reviews and Appeals) Bill) be re-ordered to take precedence on Thursday 13 October 1994.

Question put and passed.

7 MINISTERIAL STATEMENT—ABORIGINAL OWNERSHIP OF NATIONAL PARKS

Mr Hartcher made a statement concerning Aboriginal ownership of National Parks.

Mr Whelan moved, That the Member be not further heard.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
12 October 1994

The House divided.

Ayes 42

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Crittenden	Mr McBride	Mr Scully
Mr Doyle	Mr McManus	Mr Sullivan
Mr Face	Mr Markham	Mr Thompson
Mr Gaudry	Mr Martin	Mr Whelan
Mr Gibson	Mr Mills	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Ms Harrison	Mr Nagle	
Mr Hunter	Mr Neilly	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 48

Mr Armstrong	Mr Hazzard	Mr Richardson
Mr Baird	Mr Humpherson	Mr Rixon
Mr Beck	Dr Kernohan	Mr Schipp
Mr Blackmore	Mr Kinross	Mrs Skinner
Mr Causley	Mr Longley	Mr Small
Mr Chappell	Dr Macdonald	Mr Smith
Mrs Chikarovski	Ms Machin	Mr Souris
Mr Cochran	Mr Merton	Mr Tink
Mrs Cohen	Ms Moore	Mr Turner
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr Windsor
Mr Debnam	Mr O'Doherty	Mr Zammit
Mr Downy	Mr D. L. Page	
Mr Fraser	Mr Peacocke	Tellers
Mr Glachan	Mr Petch	
Mr Hartcher	Mr Phillips	Mr Jeffery
Mr Hatton	Mr Photios	Mr Kerr

Pairs

Mr A. S. Aquilina	Mr Fahey
Mr Carr	Mr Griffiths
Mr Shedden	Mr Schultz

Question negatived.

PAPER: Mr Hartcher (by leave) tabled an Advice from the Acting Solicitor General regarding the constitutional consistency of the National Parks and Wildlife (Aboriginal Ownership) Bill 1992 with the Commonwealth Native Title Act 1993.

Mr Markham also addressed the House.

8 MOTIONS FOR URGENT CONSIDERATION

(1) Mr Langton made a statement in support of his Notice for Urgent Consideration

(2) Mr Hartcher made a statement in support of his Notice for Urgent Consideration

Question—That the notice for urgent consideration of the honourable member for Kogarah be proceeded with—put and negatived.

Question—That the notice for urgent consideration of the honourable member for Gosford be proceeded with—put and passed.

9 MOTION FOR URGENT CONSIDERATION—AUSTRALIAN LABOR PARTY—MINING POLICY

Mr Hartcher moved, pursuant to notice, "That" this House condemns the decision of the National Conference of the Australian Labor Party to permit mineral exploration in National Parks.

Upon which Ms Allan moved, That the question be amended by leaving out all words after "That" with a view to adding instead the following words:

"this House reaffirms the National Parks and Wildlife (Mining Prohibition) Amendment Act 1990, No. 71."

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion as amended be agreed to—put and passed.

10 TRAFFIC (PENALTY DEFAULTS) AMENDMENT BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Traffic Act 1909 to provide for the suspension of licences following penalty defaults, to enable the Roads and Traffic Authority to refuse to process certain transactions following penalty defaults and for other purposes; and to amend the Justices Act 1902 consequentially.

Question put and passed.

Bill presented and read a first time.

Mr Baird moved, That this bill be now read a second time.

Debate adjourned (Mr Langton) and the resumption of the debate made an Order of the Day for a future day.

11 PUBLIC FINANCE AND AUDIT (AMENDMENT) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Public Finance and Audit Act 1983 in relation to the timetable for carrying out certain functions under that Act with respect to the Public Accounts.

Question put and passed.

Bill presented and read a first time.

Mr Collins moved, That this bill be now read a second time.

Debate adjourned (Mr J.H. Murray) and the resumption of the debate made an Order of the Day for a future day.

It being 5.15 p.m. private members' statements proceeded with.

12 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

13 APPROPRIATION BILL

PARLIAMENTARY APPROPRIATION BILL

BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL

MOTOR VEHICLES TAXATION (AMENDMENT) BILL

ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on motion of Mr Collins, That these bills be now read a second time—

Question again proposed and debate resumed.

Mr Longley moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for a later hour of the day.

14 STATE BANK (PRIVATISATION) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to authorise the sale of State Bank of New South Wales Limited; to amend the State Owned Corporations Act 1989 and certain other Acts; and for related purposes.

Question put and passed.

Bill presented and read a first time.

PAPER: Mr Collins (by leave) tabled a report entitled "SBN Sale—Conformed Copies of Transaction Documents" in three volumes, by Clayton Utz Solicitors and Attorneys.

Mr Collins moved, That this bill be now read a second time.

Debate adjourned (Mr J.H. Murray) and the resumption of the debate made an Order of the Day for a future day.

15 CRIMINAL PROCEDURE (INDICTABLE OFFENCES) AMENDMENT BILL

The Order of the Day was read.

Mr Hartcher moved, That this bill be now read a second time.

Mr Hartcher (by leave) tabled his second reading speech for incorporation into Hansard.

Debate adjourned (Mr Whelan) and the resumption of the adjourned debate made an Order of the Day for tomorrow.

16 APPROPRIATION BILL
PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on motion of Mr Collins, That these bills be now read a second time—

Question again proposed and debate resumed.

Ordered, That Mr Moss be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Petch be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Price be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mrs Cohen be allowed to continue her speech for a further period of 10 minutes.

Ordered, That Mr Hunter be allowed to continue his speech for a further period of 10 minutes.

Mr Longley moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for tomorrow.

17 PAPERS

Mr Longley, on behalf of Mr Baird, by leave, tabled:

Reports prepared by Consultants Stapleton & Hallam and Arthur Simms Consulting, in relation to the demolition of the Cahill Expressway;

All documentation arising as a result of these consultants' reports; and

All other documentation, briefing notes, and Roads and Traffic Authority correspondence relating to the possible demolition of the Cahill Expressway.

18 SPECIAL ADJOURNMENT

Mr Longley moved, That this House at its rising this day do adjourn until Thursday 13 October, 1994, at 9.00 a.m.

Question put and passed.

19 ADJOURNMENT

Mr Longley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.02 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 31

THURSDAY 13 OCTOBER 1994

1 KATHERINE WENTWORTH (ADMISSION AS LEGAL PRACTITIONER) BILL

Mr Hatton moved, pursuant to notice, That leave be given to bring in a bill for an Act for the admission of Katherine Wentworth as a legal practitioner.

Question put and passed.

Bill presented and read a first time.

Mr Hatton moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

2 GENERAL BUSINESS—NOTICE OF MOTION (FOR BILLS) (No. 8)

Notice called upon and postponed by Mr Hatton until tomorrow.

3 PRESERVATION OF CANTERBURY HOSPITAL BILL

Mr Moss moved, pursuant to notice, That leave be given to bring in a bill for an Act to ensure the retention of the Canterbury Hospital and of the services provided at or through that hospital.

Question put and passed.

Bill presented and read a first time.

Mr Moss moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

4 LOCAL GOVERNMENT (BOARDING AND LODGING HOUSES) AMENDMENT BILL

Ms Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Local Government Act 1993 so as to categorise certain land used for residential accommodation in the form of a boarding or lodging house as "residential" for rating purposes.

Question put and passed.

Bill presented and read a first time.

Ms Moore moved, That this bill be now read a second time.

At 9.30 a.m., debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day (for Bills).

Ordered, That the resumption of the interrupted second reading speech stand an Order of the Day for tomorrow.

5 HOMEFUND MORTGAGES (REVIEWS AND APPEALS) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Grusovin, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Kinross be allowed to continue his speech for a further period of 5 minutes.

Mr Small moved, That this debate be now adjourned.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 October 1994

Question put.

The House divided.

Ayes 50

Mr Armstrong	Mr Hazzard	Mr Rozzoli
Mr Baird	Mr Humpherson	Mr Schipp
Mr Beck	Dr Kernohan	Mr Schultz
Mr Blackmore	Mr Kinross	Mrs Skinner
Mr Causley	Mr Longley	Mr Small
Mr Chappell	Dr Macdonald	Mr Smith
Mrs Chikarovski	Ms Machin	Mr Souris
Mr Cochran	Mr Merton	Mr Tink
Mrs Cohen	Ms Moore	Mr Turner
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr Windsor
Mr Debnam	Mr O'Doherty	Mr Zammit
Mr Downy	Mr D. L. Page	
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Griffiths	Mr Phillips	
Mr Hartcher	Mr Photios	Mr Jeffery
Mr Hatton	Mr Richardson	Mr Kerr

Noes 45

Ms Allan	Mr Iemma	Dr Refshauge
Mr Amery	Mr Knight	Mr Rogan
Mr Anderson	Mr Knowles	Mr Rumble
Mr Aquilina	Mr Langton	Mr Scully
Mr A. S. Aquilina	Mrs Lo Po'	Mr Shedden
Mr Bowman	Mr McBride	Mr Sullivan
Mr Carr	Mr McManus	Mr Thompson
Mr Clough	Mr Markham	Mr Whelan
Mr Crittenden	Mr Martin	Mr Yeadon
Mr Doyle	Mr Mills	
Mr Face	Mr Moss	
Mr Gaudry	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mrs Grusovin	Mr Neilly	Tellers
Mr Harrison	Ms Nori	
Ms Harrison	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Davoren

Pair

Mr Fahey

Mr Irwin

Question passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

6 PUBLIC FINANCE AND AUDIT (SPECIAL DIVIDENDS) AMENDMENT BILL

The Order of the Day was read.

Mr J. H. Murray moved, That this Bill be now read a third time.

Question put.

The House divided.

Ayes 48

Ms Allan	Mr Hunter	Ms Nori
Mr Amery	Mr Iemma	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Dr Macdonald	Mr Scully
Mr Clough	Mr McBride	Mr Shedden
Mr Crittenden	Mr McManus	Mr Sullivan
Mr Doyle	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Mr Mills	Mr Yeadon
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	Tellers
Mr Harrison	Mr J. H. Murray	
Ms Harrison	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Neilly	Mr Davoren

Noes 47

Mr Armstrong	Mr Hazzard	Mr Schipp
Mr Baird	Mr Humpherson	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Kinross	Mr Small
Mr Causley	Mr Longley	Mr Smith
Mr Chappell	Ms Machin	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Tink
Mr Cochran	Mr Morris	Mr Turner
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr O'Doherty	Mr Windsor
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	Tellers
Mr Glachan	Mr Photios	
Mr Griffiths	Mr Richardson	Mr Jeffery
Mr Hartcher	Mr Rozzoli	Mr Kerr

Pair

Mr Irwin

Mr Fahey

Question passed.

Bill read a third time.

7 LAKE MACQUARIE STATE RECREATION AREA BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hunter, That this bill be now read a second time.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 October 1994

Question again proposed and debate resumed.

Mr Humpherson moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

8 PRIVATISATION OF CORE GOVERNMENT SERVICES BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hatton, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

The House divided.

Ayes 48

Ms Allan	Mr Hunter	Ms Nori
Mr Amery	Mr Iemma	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Dr Macdonald	Mr Scully
Mr Clough	Mr McBride	Mr Shedden
Mr Crittenden	Mr McManus	Mr Sullivan
Mr Doyle	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Mr Mills	Mr Yeadon
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	Tellers
Mr Harrison	Mr J. H. Murray	
Ms Harrison	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Neilly	Mr Davoren

Noes 47

Mr Armstrong	Mr Hazzard	Mr Schipp
Mr Baird	Mr Humpherson	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Kinross	Mr Small
Mr Causley	Mr Longley	Mr Smith
Mr Chappell	Ms Machin	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Tink
Mr Cochran	Mr Morris	Mr Turner
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr O'Doherty	Mr Windsor
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	Tellers
Mr Glachan	Mr Photios	
Mr Griffiths	Mr Richardson	Mr Jeffery
Mr Hartcher	Mr Rixon	Mr Kerr

Pair

Mr Irwin

Mr Fahey

Question passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker, resumed the Chair, and the Chairman reported progress and obtained leave to sit again tomorrow.

It being 11.30 a.m. General Business Orders of the Day and Notices of Motions proceeded with.

9 VICTIMS COMPENSATION TRIBUNAL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Whelan—

"That a public inquiry be established to examine and to review the provisions of victims compensation and the operations of Victims Compensation Act, 1987 and the Victims Compensation Tribunal with the following terms of reference:

- To examine the basis upon which a person may be entitled to victims compensation and in particular as to whether the existing definition of an "act of violence" is an adequate or proper statutory means of determining entitlement.
- To examine the basis upon which compensation is to be determined and in particular as to whether common law principles should apply.
- To examine the way in which victims compensation applications should be determined and in particular as to whether such applications should be determined by way of a tribunal based system or one operated by the Courts.
- To examine where applicants for victims compensation should be entitled, as of right, to a hearing as distinct from a determination of the matter without a hearing.
- To examine the way in which victims of sexual assault have their applications determined with a view to removing delay and anxiety occasioned to such victims.
- To examine and make recommendations in respect of the availability of counselling and specialist services to the victims of sexual assault and victims of crime generally.
- To examine the way in which moneys are recovered from offenders.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 October 1994

- To examine the methods of payment of legal costs and actual expenses in actions against the Victims Compensation Tribunal.
- To examine the role played by the Attorney General and the Attorney General's Department.

Mr Aquilina moved, That this debate be now adjourned.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

10 GENERAL BUSINESS—NOTICE OF MOTION (GENERAL NOTICE) (No. 3)

General Business Notice of Motion (General Notice) No. 3 was called on and postponed until tomorrow (Mr Whelan).

11 AMENDMENT TO STANDING ORDER 78

Mr Whelan moved, pursuant to notice, "That" for the remainder of the session, unless otherwise ordered, Standing Order 78 be amended by:

- (i) inserting after the word "answer" where first occurring the words "limited to five minutes"; and
- (ii) inserting the word "directly" before the word "relevant".

Debate ensued.

Mr Aquilina moved, That the motion be amended by inserting after the words "five minutes" the words "exclusive of any interruption including points of order".

Question proposed—That the amendment be agreed to.

Debate continued.

Question put and negatived.

Mr Hazzard moved, That the motion be amended by inserting after the word "That" the words "the Standing Orders and Procedure Committee consider and report by Wednesday 26 October 1994 the proposition that".

Question proposed—That the amendment be agreed to.

Question put and passed.

Question—That the motion, as amended, be agreed to—put and passed.

12 GENERAL BUSINESS—NOTICE OF MOTION (GENERAL NOTICES) (No. 6)

General Business Notice of Motion (General Notices) No. 6 called on and postponed, by Mr Whelan, until tomorrow.

13 GENERAL BUSINESS—NOTICE OF MOTION (GENERAL NOTICES) (No. 8)

General Business Notice of Motion (General Notices) No. 8 called on and postponed, by Mr Whelan, until tomorrow.

14 GENERAL BUSINESS—NOTICE OF MOTION (GENERAL NOTICES) (No. 10)

Notice called on and lapsed, Mr Gibson not being present.

15 DEVELOPMENTALLY DISABLED INFANTS—CANTERBURY

Mr Moss moved, pursuant to notice, That this House calls on the Minister for Community Services, Minister for Aboriginal Affairs and Minister for the Ageing to allocate additional and specific funds in order to provide the necessary early intervention services for developmentally disabled infants of Canterbury.

Debate ensued.

Question put and passed.

It being 1.00 p.m. pursuant to Sessional Orders, General Business Orders of the Day (Committee Reports) proceeded with.

16 REGULATION REVIEW COMMITTEE—REPORT NO. 28

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

17 NOTICES OF MOTIONS FOR URGENT CONSIDERATION

Mr Tink—Censure of the Leader of the Opposition

Mr Knight—Reference to the Public Accounts Committee

18 QUESTIONS

19 PETITIONS

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

Mr Gaudry, Mr Hunter, and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Dr Refshauge—from certain citizens requesting the preservation of the Tempe Bus and Tram Depot.

Mr Mills—from certain citizens requesting a School Children's Crossing Supervisor for the Lake Avenue crossing at Cardiff South Public School.

Mr Bowman, Mr Gaudry, Mr Markham, and Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Gaudry—from certain citizens requesting the retention of Hamilton Police Station as a 24 hour Police Station.

Mr Mills—from certain citizens requesting improved pay and working conditions for part-time TAFE teachers.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

20 PRINTING OF PAPERS

Formal Business—Ordered, on motion of Mr West, That the following papers be printed—

Statistical Return for the By-election held in the Electoral District of Parramatta on 27 August 1994.

Statement of Corporate Intent of the Hunter Water Corporation for 1994/95.

Environmental Impact Statement Strategy Progress Report under the Timber Industry (Interim Protection) Act, 1992, dated 30 September 1994.

Report of the Anti-Discrimination Board for the year ended 30 June 1994.

Special Report on the HomeFund Commissioner of New South Wales to the Minister for Consumer Affairs, dated 1 June 1994.

21 REGULATION REVIEW COMMITTEE

Mr Cruickshank tabled Report Number 29 of the Regulation Review Committee entitled Report Upon Regulations, dated October 1994.

Ordered to be printed.

22 MOTIONS FOR URGENT CONSIDERATION—WITHDRAWAL

Mr Knight withdrew his notice for urgent consideration.

23 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—VOTE OF CENSURE

Mr Tink moved, by leave, That Standing and Sessional Orders be suspended to allow the following time limits applying to the debate on the motion for urgent consideration notice of which was given this day by the member for Eastwood:

Mover and Leader of the Opposition	Unlimited
Other Members	20 minutes
Leader of the Opposition in response	20 minutes
Mover in reply	20 minutes

Question put and passed.

24 VOTE OF CENSURE—LEADER OF THE OPPOSITION

Mr Tink moved, pursuant to notice, That this House censures the Leader of the Opposition for the inconsistent application of ethical standards he applies to members of his party.

Upon which Mr Carr moved that the motion be amended by deleting all words after "That" and inserting the following words "this House censures the Premier for his consistent failure to apply ethical standards to members of his government including, inter alia the Member for Blue Mountains, the Member for Georges River, the Treasurer, the previous Member for North Shore, the previous Member for The Hills, and the former Premier, the Hon. N.F. Greiner."

Question proposed—That the amendment be agreed to.

Debate ensued.

It being 5.30 p.m. debate interrupted for private members' statements.

25 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

26 SUSPENSION OF STANDING ORDERS—GOVERNMENT BUSINESS NOTICE OF MOTION (No. 1)—JOINT ESTIMATES COMMITTEES

Mr West moved (by leave), That so much of the Standing and Sessional Orders be suspended as would preclude the consideration of Government Business Notice of Motion No. 1 forthwith.

Question put and passed.

27 JOINT ESTIMATES COMMITTEES

Mr West moved, pursuant to notice (amended by leave), That, in accordance with the Sessional Order on Estimates Committees:

(1) The following Estimates Committees are appointed:

1. The Legislature Estimates Committee;
2. Premier and Minister for Economic Development Estimates Committee;
3. Treasurer and Arts Estimates Committee;
4. Agriculture and Fisheries and Mines Estimates Committee;
5. Attorney General and Justice Estimates Committee;
6. Chief Secretary and Administrative Services Estimates Committee;
7. Community Services and Aboriginal Affairs Estimates Committee;
8. Consumer Affairs Estimates Committee;
9. Education, Training and Youth Affairs and Tourism Estimates Committee;
10. Environment Estimates Committee;
11. Multicultural and Ethnic Affairs Estimates Committee;
12. Health Estimates Committee;
13. Industrial Relations and Employment and Status of Women Estimates Committee;

14. Police and Emergency Services Estimates Committee;
 15. Energy and Local Government and Co-operatives Estimates Committee;
 16. Land and Water Conservation Estimates Committee;
 17. Planning and Housing Estimates Committee;
 18. Public Works and Ports Estimates Committee;
 19. Sport, Recreation and Racing Estimates Committee;
 20. Transport and Roads Estimates Committee; and
 21. Small Business and Regional Development Estimates Committee.
- (2) The clauses and items of the Appropriation Bill and the Parliamentary Appropriation Bill set out in Schedule 1 to this motion be referred to the Estimates Committees as set out in that Schedule.
 - (3) The Committees shall have power to send for and examine persons, papers, records and things and to report from time to time.
 - (4) The quorum of an Estimates Committee shall be eight members provided that the Committees meet as Joint Committees at all times.
 - (5) The Chairman of an Estimates Committee shall exercise a deliberative vote and, in the event of an equality of votes, a casting vote.
 - (6) A Chairman may from time to time appoint another member to act as Deputy Chairman and the member so appointed shall act as Chairman when the Chairman is not present at a meeting of the Committee.
- In the event of absence of both the Chairman and the Deputy Chairman, a member of the Committee shall be elected by the members present to act as Chairman for that meeting.
- (7) The proceedings of the Committees shall be open to the public unless otherwise ordered by the Committees.
 - (8) The Legislative Assembly membership of the Committees (5 Government members, 3 Opposition members and 1 Independent member) be notified to the Clerk of the Legislative Assembly by the Government and Opposition Whips. The Government Whip shall nominate the Independent member.
 - (9) The Clerk of the Legislative Assembly shall arrange the places for meetings of the Committees and notify, formally, the Members of the Committees of the times and places for the meetings.

(10) The Chairmen of the Estimates Committees be as follows -

The Legislature Estimates Committee - Mr Kerr

Premier and Minister for Economic Development Estimates Committee - Mr Tink

Treasurer and Arts Estimates Committee - Mr Zammit

Agriculture and Fisheries and Mines Estimates Committee - Mr Small

Attorney General and Justice Estimates Committee - Mr Kerr

Chief Secretary and Administrative Services Committee - Mr Kinross

Community Services and Aboriginal Affairs Estimates Committee - Mr Ryan

Consumer Affairs Estimates Committee - Mr Bull

Education, Training and Youth Affairs and Tourism Estimates Committee - Mr O'Doherty

Environment Estimates Committee - Mr Ryan

Multicultural and Ethnic Affairs Estimates Committee - Mr Samios

Health Estimates Committee - Mr Glachan

Industrial Relations and Employment and Status of Women Estimates Committee - Mrs Forsythe

Police and Emergency Services Estimates Committee - Mr Turner

Energy and Local Government and Co-operatives Estimates Committee - Mr Turner

Land and Water Conservation Estimates Committee - Mr Cochran

Planning and Housing Estimates Committee - Mr D.L. Page

Public Works and Ports Estimates Committee - Mr Beck

Sport, Recreation and Racing Estimates Committee - Mr Petch

Transport and Roads Estimates Committee - Mr Merton

Small Business and Regional Development Estimates Committee - Mr Fraser

(11) In an Estimates Committee

(a) The responsible Minister shall be present at all times.

- (b) The Chairman shall call over the Estimates for each ministry and declare the proposed expenditure open for examination.
 - (c) The question shall be proposed for each organisational unit "That the Vote be recommended".
 - (d) The proceedings of a Committee shall be recorded by Hansard.
 - (e) The Clerk shall prepare minutes of meetings which shall be signed by the Clerk and the Chairman.
- (12) During the conduct of the Estimates Committees questions be limited to a maximum of 1 minute and replies be limited to a maximum of 3 minutes.
- (13) When each area of Estimates in the first Schedule is commenced the period set aside shall be equally apportioned between Government and non-Government Members. The Chairman of the Committee shall permit non-Government Members to question the Minister for the first 20 minutes; Government Members for the next 20 minutes and so on in rotation until the expiration of the allocated time.
- (14) Advisers who are present at an Estimates Committee to assist Ministers and the Presiding Officers (in the case of the Estimates of The Legislature) may address a Committee or answer questions if such questions are referred to them by a Minister or the Presiding Officers as the case may be.
- (15) The proceedings of a Committee shall be regarded as proceedings of the Parliament.
- (16) Notwithstanding anything to the contrary contained in the Standing or Sessional Orders, Ministers may indicate to Estimates Committees that information supplementary to a response given to the Estimates Committee in reply to a question asked by a member of that Committee may be lodged with the Clerk of the Legislative Assembly. Such information shall be regarded as part of the proceedings of the Parliament (and published as an annexure to the Questions and Answers Paper of the Legislative Assembly). Answers to questions taken on notice are to be answered by 18 November 1994.
- (17) The times and dates for consideration of the Estimates by the Estimates Committees be as set out in Schedule 2 to this motion.
- (18) The Committees shall have the power to sit during the sitting or any adjournment of the House.
- (19) A message informing the Legislative Council of the terms of the resolution and requesting its nomination of 5 of its Members to participate on each Committee (of whom 2 shall be Government Members, 2 shall be Opposition Members and 1 shall be a non-Government Member nominated by the Leader of the Government) and requesting arrangements for the publication in the Questions and Answers Paper of the Legislative Council of supplementary information to Estimates Committees shall forthwith be transmitted to the Legislative Council.

SCHEDULE 1

**BUDGET ESTIMATES COMMITTEES -
MINISTERIAL PORTFOLIO ALLOCATIONS**

APPROPRIATION BILL REFERENCES

	Recurrent Items	Capital Items
1 Legislature		
The Legislature - subject to a separate Appropriation Bill		
2 Premier and Economic Development		
Cabinet Office	6.1.01	6.2.01
Parliamentary Counsel's Office	6.1.02	6.2.02
Premier's Department	6.1.03	6.2.03
Independent Commission Against Corruption	6.1.04	6.2.04
Ombudsman's Office	6.1.05	6.2.05
State Electoral Office	6.1.06	...
Government Pricing Tribunal	6.1.07	...
3 Agriculture and Fisheries		
Rural Assistance Authority	7.1.01	...
Department of Agriculture	7.1.02	7.2.01
New South Wales Fisheries	7.1.03	7.2.02
4 Mines		
Department of Mineral Resources	7.1.04	7.2.03
Coal Compensation Board	7.1.05	7.2.04
5 Attorney General		
Attorney General's Department	8.1.01	8.2.01
Judicial Commission	8.1.02	8.2.02
Legal Aid Commission	8.1.03	8.2.03
Office of the Director of Public Prosecutions	8.1.04	8.2.04
6 Justice		
Department of Courts Administration	8.1.05	8.2.05
Department of Corrective Services	8.1.06	8.2.06
Department of Juvenile Justice	8.1.07	8.2.07

7 Chief Secretary and Administrative Services

Chief Secretary's Department	9.1.01	9.2.01
Casino Control Authority	9.1.02	...
Office of the Chief Secretary and Minister for Administrative Services	9.1.03	9.2.02

8 Community Services

Department of Community Services	10.1.01	10.2.01
Social Policy Directorate	10.1.02	...
Community Services Commission	10.1.03	...

9 Aboriginal Affairs

Office of Aboriginal Affairs	10.1.04	...
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10 Consumer Affairs

Department of Consumer Affairs	11.1.01	11.2.01
HomeFund Commissioner's Office	11.1.02	...

11 Education, Training and Youth Affairs

Ministry of Education and Youth Affairs	12.1.01	12.2.01
Department of School Education	12.1.02	12.2.02
New South Wales Technical and Further Education Commission	12.1.03	12.2.03

12 Tourism

Tourism NSW	12.1.04	...
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13 Energy

Office of Energy	13.1.01	...
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14 Local Government and Co-operatives

Department of Local Government and Co-operatives	13.1.02	13.2.01
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15 Environment

Environment Protection Authority	14.1.01	14.2.01
National Parks and Wildlife Service	14.1.02	14.2.02
Royal Botanic Gardens and Domain Trust	14.1.03	14.2.03
Urban Parks Agency	14.1.04	14.2.04

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
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16 Health

Department of Health	15.1.01	15.2.01
Health Care Complaints Commission	15.1.02	...

17 Industrial Relations and Employment

Department of Industrial Relations, Employment, Training and Further Education	16.1.01	16.2.01
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18 Status of Women

Ministry for the Status and Advancement of Women	16.1.02	16.2.02
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19 Land and Water Conservation

Department of Conservation and Land Management	17.1.01	17.2.01
Department of Water Resources	17.1.02	17.2.02

20 Multicultural and Ethnic Affairs

Ethnic Affairs Commission	18.1.01	18.2.01
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21 Planning and Housing

Department of Planning	19.1.01	19.2.01
Homebush Bay Development Corporation	19.1.02	19.2.02
Payments to other Government Bodies under the Control of the Minister	19.1.03	...

22 Police and Emergency Services

Ministry for Police and Emergency Services	20.1.01	...
The Police Service of New South Wales	20.1.02	20.2.01
New South Wales Crime Commission	20.1.03	20.2.02
New South Wales Fire Brigades	20.1.04	...
Department of Bush Fire Services	20.1.05	...
State Emergency Service	20.1.06	20.2.03

23 Public Works and Ports

Office of the Minister for Public Works and Minister for Ports	21.1.01	21.2.01
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24 Small Business and Regional Development		
Department of Business and Regional Development	22.1.01	22.2.01
25 Sport, Recreation and Racing		
Department of Sport, Recreation and Racing	23.1.01	23.2.01
26 Transport		
Department of Transport	24.1.01	24.2.01
27 Roads		
Roads and Traffic Authority	24.1.02	24.2.02
28 Treasurer		
Treasury	25.1.01	25.2.01
Crown Transactions	25.1.02	25.2.02
Advance to Treasurer	25.1.03	...
29 Arts		
Ministry for the Arts	25.1.04	25.2.03
State Library	25.1.05	25.2.04
Australian Museum	25.1.06	25.2.05
Museum of Applied Arts and Sciences	25.1.07	25.2.06
Historic Houses Trust	25.1.08	25.2.07
Art Gallery of New South Wales	25.1.09	25.2.08
Archives Authority of New South Wales	25.1.10	...
New South Wales Film and Television Office	25.1.11	...

SCHEDULE 2

TUESDAY 18 OCTOBER 1994

Committee	Time
Agriculture, Fisheries and Mines	9.30am - 1.00pm
Industrial Relations and Employment and Status of Women	9.30am - 1.00pm
Community Services and Aboriginal Affairs	2.00 - 4.30pm

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 October 1994

Land and Water Conservation	2.00 - 4.30pm
Consumer Affairs	7.00 - 9.00pm

WEDNESDAY 19 OCTOBER 1994

Transport and Roads	9.30am - 1.00pm
Police and Emergency Services	9.30am - 1.00pm
Treasurer and Arts	2.00 - 4.30pm
Premier and Economic Development	2.00 - 4.30pm
The Legislature	7.00 - 9.00pm
Multicultural and Ethnic Affairs	7.00 - 9.00pm

THURSDAY 20 OCTOBER 1994

Planning and Housing	9.30am - 1.00pm
Attorney General and Justice	9.30am - 1.00pm
Local Government and Energy	2.00 - 4.30pm
Chief Secretary and Administrative Services	2.00 - 4.30pm
Regional Development and Small Business	7.00 - 9.00pm
Sport, Recreation and Racing	7.00 - 9.00pm

FRIDAY 21 OCTOBER 1994

Health	9.30 - 1.00pm
Education, Training and Youth Affairs and Tourism	9.30 - 1.00pm
Environment	2.00 - 4.30pm
Public Works and Ports	2.00 - 4.30pm

Upon which Mr Whelan moved That the motion be amended in Schedule 2 for the allocated time for Treasurer and Arts to read "9.30am - 1.00pm".

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put.

The House divided.

Ayes 41

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Clough
Mr Crittenden
Mr Face
Mr Gibson
Mrs Grusovin
Mr Harrison
Ms Harrison
Mr Hunter
Mr Iemma

Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Mr Markham
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Ms Nori
Mr Page

Mr Price
Dr Refshauge
Mr Rogan
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

Noes 43

Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovski
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fraser
Mr Glachan
Mr Griffiths
Mr Hartcher
Mr Hatton

Mr Hazzard
Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Dr Macdonald
Ms Machin
Mr Merton
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Richardson
Mr Rixon
Mr Schipp

Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Pairs

Mr Carr
Mr Doyle
Mr Gaudry
Mr Irwin
Mr Martin
Mr Rumble

Mr Armstrong
Mr Baird
Mr Fahey
Mr Morris
Mr Phillips
Mr Turner

And so it passed in the negative.

Original question put and passed.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 October 1994

28 VOTE OF CENSURE—LEADER OF THE OPPOSITION

The Order of the Day was read for the resumption of the interrupted debate.

Question—That the amendment be agreed to—again proposed and debate resumed.

DISTINGUISHED VISITOR

The Acting Speaker drew the attention of the House to the presence in the gallery of Mr Saburo Tanaka, Consul-General for Japan.

Question put.

The House divided.

Ayes 38

Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mrs Lo Po'	Mr Rogan
Mr Aquilina	Mr McBride	Mr Scully
Mr Bowman	Mr McManus	Mr Shedden
Mr Clough	Mr Markham	Mr Sullivan
Mr Crittenden	Mr Martin	Mr Thompson
Mr Face	Mr Mills	Mr Whelan
Mr Gibson	Mr Moss	Mr Yeadon
Mr Harrison	Mr J. H. Murray	
Ms Harrison	Mr Nagle	
Mr Hunter	Mr Neilly	Tellers
Mr Iemma	Ms Nori	
Mr Knight	Mr Page	Mr Beckroge
Mr Knowles	Mr Price	Mr Davoren

Noes 43

Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Kinross	Mr Small
Mr Causley	Mr Longley	Mr Smith
Mr Chappell	Dr Macdonald	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Tink
Mrs Cohen	Ms Moore	Mr Turner
Mr Collins	Mr Murray	Mr West
Mr Cruickshank	Mr O'Doherty	Mr Windsor
Mr Debnam	Mr D. L. Page	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Photios	
Mr Hartcher	Mr Richardson	Tellers
Mr Hatton	Mr Rixon	
Mr Hazzard	Mr Schipp	Mr Jeffery
Mr Humpherson	Mr Schultz	Mr Kerr

Pairs

Ms Allan	Mr Armstrong
Mr A. S. Aquilina	Mr Baird
Mr Carr	Mr Cochran
Mr Doyle	Mr Fahey
Mr Gaudry	Mr Griffiths
Mrs Grusovin	Ms Machin
Mr Irwin	Mr Morris
Mr Rumble	Mr Phillips

Question negatived.

Question put—That the original motion be agreed to.

The House divided.

Ayes 39

Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Kinross	Mr Smith
Mr Causley	Mr Longley	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Murray	Mr Turner
Mrs Cohen	Mr O'Doherty	Mr West
Mr Collins	Mr D. L. Page	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Photios	
Mr Fraser	Mr Richardson	
Mr Glachan	Mr Rixon	Tellers
Mr Hatcher	Mr Schipp	Mr Jeffery
Mr Hazzard	Mr Schultz	Mr Kerr
Mr Humpherson	Mrs Skinner	

Noes 42

Mr Amery	Mrs Lo Po'	Mr Rogan
Mr Anderson	Dr Macdonald	Mr Scully
Mr Aquilina	Mr McBride	Mr Shedden
Mr Bowman	Mr McManus	Mr Sullivan
Mr Clough	Mr Markham	Mr Thompson
Mr Crittenden	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Mr Windsor
Mr Gibson	Ms Moore	Mr Yeadon
Mr Harrison	Mr Moss	
Ms Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	
Mr Iemma	Ms Nori	Tellers
Mr Knight	Mr Page	Mr Beckroge
Mr Knowles	Mr Price	Mr Davoren
Mr Langton	Dr Refshauge	

Pairs

Mr Armstrong	Ms Allan
Mr Baird	Mr A. S. Aquilina
Mr Cochran	Mr Carr
Mr Fahey	Mr Doyle
Mr Griffiths	Mr Gaudry
Ms Machin	Mrs Grusovin
Mr Morris	Mr Irwin
Mr Phillips	Mr Rumble

Question negatived.

29 MATTER OF PUBLIC IMPORTANCE—DROUGHT DECLARATIONS

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Martin moved, That this House notes, as a matter of public importance:

The criteria for the determination of drought declarations in New South Wales and take exclusion of a number of Rural Lands Protection Board areas from Commonwealth assistance.

Debate ensued.

Question put and passed.

30 REFERENCE TO THE AUDITOR-GENERAL

Mr Collins (by leave) moved, That—

- (1) The Legislative Assembly asks the Auditor-General to examine the proposed sale of the State Bank of New South Wales to advise whether, having regard to the preferred terms of sale, the consideration for the sale of the State Bank provides a fair and reasonable economic return for the sale of the Bank and in particular to report on:
 - (a) the anticipated range of costs to be met by the State under the proposed Contract of Sale (including indemnities, warranties and reimbursements) and the comparable costs to the Government if the State Bank remains under Government ownership;
 - (b) the anticipated range of the Bank's projected operating profits;
 - (c) whether, in light of the above, or any other factors the Auditor-General believes relevant, the net sale proceeds are likely to be less than, approximately equal to, or more than a reasonable retention benchmark; and
 - (d) any other matters within the jurisdiction of the Auditor-General that the Auditor-General believes are pertinent to Parliament's consideration of the proposed sale.

- (2) The Auditor General report to the Treasurer by no later than 18 November 1994.
- (3) The Treasurer provide the report to the Parliament by no later than the 21 November 1994.
- (4) The report be considered and the debate concluded on the sale of the State Bank by no later than 24 November 1994.

Question proposed—That the motion be agreed to.

Debate ensued.

The House continued to sit after midnight—

FRIDAY 14 OCTOBER 1994 a.m.

Question put and passed.

31 TREE PLANTATIONS (HARVEST SECURITY) BILL

Mr Souris moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the harvesting of tree plantations.

Question put and passed.

Bill presented and read a first time.

Mr Souris moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

32 MESSAGE FROM THE LEGISLATIVE COUNCIL—JOINT ESTIMATES COMMITTEES

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that, having had under consideration the Assembly's Message of 13 October 1994 relating to the appointment of Joint Estimates Committees, it has this day agreed to the following resolution:

That:

(1) The following Estimates Committees be appointed:

- (a) The Legislature Estimates Committee

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 and 14 October 1994 a.m.

- (b) Premier and Economic Development Estimates Committee
- (c) Treasurer and Arts Estimates Committee
- (d) Agriculture and Fisheries and Mines Estimates Committee
- (e) Attorney-General and Justice Estimates Committee
- (f) Chief Secretary and Administrative Services Estimates Committee
- (g) Community Services and Aboriginal Affairs and Ageing Estimates Committee
- (h) Consumer Affairs Estimates Committee
- (i) Education, Training and Youth Affairs and Tourism Estimates Committee
- (j) Energy and Local Government and Co-operatives Estimates Committee
- (k) Environment Estimates Committee
- (l) Health Estimates Committee
- (m) Industrial Relations and Employment and Status of Women Estimates Committee
- (n) Land and Water Conservation Estimates Committee
- (o) Multicultural and Ethnic Affairs Estimates Committee
- (p) Planning and Housing Estimates Committee
- (q) Police and Emergency Services Estimates Committee
- (r) Public Works and Ports Estimates Committee
- (s) Small Business and Regional Development Estimates Committee
- (t) Sport, Recreation and Racing Estimates Committee and
- (u) Transport and Roads Estimates Committee,

to examine and report on proposed expenditures from the Consolidated Fund for each organisational unit for each Minister listed in the tabled Estimates, and the corresponding clauses and schedules of the Appropriation Bill and the Parliamentary Appropriation Bill which shall stand referred to the appropriate Committee.

- (2) The clauses and items of the Appropriation Bill and the Parliamentary Appropriation Bill set out in Schedule 1 be referred to the Estimates Committees as set out in that Schedule.

- (3) The Committees shall have power to send for and examine persons, papers, records and things and to report from time to time.
- (4) The quorum of an Estimates Committee shall be eight Members provided that the Committees meet as Joint Committees at all times.
- (5) The Chairman of an Estimates Committee shall exercise a deliberative vote and, in the event of an equality of votes, a casting vote.
- (6) A Chairman may from time to time appoint another Member to act as Deputy Chairman and the Member so appointed shall act as Chairman when the Chairman is not present at a meeting of the Committee.

In the event of absence of both the Chairman and the Deputy Chairman, a Member of the Committee shall be elected by the Members present to act as Chairman for that meeting.

- (7) The proceedings of the Committees shall be open to the public unless otherwise ordered by the Committees.
- (8) The Clerk of the Legislative Assembly shall arrange the places for meetings of the Committees and notify, formally, the Members of the Committees of the times and places for the meetings.
- (9) The Chairman of the Estimates Committees be as follows:

The Legislature Estimates Committee—Mr Kerr

Premier and Economic Development Estimates Committee—Mr Tink

Treasurer and Arts Estimates Committee—Mr Zammit

Agriculture and Fisheries and Mines Estimates Committee—Mr Small

Attorney-General and Justice Estimates Committee—Mr Kerr

Chief Secretary and Administrative Services Estimates Committee—Mr Kinross

Community Services and Aboriginal Affairs and Ageing Estimates Committee—Mr Ryan

Consumer Affairs Estimates Committee—Mr Bull

Education, Training and Youth Affairs and Tourism Estimates Committee—Mr O'Doherty

Energy and Local Government and Co-operatives Estimates Committee—Mr Turner

Environment Estimates Committee—Mr Ryan

Health Estimates Committee—Mr Glachan

Industrial Relations and Employment and Status of Women Estimates Committee—Mrs Forsythe

Land and Water Conservation Estimates Committee—Mr Cochran

Multicultural and Ethnic Affairs Estimates Committee—Mr Samios

Planning and Housing Estimates Committee—Mr D.L. Page

Police and Emergency Services Estimates Committee—Mr Turner

Public Works and Ports Estimates Committee—Mr Beck

Small Business and Regional Development Estimates Committee—Mr Fraser

Sport, Recreation and Racing Estimates Committee—Mr Petch

Transport and Roads Estimates Committee—Mr Merton.

(10) In an Estimates Committee:

- (a) the responsible Minister shall be present at all times;
- (b) the Chairman shall call over each program area of each organisational unit for each Minister and declare the proposed expenditure open for examination;
- (c) the question shall be proposed for each organisational unit "That the Vote be recommended";
- (d) the proceedings of a Committee shall be recorded by Hansard;
- (e) the Clerk shall prepare minutes of meetings which shall be signed by the Chairman.

(11) During the conduct of the Estimates Committees questions be limited to a maximum of one minute and replies be limited to a maximum of three minutes.

(12) When each area of estimates in Schedule 1 is commenced the period set aside shall be equally apportioned between Government and non-Government Members. The Chairman of the Committee shall permit non-Government Members to question the Minister for the first twenty minutes, Government Members for the next twenty minutes and so on in rotation until the expiration of the allocated time.

(13) Advisers who are present at an Estimates Committee to assist Ministers and the Presiding Officers (in the case of the Estimates of the Legislature) may address a Committee or answer questions if referred to them by a Minister or the Presiding Officers as the case may be.

- (14) The proceedings of a Committee shall be regarded as proceedings of the Parliament.
- (15) Notwithstanding anything to the contrary contained in the Standing or Sessional Orders, Ministers may indicate to Estimates Committees that information supplementary to a response given to the Estimates Committee in reply to a question asked by a Member of that Committee may be lodged with the Clerk of the Parliaments. Such information shall be regarded as part of the proceedings of the Parliament and published as an annexure to the Questions and Answers Paper of the Legislative Council. Answers to questions taken on notice are to be answered by 18 November 1994.
- (16) The times and dates for consideration of the estimates by the Estimates Committees be as set out in the Schedule 2.
- (17) The Committee shall have the power to sit during the sitting or any adjournment of the House.
- (18) The Report of each Estimates Committee shall state whether the votes of each organisational unit in the Estimates and the corresponding clauses and schedules in the Appropriation Bill and the Parliamentary Appropriation Bill are recommended or otherwise.

The failure of an Estimates Committee to report on any part of the votes shall be deemed to be a report recommending the proposed expenditure.

- (19) The following Members be appointed to the Estimates Committees:

- (a) The Legislature Estimates Committee

Government Members—Mr Bull, Mr Gay and Mr Jobling
Opposition Members—Mr Johnson and Mr O'Grady
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Revd Mr Nile

- (b) Premier and Economic Development Estimates Committee

Government Members— Mr Coleman, Mrs Evans and Mr Ryan
Opposition Members—Dr Burgmann and Mrs Walker
Australian Democrat Member—Mr Jones
Call to Australia Member—Revd Mr Nile

- (c) Treasurer and Arts Estimates Committee

Government Members—Mr Gay, Mr Smith and Mr Samios
Opposition Members—Mr Egan and Mrs Symonds
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Mrs Nile

(d) Agriculture and Fisheries and Mines Estimates Committee

Government Members—Mr Moppett, Dr Pezzutti and Mr Smith
Opposition Members—Mr Kaldis and Mr Obeid
Australian Democrat Member—Mr Jones
Call to Australia Member—Revd Mr Nile

(e) Attorney General and Justice Estimates Committee

Government Members—Miss Gardiner, Mr Mutch and Mrs Sham-Ho
Opposition Members—Mr Shaw and Mrs Symonds
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Revd Mr Nile

(f) Chief Secretary and Administrative Services Estimates Committee

Government Members—Dr Pezzutti, Mr Smith and Mr Ryan
Opposition Members—Mr Johnson and Mr Manson
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Revd Mr Nile

(g) Community Services and Aboriginal Affairs and Ageing Estimates Committee

Government Members—Mr Jobling, Mr Ryan and Mrs Sham-Ho
Opposition Members—Mr Dyer and Mrs Symonds
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Revd Mr Nile

(h) Consumer Affairs Estimates Committee

Government Members—Mr Bull, Miss Gardiner and Mr Samios
Opposition Members—Mr Enderbury and Mr Johnson
Australian Democrat Member—Mr Jones
Call to Australia Member—Revd Mr Nile

(i) Education, Training and Youth Affairs and Tourism Estimates Committee

Government Members—Mr Bull, Mr Moppett and Mrs Sham-Ho
Opposition Members—Mrs Arena and Mr Vaughan
Australian Democrat Member—Mr Jones
Call to Australia Member—Mrs Nile

(j) Energy and Local Government and Co-operatives Estimates Committee

Government Members—Mrs Evans, Dr Goldsmith and Mr Mutch
Opposition Members—Ms Burnswoods and Mr Shaw
Australian Democrat Member—Mr Jones
Call to Australia Member—Mrs Nile

(k) Environment Estimates Committee

Government Members—Dr Goldsmith, Mr Ryan, and Mr Samios
Opposition Members—Ms Burnswoods and Mrs Kite
Australian Democrat Member—Mr Jones
Call to Australia Member—Revd Mr Nile

(l) Health Estimates Committee

Government Members—Mrs Evans, Mrs Forsythe and Dr Pezzutti
Opposition Members—Mrs Isaksen and Mrs Walker
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Revd Mr Nile

(m) Industrial Relations and Employment and Status of Women Estimates Committee

Government Members—Miss Gardiner, Mrs Forsythe and Mr Mutch
Opposition Members—Dr Burgmann and Mr Shaw
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Mrs Nile

(n) Land and Water Conservation Estimates Committee

Government Members—Mr Coleman, Mrs Evans and Mr Moppett
Opposition Members—Dr Burgmann and Mrs Walker
Australian Democrat Member—Mr Jones
Call to Australia Member—Mrs Nile

(o) Multicultural and Ethnic Affairs Estimates Committee

Government Members—Mr Coleman, Mr Samios and Mrs Sham-Ho
Opposition Members—Mrs Arena and Mr Kaldis
Australian Democrat Member—Mr Jones
Call to Australia Member—Mrs Nile

(p) Planning and Housing Estimates Committee

Government Members—Mrs Forsythe, Mr Gay and Mr Ryan
Opposition Members—Mr Macdonald and Mr Obeid
Australian Democrat Member—Mr Jones
Call to Australia Member—Mrs Nile

(q) Police and Emergency Services Estimates Committee

Government Members—Mr Bull, Mr Gay and Mr Jobling
Opposition Members—Mr O'Grady and Mrs Walker
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Revd Mr Nile

(r) Public Works and Ports Estimates Committee

Government Members—Mr Coleman, Mr Mutch and Dr Pezzutti
Opposition Members—Mr Dyer and Mr Macdonald
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Mrs Nile

(s) Small Business and Regional Development Estimates Committee

Government Members—Dr Goldsmith, Mr Jobling and Mr Mutch
Opposition Members—Mr Macdonald and Mr Vaughan
Australian Democrat Member—Mr Jones
Call to Australia Member—Revd Mr Nile

(t) Sport, Recreation and Racing Estimates Committee

Government Members—Mrs Forsythe, Mr Moppett and Mr Smith
Opposition Members—Mr Enderbury and Mr Manson
Australian Democrat Member—Ms Kirkby
Call to Australia Member—Mrs Nile

(u) Transport and Roads Estimates Committee

Government Members—Mr Coleman, Miss Gardiner and Dr Goldsmith
Opposition Members—Mrs Isaksen and Mrs Kite
Australian Democrat Member—Mr Jones
Call to Australia Member—Mrs Nile.

- (20) The Leader of the Government, the Leader of the Opposition, the Leader of the Australian Democrats and the Leader of the Call to Australia Group may nominate in writing to the Committee Chairman an alternative Member of the Legislative Council to represent an appointed Member, if that Member is unavailable to attend any meeting of any Estimates Committee.
- (21) The Legislative Council insists that the Estimates Committees be composed of an equal number of Members of each House.
- (22) The Legislative Council requests the concurrence of the Legislative Assembly that the Estimates Committees be composed of an equal number of Members of each House.
- (23) The Legislative Council expresses the view that on any future occasion on which a Joint Committee may be proposed the same number of Members should be appointed from both Houses.

SCHEDULE 1

**BUDGET ESTIMATES COMMITTEES
MINISTERIAL PORTFOLIO ALLOCATIONS**

Estimate Committee No.	Appropriation Bill References	
	Recurrent Items	Capital Items
1	Legislature	
	The Legislature - subject to a separate Appropriation Bill	
2	Premier and Economic Development	
	Cabinet Office	6.1.01 6.2.01
	Parliamentary Counsel's Office	6.1.02 6.2.02
	Premier's Department	6.1.03 6.2.03
	Independent Commission Against Corruption	6.1.04 6.2.04
	Ombudsman's Office	6.1.05 6.2.05
	State Electoral Office	6.1.06 ...
	Government Pricing Tribunal	6.1.07 ...
3	Agriculture and Fisheries	
	Rural Assistance Authority	7.1.01 ...
	Department of Agriculture	7.1.02 7.2.01
	New South Wales Fisheries	7.1.03 7.2.02
4	Mines	
	Department of Mineral Resources	7.1.04 7.2.03
	Coal Compensation Board	7.1.05 7.2.04
5	Attorney General	
	Attorney General's Department	8.1.01 8.2.01
	Judicial Commission	8.1.02 8.2.02
	Legal Aid Commission	8.1.03 8.2.03
	Office of the Director of Public Prosecutions	8.1.04 8.2.04

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6	Justice		
	Department of Courts Administration	8.1.05	8.2.05
	Department of Corrective Services	8.1.06	8.2.06
	Department of Juvenile Justice	8.1.07	8.2.07
7	Chief Secretary and Administrative Services		
	Chief Secretary's Department	9.1.01	9.2.01
	Casino Control Authority	9.1.02	...
	Office of the Chief Secretary and Minister for Administrative Services	9.1.03	9.2.02
8	Community Services		
	Department of Community Services	10.1.01	10.2.01
	Social Policy Directorate	10.1.02	...
	Community Services Commission	10.1.03	...
9	Aboriginal Affairs		
	Office of Aboriginal Affairs	10.1.04	...
10	Consumer Affairs		
	Department of Consumer Affairs	11.1.01	11.2.01
	HomeFund Commissioner's Office	11.1.02	...
11	Education, Training and Youth Affairs		
	Ministry of Education and Youth Affairs	12.1.01	12.2.01
	Department of School Education	12.1.02	12.2.02
	New South Wales Technical and Further Education Commission	12.1.03	12.2.03
12	Tourism		
	Tourism NSW	12.1.04	...
13	Energy		
	Office of Energy	13.1.01	...
14	Local Government and Co-operatives		
	Department of Local Government and Co-operatives	13.1.02	13.2.01

15	Environment		
	Environment Protection Authority	14.1.01	14.2.01
	National Parks and Wildlife Service	14.1.02	14.2.02
	Royal Botanic Gardens and Domain Trust	14.1.03	14.2.03
	Urban Parks Agency	14.1.04	14.2.04
16	Health		
	Department of Health	15.1.01	15.2.01
	Health Care Complaints Commission	15.1.02	...
17	Industrial Relations and Employment		
	Department of Industrial Relations, Employment, Training and Further Education	16.1.01	16.2.01
18	Status of Women		
	Ministry for the Status and Advancement of Women	16.1.02	16.2.02
19	Land and Water Conservation		
	Department of Conservation and Land Management	17.1.01	17.2.01
	Department of Water Resources	17.1.02	17.2.02
20	Multicultural and Ethnic Affairs		
	Ethnic Affairs Commission	18.1.01	18.2.01
21	Planning and Housing		
	Department of Planning	19.1.01	19.2.01
	Homebush Bay Development Corporation	19.1.02	19.2.02
	Payments to other Government Bodies under the Control of the Minister	19.1.03	...
22	Police and Emergency Services		
	Ministry for Police and Emergency Services	20.1.01	...
	The Police Service of New South Wales	20.1.02	20.2.01
	New South Wales Crime Commission	20.1.03	20.2.02
	New South Wales Fire Brigades	20.1.04	...
	Department of Bush Fire Services	20.1.05	...
	State Emergency Service	20.1.06	20.2.03

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
13 and 14 October 1994 a.m.

23	Public Works and Ports		
	Office of the Minister for Public Works and Minister for Ports	21.1.01	21.2.01
24	Small Business and Regional Development		
	Department of Business and Regional Development	22.1.01	22.2.01
25	Sport, Recreation and Racing		
	Department of Sport, Recreation and Racing	23.1.01	23.2.01
26	Transport		
	Department of Transport	24.1.01	24.2.01
27	Roads		
	Roads and Traffic Authority	24.1.02	24.2.02
28	Treasurer		
	Treasury	25.1.01	25.2.01
	Crown Transactions	25.1.02	25.2.02
	Advance to Treasurer	25.1.03	...
29	Arts		
	Ministry for the Arts	25.1.04	25.2.03
	State Library	25.1.05	25.2.04
	Australian Museum	25.1.06	25.2.05
	Museum of Applied Arts and Sciences	25.1.07	25.2.06
	Historic Houses Trust	25.1.08	25.2.07
	Art Gallery of New South Wales	25.1.09	25.2.08
	Archives Authority of New South Wales	25.1.10	...
	New South Wales Film and Television Office	25.1.11	...

SCHEDULE 2**TUESDAY 18 OCTOBER 1994**

Committee	Time
Agriculture, Fisheries and Mines	9.30am - 1.00pm
Industrial Relations and Employment and Status of Women	9.30am - 1.00pm
Community Services and Aboriginal Affairs	2.00 - 4.30pm
Land and Water Conservation	2.00 - 4.30pm
Consumer Affairs	7.00 - 9.00pm

WEDNESDAY 19 OCTOBER 1994

Transport and Roads	9.30am - 1.00pm
Police and Emergency Services	9.30am - 1.00pm
Treasurer and Arts	2.00 - 4.30pm
Premier and Economic Development	2.00 - 4.30pm
The Legislature	7.00 - 9.00pm
Multicultural and Ethnic Affairs	7.00 - 9.00pm

THURSDAY 20 OCTOBER 1994

Planning and Housing	9.30am - 1.00pm
Attorney General and Justice	9.30am - 1.00pm
Local Government and Energy	2.00 - 4.30pm
Chief Secretary and Administrative Services	2.00 - 4.30pm
Regional Development and Small Business	7.00 - 9.00pm
Sport, Recreation and Racing	7.00 - 9.00pm

FRIDAY 21 OCTOBER 1994

Health	9.30 - 1.00pm
Education, Training and Tourism	9.30 - 1.00pm
Environment	2.00 - 4.30pm
Public Works and Ports	2.00 - 4.30pm

33 JOINT ESTIMATES COMMITTEES—MESSAGE TO LEGISLATIVE COUNCIL

Ordered, on the motion of Mr West, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly desires to acquaint the Legislative Council that having considered the Legislative Council message of 13 October 1994 the Legislative Assembly accedes to the Legislative Council's request that the Joint Estimates Committee be composed of an equal number of Members of each House, but notes on this occasion that only 7 Legislative Council Members were appointed to each Committee.

Legislative Assembly
14 October 1994 a.m.

K.R. ROZZOLI
Speaker

34 LEGISLATION COMMITTEE ON THE ENDANGERED AND OTHER THREATENED SPECIES CONSERVATION BILL

Mr West moved (by leave), That the reporting date for the Legislation Committee on the Endangered and Other Threatened Species Conservation Bill be extended to 24 November 1994.

Question put and passed.

35 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Tuesday 25 October 1994, at 2.15 p.m.

Question put and passed.

36 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.24 a.m., until Tuesday 25 October 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 32

TUESDAY 25 OCTOBER 1994

1 MINISTERIAL STATEMENT—MEMBER FOR GEORGES RIVER

Mr Fahey made a statement concerning the alleged conduct of the Member for Georges River as Minister for Police and Minister for Emergency Services.

PAPER: Mr Fahey (by leave) tabled the Report of the Independent Inquiry into Matters Relating to the Resignation of the Former Minister for Police and Minister for Emergency Services, Terence Allan Griffiths, MP, dated 21 October 1994.

Mr Carr also addressed the House.

2 NOTICE OF MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—
LEAD

Mr Hunter gave notice of a motion for papers concerning lead to be tabled pursuant to Standing Order 54.

3 QUESTIONS

4 PAPERS

(1) Mr Collins tabled—

Report of the New South Wales Treasury Corporation for the year ended 30 June 1994.

(2) Mr Phillips tabled—

Report of the Mental Health Review Tribunal for 1993.

(3) Mrs Chikarovski tabled—

Report of the Joint Coal Board for the year ended 30 June 1994.

St John's College Incorporation Act 1857—By-Law (Amending the By-Laws of St John's College).

(4) Mr Downy tabled—

Report of the Totalizator Agency Board of New South Wales for the year ended 30 June 1994.

5 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of the following statutory instruments:

Business Licences Act 1990—Business Licences (Fees) Order 1994. (Gazette 136, 7 October 1994, page 6225.)

Drug Misuse and Trafficking Act 1985—Regulation (Amending the Schedule of prohibited plants or drugs). (Gazette 136, 7 October 1994, page 6165.)

Legal Profession Act 1987—Rule (Amending Legal Practitioners Transitional Rules). (Gazette 136, 7 October 1994, page 6229.)

Local Government Act 1993—

(a) Regulation (Relating to water, sewerage and drainage). (Gazette 139, 14 October 1994, page 6253.)

(b) Wentworth Water Supply Augmentation - vesting of land in Wentworth Council. (Gazette 139, 14 October 1994, page 6303.)

Non-Indigenous Animals Act 1987—Regulation (Relating to the classification and the keeping of non-indigenous animals). (Gazette 136, 7 October 1994, page 6166.)

Parliamentary Remuneration Act 1989—Regulation (Relating to the additional salary and expense allowance of the Chairman of the Committee on the Health Care Complaints Commission). (Gazette 139, 14 October 1994, page 6254.)

Police Service Act 1990—Regulation (Relating to exemption from reporting misconduct already reported to Police Service Royal Commission). (Gazette 136, 7 October 1994, page 6177.)

Traffic Act 1909—Regulation (Relating to a penalty imposed by penalty notices for road train route infringements). (Gazette 136, 7 October 1994, page 6178.)

University of Technology, Sydney, Act 1989—By-law (Relating to elections and the Academic Board of the University of Technology, Sydney). (Gazette 139, 14 October 1994, page 6255.)

6 AUDITOR-GENERAL—REPORT OF SPECIAL AUDIT

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following report—

17 October 1994

Audit Report entitled "Private Participation in the Provision of Public Infrastructure: The Roads and Traffic Authority", and "Addendum Report", pursuant to section 38C of the Public Finance and Audit Act 1983, dated 17 October 1994.

7 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following paper—

19 October 1994

Report of the Public Accounts Committee entitled "A Tale of Two Olympic Cities: Visit to Los Angeles and Montreal by the Public Accounts Committee", dated October 1994.

8 PETITIONS

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

Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Mills, Ms Nori, Mr Rozzoli and Mr Yeadon—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Mills—from certain citizens requesting improved working conditions for part-time TAFE teachers.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

9 SUSPENSION OF STANDING ORDERS—STATEMENT BY MEMBER FOR GEORGES RIVER

Mr West moved (by leave), That so much of the Standing and Sessional Orders be suspended to allow the Member for Georges River to make a statement in relation to the Report of the Independent Inquiry into Matters Relating to the Resignation of the Former Minister for Police and Minister for Emergency Services, Terence Allan Griffiths, MP, tabled this day.

Question put and passed.

10 STATEMENT BY MEMBER FOR GEORGES RIVER—REPORT OF THE INDEPENDENT INQUIRY INTO MATTERS RELATING TO THE RESIGNATION OF THE FORMER MINISTER FOR POLICE AND MINISTER FOR EMERGENCY SERVICES, TERENCE ALLAN GRIFFITHS, MP.

Mr Griffiths addressed the House.

11 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—LEAD

Mr Hunter moved, pursuant to notice, That this House, pursuant to Standing Order 54, calls on the Premier to deliver to the Clerk of the House by the adjournment of the House on Thursday 27 October 1994, the following documents:

All existing relevant reports, test results and information on lead contamination, lead in air, blood lead levels and the effect of lead on health from the following Departments and Authorities:

- * Department of Health;
- * Department of Housing;
- * Environment Protection Authority;
- * Department of Transport;
- * Roads and Traffic Authority;
- * Department of Conservation and Land Management.

Debate ensued.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
25 October 1994

The House divided.

Ayes 46

Ms Allan	Mr Iemma	Mr Price
Mr Amery	Mr Irwin	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McBride	Mr Shedden
Mr Clough	Mr McManus	Mr Sullivan
Mr Crittenden	Dr Macdonald	Mr Thompson
Mr Doyle	Mr Markham	Mr Whelan
Mr Face	Mr Martin	Mr Yeadon
Mr Gaudry	Mr Mills	
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr Nagle	Tellers
Ms Harrison	Mr Neilly	
Mr Hatton	Ms Nori	Mr Beckroge
Mr Hunter	Mr Page	Mr Davoren

Noes 45

Mr Armstrong	Mr Hazzard	Mr Rixon
Mr Baird	Mr Humpherson	Mr Schipp
Mr Blackmore	Dr Kernohan	Mr Schultz
Mr Causley	Mr Kinross	Mrs Skinner
Mr Chappell	Mr Longley	Mr Small
Mrs Chikarovski	Ms Machin	Mr Smith
Mr Cochran	Mr Merton	Mr Souris
Mrs Cohen	Mr Morris	Mr Tink
Mr Collins	Mr Murray	Mr Turner
Mr Cruickshank	Mr O'Doherty	Mr Windsor
Mr Debnam	Mr D. L. Page	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fraser	Mr Petch	Tellers
Mr Glachan	Mr Phillips	
Mr Griffiths	Mr Photios	Mr Beck
Mr Hartcher	Mr Richardson	Mr Kerr

Pairs

Mr Carr	Mr Fahey
Mr Knight	Mr Jeffery
Mr J. H. Murray	Mr West

Question passed.

12 UNPROCLAIMED LEGISLATION

Mr Speaker tabled a list of legislation unproclaimed 90 days after assent as at 25 October 1994.

13 ROYAL COMMISSION (POLICE SERVICE) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Fahey, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Hazzard, Acting Speaker, resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Hartcher, the Report was adopted.

Ordered by Mr Hazzard, Acting Speaker, That the third reading stand an Order of the Day for a later hour of the day.

It being 5.15 p.m. private members' statements proceeded with.

14 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

15 PUBLIC FINANCE AND AUDIT (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Glachan, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill without amendment.

On motion of Mr Collins, the Report was adopted.

Mr Rixon, Acting Speaker, having consented to the third reading being taken forthwith—

Bill, on motion of Mr Collins, read a third time.

- 16 APPROPRIATION BILL
PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on motion of Mr Collins, That these bills be now read a second time—

Question again proposed and debate resumed.

Ordered, That Mrs Skinner be allowed to continue her speech for a further period of 10 minutes.

Ordered, That Mr Kinross be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr McBride be allowed to continue his speech for a further period of 10 minutes.

Ordered, That Mr Glachan be allowed to continue his speech for a further period of 10 minutes.

Mr Rumble moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

- 17 NATIONAL CRIME AUTHORITY (STATE PROVISIONS) AMENDMENT BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the National Crime Authority (State Provisions) Act 1984 to ensure that that Act conforms with the National Crime Authority Act 1984 of the Commonwealth" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
25 October 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for tomorrow.

18 SPORTS LEGISLATION (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Sydney Cricket and Sports Ground Act 1978, the State Sports Centre Trust Act 1984 and the Parramatta Stadium Trust Act 1988 with respect to the development and management of certain sporting facilities by the Trusts under those Acts; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
25 October 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for tomorrow.

19 SPECIAL ADJOURNMENT

Mr Photios moved, That this House at its rising this day do adjourn until Wednesday 26 October 1994, at 2.15 p.m.

Question put and passed.

20 ADJOURNMENT

Mr Photios moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.06 p.m., until tomorrow, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 33

WEDNESDAY 26 OCTOBER 1994

1 STANDING ORDERS AND PROCEDURE COMMITTEE—REPORT

Mr Speaker laid upon the Table the Report of the Standing Orders and Procedure Committee on a Proposed Amendment to Standing Order 78, dated 25 October 1994.

Ordered to be printed.

2 INDEPENDENT COMMISSION AGAINST CORRUPTION—ANNUAL REPORT

Mr Speaker laid upon the Table the Annual Report of the Independent Commission Against Corruption for the year ended 30 June 1994.

Ordered to be printed.

3 NOTICE OF MOTION FOR URGENT CONSIDERATION—WORKING WOMEN

Ms Allan gave notice of a motion to condemn the Minister for Industrial Relations and Employment, and Minister for the Status of Women concerning the interests of working women.

4 QUESTIONS

5 NOTICES OF MOTIONS

PAPERS: Mr Longley (by leave) tabled—

New South Wales Government Report on Implementation of Government Responses to the Recommendations of the Royal Commission into Aboriginal Deaths in Custody, 1992/93.

Report of the Implementation of Commonwealth Government Responses to the Recommendations of the Royal Commission into Aboriginal Deaths in Custody, 1992/93, Volumes 1 and 2.

6 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Langton—from certain citizens requesting the maintenance of staff levels at Faulconbridge Railway Station.

Mr Morris—from certain citizens requesting the improvement of road and traffic conditions adjacent to Springwood High School.

Dr Macdonald—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Ms Nori—from certain citizens requesting that services for the mentally ill be maintained at Rozelle Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Ms Nori—from certain citizens supporting the rights of the mentally ill.

Mr Hatton—from certain citizens requesting an expansion of the services provided by Milton/Ulladulla Hospital.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

7 PLACING OR DISPOSAL OF BUSINESS—CALLOVER OF GENERAL BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 1 Crimes (Unreliable Testimony) Amendment Bill, postponed (Mr Whelan).
- No. 2 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 3 Wollli Park Trust Bill, postponed (Ms Moore).
- No. 4 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 5 Environmental Planning and Assessment (Appeals) Amendment Bill, postponed (Dr Macdonald).
- No. 6 Crimes (Dock Statements) Amendment Bill, postponed (Dr Macdonald).
- No. 10 Sandy Crossing Waste Facility Bill, postponed (Ms Allan).

(2) Orders of the Day of General Business (for Bills):

- No. 1 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 2 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 3 Public Health (Sale of Tobacco to Juveniles) Amendment Bill, postponed (Dr Refshauge).
- No. 4 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 5 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 11 Johann Pohl (Compensation) Bill, postponed (Mr Thompson).

(3) Orders of the Day of General Business (General Orders):

- No. 1 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).
- No. 2 Hospital Financial Management reference to the Public Accounts Committee, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices):

- No. 2 Roads and Traffic Authority reference to the Public Accounts Committee, postponed (Mr Langton).
- No. 4 Level 4 Accident and Emergency Services for the new Inner West Hospital, postponed (Dr Refshauge).
- No. 6 Standing Order 54—Coogee Bay Hotel Rezoning, postponed (Mr Murray).
- No. 8 Standing Order 54—Sydney Harbour Tunnel, postponed (Mr Murray).
- No. 9 Standing Order 54—Monorail, postponed (Mr Murray).
- No. 10 Standing Order 54—Darling Harbour, postponed (Mr Murray).
- No. 17 Coffs Harbour Hospital redevelopment, postponed (Dr Refshauge).
- No. 19 Grafton Hospital Funding, postponed (Dr Refshauge).
- No. 22 Tenure on Gravesites, postponed (Mr Harrison).

8 RE-ORDERING OF GENERAL BUSINESS—HOMEFUND MORTGAGES (REVIEWS AND APPEALS) BILL

Mrs Grusovin moved, That General Business Order of the Day (for Bills) No. 18 (HomeFund Mortgages (Reviews and Appeals) Bill) be re-ordered to take precedence on Thursday 27 October 1994.

Question put and passed.

9 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION—REPORT

Mr Kerr brought up and laid upon the Table the Report of the Committee on the Independent Committee Against Corruption—Collation of Evidence of the Acting Commissioner of the Independent Commission Against Corruption, Mr John Mant, on General Aspects of the Commission's Operations, dated 3 August 1994.

Ordered to be printed.

10 MOTION FOR URGENT CONSIDERATION—WORKING WOMEN

Ms Allan moved, pursuant to notice, "That" this House condemns the Minister for Industrial Relations and Employment, and Minister for the Status of Women for failing to protect the interests of working women particularly women working as Ministerial staff.

Debate ensued.

Upon which Mrs Chikarovski moved, That the question be amended by deleting all words after "That" with a view to inserting instead "this House condemns all acts of sexual harassment and sexual discrimination in the work place and supports the rights of any oppressed staff to report incidents to the appropriate authorities".

PAPER: Mrs Chikarovski (by leave) tabled a copy of a letter from the Minister for Industrial Relations and Employment, and Minister for the Status of Women to Ms Carmel Niland of the Independent Inquiry into matters relating to the resignation of the former Minister for Police, dated 14 September 1994.

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion as amended be agreed to—put and passed.

11 MATTER OF PUBLIC IMPORTANCE—DEFAMATION LAW

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Hatton moved, That this House notes, as a matter of public importance, the High Court's judgement on defamation law and the cost to individuals and the court system of restrictive defamation law in New South Wales, and its gross interference with free speech.

Debate ensued.

Question put and passed.

12 ROYAL COMMISSION (POLICE SERVICE) BILL

The Order of the Day was read.

Mr Hartcher, on behalf of Mr Fahey, moved, "That" this Bill be now read a third time.

Mr Kerr moved, That the question be amended by leaving out all words after the word "That" with a view to inserting instead the words "the Bill be recommitted for the reconsideration of the whole Bill".

Question proposed—That the amendment be agreed to.

Question put and passed.

Question—That the motion as amended be agreed to—put and passed.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the reconsideration of the whole bill.

Mr Speaker resumed the Chair and the Chairman reported the bill with further amendments.

On motion of Mr Hartcher, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for a later hour of the day.

13 NATIONAL CRIME AUTHORITY (STATE PROVISIONS) AMENDMENT BILL

The Order of the Day was read.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Bowman) and the resumption of the adjourned debate made an Order of the Day for tomorrow.

14 SPORTS LEGISLATION (AMENDMENT) BILL

The Order of the Day was read.

Mr Downy moved, That this bill be now read a second time.

Debate adjourned (Mr Face) and the resumption of the adjourned debate made an Order of the Day for tomorrow.

15 APPROPRIATION BILL
PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on motion of Mr Collins, That these bills be now read a second time—

Question again proposed and debate resumed.

It being 5.15 p.m. debate interrupted for private members' statements.

16 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

- 17 APPROPRIATION BILL
PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

The Order of the Day was read for the resumption of the interrupted debate, on motion of Mr Collins, That these bills be now read a second time—

Question again proposed and debate resumed.

Mr Beckroge moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

- 18 INDEPENDENT COMMISSION AGAINST CORRUPTION (COMMISSIONER) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Fahey, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

The House divided.

Ayes 44

Mr Baird	Dr Kernohan	Mr Schultz
Mr Beck	Mr Kinross	Mrs Skinner
Mr Blackmore	Mr Longley	Mr Small
Mr Causley	Dr Macdonald	Mr Smith
Mr Chappell	Mr Merton	Mr Souris
Mrs Chikarovaki	Ms Moore	Mr Tink
Mr Cochran	Mr Morris	Mr Turner
Mrs Cohen	Mr Murray	Mr West
Mr Cruickshank	Mr O'Doherty	Mr Windsor
Mr Debnam	Mr D. L. Page	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Phillips	Tellers
Mr Hartcher	Mr Richardson	
Mr Hazzard	Mr Rixon	Mr Jeffery
Mr Humpherson	Mr Schipp	Mr Kerr

Noes 41

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Knight	Mr Rogan
Mr Anderson	Mr Knowles	Mr Rumble
Mr Aquilina	Mr Langton	Mr Scully
Mr A. S. Aquilina	Mrs Lo Po'	Mr Shedden
Mr Bowman	Mr McBride	Mr Sullivan
Mr Clough	Mr McManus	Mr Thompson
Mr Crittenden	Mr Markham	Mr Whelan
Mr Face	Mr Martin	Mr Yeadon
Mr Gaudry	Mr Mills	
Mr Gibson	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	Mr Beckroge
Mr Iemma	Mr Page	Mr Davoren

Pairs

Mr Armstrong	Mr Carr
Mr Collins	Mr Doyle
Mr Fahey	Mrs Grusovin
Mr Griffiths	Ms Harrison
Ms Machin	Ms Nori
Mr Photios	Dr Refshaug

Question passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr West, read a third time.

19 ROYAL COMMISSION (POLICE SERVICE) BILL

The Order of the Day was read.

Bill, on motion of Mr West, on behalf of Mr Fahey, read a third time.

20 INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Fahey, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
26 and 27 October 1994 a.m.

The House divided.

The House continued to sit after midnight—

THURSDAY 27 OCTOBER 1994 a.m.

Ayes 43

Mr Baird	Mr Kinross	Mr Schultz
Mr Beck	Mr Longley	Mrs Skinner
Mr Blackmore	Dr Macdonald	Mr Small
Mr Chappell	Mr Merton	Mr Smith
Mrs Chikarovski	Ms Moore	Mr Souris
Mr Cochran	Mr Morris	Mr Tink
Mrs Cohen	Mr Murray	Mr Turner
Mr Cruickshank	Mr O'Doherty	Mr West
Mr Debnam	Mr D. L. Page	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Phillips	
Mr Hartcher	Mr Richardson	Tellers
Mr Hatton	Mr Rixon	
Mr Humpherson	Mr Rozzoli	Mr Jeffery
Dr Kernohan	Mr Schipp	Mr Kerr

Noes 40

Mr Amery	Mr Knowles	Mr Rumble
Mr Anderson	Mr Langton	Mr Scully
Mr Aquilina	Mrs Lo Po'	Mr Shedden
Mr A. S. Aquilina	Mr McBride	Mr Sullivan
Mr Bowman	Mr McManus	Mr Thompson
Mr Crittenden	Mr Markham	Mr Whelan
Mr Face	Mr Martin	Mr Windsor
Mr Gaudry	Mr Mills	Mr Yeadon
Mr Gibson	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Ms Harrison	Mr Nagle	
Mr Hunter	Mr Neilly	Tellers
Mr Iemma	Mr Price	
Mr Irwin	Dr Refshauge	Mr Beckroge
Mr Knight	Mr Rogan	Mr Davoren

Pairs

Mr Armstrong	Ms Allan
Mr Causley	Mr Carr
Mr Collins	Mr Clough
Mr Fahey	Mr Doyle
Mr Griffiths	Mrs Grusovin
Ms Machin	Ms Nori
Mr Photios	Mr Page

Question passed.

Bill read a second time.

Mr Hazzard, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Hazzard, Acting Speaker, resumed the Chair and the Chairman reported the bill with an amendment.

On motion of Mr West, the Report was adopted.

Ordered by Mr Hazzard, Acting Speaker, That the third reading stand an Order of the Day for tomorrow.

21 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Hazzard, Acting Speaker, reported messages from the Legislative Council returning the following bills without amendment:

26 October 1994

Independent Commission Against Corruption (Commissioner) Bill
Public Finance and Audit (Amendment) Bill.

22 MINING LEGISLATION (AMENDMENT) BILL

Mr Hazzard, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Mining Act 1992 to make further provision with respect to fees for mining leases and the charging of royalties; to amend the Mines Inspection Act 1901 and the Coal Mines Regulation Act 1982 to make further provision with respect to permits authorising the use of a mine for educational or tourist purposes; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
26 October 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Ordered by Mr Hazzard, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

23 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Thursday 27 October 1994, at 9.00 a.m.

Question put and passed.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
26 and 27 October 1994 a.m.

24 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.43 a.m., until 9.00 a.m. this day.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 34

THURSDAY 27 OCTOBER 1994

1 LOCAL GOVERNMENT (BOARDING AND LODGING HOUSES) AMENDMENT BILL

The Order of the Day was read for the resumption of the interrupted second reading speech, on the motion of Ms Moore.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

2 LEGAL PROFESSION (ADMISSION) AMENDMENT BILL

Mr Hatton moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Legal Profession Act 1987 in relation to the admission of persons as legal practitioners; and for related purposes.

Question put and passed.

Bill presented and read a first time.

Mr Hatton moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

3 PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION) AMENDMENT BILL (NO. 2)

Mr Windsor moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Pay-roll Tax Act 1971 to make provision for the exemption of certain industries in country areas from pay-roll tax; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Windsor moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

4 FARM DEBT MEDIATION BILL

Mr Amery moved, pursuant to notice, That leave be given to bring in a bill for an Act to make provision for mediation concerning farm debts, and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Amery moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

5 RESIDENTIAL TENANCIES (RELOCATABLE HOMES) BILL

Mrs Grusovin moved, pursuant to notice, That leave be given to bring in a bill for an Act to regulate the terms on which owners of moveable dwellings occupy rented residential sites in residential parks; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mrs Grusovin moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

6 BADGERYS CREEK WASTE FACILITY BILL

Mrs Lo Po' moved, pursuant to notice, That leave be given to bring in a bill for an Act to prohibit the establishment or use of a putrescible waste facility at Badgerys Creek; and to make consequential amendments to the Land and Environment Court Act 1979.

Question put and passed.

Bill presented and read a first time.

Mrs Lo Po' moved, That this bill be now read a second time.

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a future day.

It being 9.30 a.m. General Business Orders of the Day (for Bills) proceeded with.

7 HOMEFUND MORTGAGES (REVIEWS AND APPEALS) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Grusovin, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

The House divided.

Ayes 47

Ms Allan	Mr Iemma	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Clough	Mr McBride	Mr Scully
Mr Crittenden	Mr McManus	Mr Shedden
Mr Doyle	Dr Macdonald	Mr Sullivan
Mr Face	Mr Markham	Mr Thompson
Mr Gaudry	Mr Martin	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	Tellers
Ms Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren

Noes 45

Mr Armstrong	Mr Hazzard	Mr Schipp
Mr Baird	Mr Humpherson	Mrs Skinner
Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Kinross	Mr Smith
Mr Causley	Mr Longley	Mr Souris
Mr Chappell	Ms Machin	Mr Tink
Mrs Chikarovski	Mr Merton	Mr Turner
Mr Cochran	Mr Morris	Mr Windsor
Mrs Cohen	Mr Murray	Mr Zammit
Mr Collins	Mr O'Doherty	
Mr Cruickshank	Mr D. L. Page	
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	Tellers
Mr Glachan	Mr Photios	
Mr Griffiths	Mr Richardson	Mr Jeffery
Mr Hartcher	Mr Rixon	Mr Kerr

Pairs

Mr Carr	Mr Fahey
Mr Whelan	Mr West

Question passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and the Chairman reported the bill with an amendment.

On motion of Mrs Grusovin, the Report was adopted.

Ordered by Mr Rixon, Acting Speaker, That the third reading stand an Order of the Day for tomorrow.

8 LAKE MACQUARIE STATE RECREATION AREA BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hunter, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put—That Mr Humpherson be allowed to continue his speech for a further period of 5 minutes.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
27 October 1994

The House divided.

Ayes 48

Mr Armstrong	Mr Hazzard	Mr Rixon
Mr Baird	Mr Humpherson	Mr Schipp
Mr Beck	Dr Kernohan	Mr Schultz
Mr Blackmore	Mr Kinross	Mrs Skinner
Mr Causley	Mr Longley	Mr Small
Mr Chappell	Dr Macdonald	Mr Smith
Mrs Chikarovski	Ms Machin	Mr Souris
Mr Cochran	Mr Merton	Mr Tink
Mrs Cohen	Ms Moore	Mr Windsor
Mr Collins	Mr Morris	Mr Zammit
Mr Cruickshank	Mr Murray	
Mr Debnam	Mr O'Doherty	
Mr Downy	Mr D. L. Page	
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Griffiths	Mr Phillips	
Mr Hartcher	Mr Photios	Mr Jeffery
Mr Hatton	Mr Richardson	Mr Kerr

Noes 43

Ms Allan	Mr Iemma	Dr Refshauge
Mr Amery	Mr Irwin	Mr Rogan
Mr Anderson	Mr Knight	Mr Rumble
Mr Aquilina	Mr Knowles	Mr Scully
Mr A. S. Aquilina	Mr Langton	Mr Shedden
Mr Bowman	Mrs Lo Po'	Mr Sullivan
Mr Carr	Mr McBride	Mr Thompson
Mr Clough	Mr McManus	Mr Whelan
Mr Crittenden	Mr Markham	Mr Yeadon
Mr Doyle	Mr Martin	
Mr Face	Mr Mills	
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	Tellers
Mrs Grusovin	Mr Nagle	
Ms Harrison	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Davoren

Pairs

Mr Fahey	Mr Harrison
Mr West	Ms Nori

Question passed.

And Mr Hartcher speaking—

It being 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

9 VICTIMS COMPENSATION TRIBUNAL

The Order of the Day was read for the resumption of the adjourned debate, and postponed by Mr Whelan until tomorrow.

10 GENERAL BUSINESS NOTICE OF MOTION NO. 1

General Business Notice of Motion No. 1 called on and postponed, by Mr Martin, until tomorrow.

11 GENERAL BUSINESS NOTICE OF MOTION NO. 3

General Business Notice of Motion No. 3 called on and postponed, by Mr Whelan, until tomorrow.

12 GENERAL BUSINESS NOTICE OF MOTION NO. 5

General Business Notice of Motion No. 5 called on and postponed, by Mr Whelan, until tomorrow.

13 GENERAL BUSINESS NOTICE OF MOTION NO. 7

General Business Notice of Motion No. 7 called on and postponed, by Mr Whelan, until tomorrow.

14 STANDING COMMITTEE ON THE ENVIRONMENTAL IMPACT OF CAPITAL WORKS

Dr Macdonald moved, pursuant to notice, "That" a Joint Standing Committee on the Environmental Impact of Capital Works be appointed to inquire into and report, from time to time, with the following terms of reference:

- (1) As ongoing tasks, the committee is to:
 - (a) monitor and review both existing and proposed capital works projects of the public sector in relation to their effect on the environment and their compliance with relevant planning instruments and legislation; and
 - (b) conduct audits of the public sector capital works programme.
- (2) That such committee consist of five members of the Legislative Assembly and three members of the Legislative Council and that, notwithstanding anything contained in the Standing Orders of either House, at any meeting of the committee, any five members shall constitute a quorum provided that the committee shall meet as a joint committee at all times.

- (3) That Ms Allan, Mr Humpherson, Mr Knowles, Mr Richardson and the mover be appointed to serve on such committee as the members of the Legislative Assembly.
- (4) That the committee have leave to sit during the sittings of any adjournment of either or both Houses; to adjourn from place to place, and to make visits of inspection within the State of New South Wales.
- (5) That should either House stand adjourned and the committee agree to any report before the Houses resume sitting:
 - (a) the committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the House;
 - (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
 - (c) the documents shall be laid upon the Table of the House at its next sitting.

Debate ensued.

SUSPENSION OF STANDING ORDERS—SPEAKING TIME

Mr Knowles (by leave) moved, That so much of the Standing and Sessional Orders be suspended as would allow an Opposition member being permitted to speak to the motion for 10 minutes, instead of 2 Members speaking for a period of 5 minutes each.

Question put and passed.

Ms Allan moved, That the question be amended by omitting all words after the word "That" with a view to inserting instead the following words:

"a Standing Committee on the Environmental Impact of Capital Works be appointed to inquire into and report, from time to time, with the following terms of reference:

- (1) As ongoing tasks, the committee is to:
 - (a) monitor and review both existing and proposed capital works projects of the public sector in relation to their effect on the environment and their compliance with relevant planning instruments and legislation; and
 - (b) conduct audits of the public sector capital works programme.
- (2) That such committee consist of seven members of the Legislative Assembly and that, notwithstanding anything contained in the Standing Orders of the House, at any meeting of the committee any four members shall constitute a quorum.

- (3) That Ms Allan, Mr Humpherson, Mr Knowles, Mr McManus, Mr O'Doherty, Mr Richardson and the mover be appointed to serve on such committee.
- (4) That the committee have leave to sit during the sittings of any adjournment of the House; to adjourn from place to place, and to make visits of inspection within the State of New South Wales.
- (5) That should the House stand adjourned and the committee agree to any report before the House resume sitting:
- (a) the committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the House;
 - (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
 - (c) the documents shall be laid upon the Table of the House at its next sitting."

Question proposed—That the amendment be agreed to.

SUSPENSION OF STANDING ORDERS—FURTHER SPEAKER—MEMBER FOR COFFS HARBOUR

Mr Whelan moved (by leave), That so much of the Standing and Sessional Orders be suspended as would allow the member for Coffs Harbour to speak to the motion for 5 minutes.

Question put and passed.

Debate continued.

Question—That the amendment be agreed to—put and passed.

Question put—That the motion, as amended, be agreed to.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
27 October 1994

The House divided.

Ayes 46

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McBride	Mr Shedden
Mr Clough	Mr McManus	Mr Sullivan
Mr Crittenden	Dr Macdonald	Mr Thompson
Mr Face	Mr Markham	Mr Whelan
Mr Gaudry	Mr Martin	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	
Ms Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Noes 45

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr Windsor
Mrs Cohen	Mr O'Doherty	Mr Zammit
Mr Collins	Mr D. L. Page	
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	
Mr Fraser	Mr Photios	Tellers
Mr Glachan	Mr Richardson	
Mr Hartcher	Mr Rixon	Mr Jeffery
Mr Hazzard	Mr Schipp	Mr Kerr

Pairs

Mr Carr	Mr Fahey
Mr Doyle	Mr Griffiths
Mr Rumble	Mr West

Question passed.

15 SUSPENSION OF STANDING ORDERS—PRECEDENCE OF BUSINESS

Mr West moved (by leave), That so much of the Standing and Sessional Orders be suspended as would preclude Government Business taking precedence over General Business until 2.15 p.m. this day.

Question put and passed.

16 APPROPRIATION BILL
PARLIAMENTARY APPROPRIATION BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL
MOTOR VEHICLES TAXATION (AMENDMENT) BILL
ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

(1) The Order of the Day was read for the resumption of the adjourned debate, on motion of Mr Collins, That these bills be now read a second time—

Question again proposed and debate resumed.

Question put and passed.

Bills read a second time.

(2) Mr West, pursuant to sessional orders, on behalf of the Chairmen, tabled the Reports of the Estimates Committee Nos. 1 to 21.

Ordered by Mr Rixon, Acting Speaker, That Report Nos. 1 to 21 of the Estimates Committees be set down for consideration in Committee of the Whole House on the Appropriation Bill and cognate bills.

(3) Mr Rixon, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the reports of Estimates Committees together with the bills.

Mr Speaker resumed the Chair and the Chairman reported the adoption of the reports of Estimates Committees and the bills without amendment.

On motion of Mr Collins, the Report was adopted.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Collins, read a third time.

17 VACANT SEAT—ELECTORAL DISTRICT OF CABRAMATTA

Mr Speaker informed the House that he had issued a writ on 19 September 1994, in accordance with section 70 of the Parliamentary Electorates and Elections Act 1912, for the election of a member to serve in the Legislative Assembly for the electoral district of Cabramatta in the room of John Paul Newman, deceased, and the writ had been returned, with a certificate endorsed by the returning officer, of the election of Reba Paige Meagher to serve as member for the electoral district of Cabramatta.

Ms Meagher was introduced, took and subscribed an affirmation of allegiance and signed the Roll of the House and took her seat as member for the electoral district of Cabramatta.

18 MINISTERIAL ARRANGEMENT

Mr Fahey informed the House that during the absence of the Honourable Raymond Francis Chappell, Minister for Small Business and Minister for Regional Development, the Honourable Ian Morton Armstrong, Deputy Premier, Minister for Public Works, and Minister for Ports, would be answering questions on behalf of the Minister.

19 NOTICE OF MOTION FOR URGENT CONSIDERATION—VOTE OF CENSURE—MEMBER FOR GEORGES RIVER

Mr Hatton gave notice of a motion for a vote of censure on the Member for Georges River.

20 QUESTIONS**21 COMMUNICATION FROM THE INDEPENDENT COMMISSION AGAINST CORRUPTION AND ROYAL COMMISSION INTO THE POLICE SERVICE**

Mr Speaker informed the House of correspondence he had received from the Independent Commission Against Corruption and the Royal Commission into the New South Wales Police Service concerning administrative arrangements for the future investigation of allegations of corruption concerning police and paedophile investigations.

22 SUSPENSION OF STANDING ORDERS—INDEPENDENT COMMISSION AGAINST CORRUPTION AND ROYAL COMMISSION INTO POLICE SERVICE—PAEDOPHILE INVESTIGATIONS

Mr Whelan moved (by leave), That so much of the Standing and Sessional Orders be suspended as would allow the consideration forthwith of a motion concerning administrative arrangements shared by the Independent Commission Against Corruption and the Royal Commission into the Police Service.

Question put and passed.

23 INDEPENDENT COMMISSION AGAINST CORRUPTION AND ROYAL COMMISSION INTO POLICE SERVICE—ADMINISTRATIVE ARRANGEMENTS

Mr Whelan moved, That this House—

(1) Views with deep and grave concern:

(a) correspondence, dated 20 October, 1994, addressed to the Premier and the Presiding Officers from Royal Commissioner Wood and Acting Commissioner Holland of the Independent Commission Against Corruption concerning administrative arrangements agreed between themselves concerning their respective terms of reference relating to investigations into activities of paedophiles contrary to the express intention of the Parliament.

(b) that the will of both House of Parliament has been thwarted.

- (2) Expresses its dissatisfaction with the Commissioner's intention to publicly announce their proposal despite Parliament's intention and before the Parliament has expressed any further opinion on the matters.
- (3) Calls upon the Government to take all necessary steps to ensure that the Royal Commission into the New South Wales Police Service and the Independent Commission Against Corruption comply, in all respects, with the will of the Parliament, as expressed.
- (4) Calls upon the Royal Commissioner and the Acting Commissioner to fully explain their actions, motivation and the reason they wish to depart from the expressed will of Parliament.

Mr West moved, That this debate be now adjourned.

Question put and passed.

Ordered by Mr Speaker, That the resumption of debate stand an Order for Day for tomorrow.

24 NOTICES OF MOTIONS

25 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Langton—from certain citizens opposing the closure of ticket offices and installation of ticket vending machines on Blue Mountains railway stations.

Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Nagle—from certain citizens requesting an increase in Police patrols in the Bass Hill Neighbourhood Watch Area.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Mills—from certain citizens requesting improved working conditions for part-time TAFE teachers.

Mr Morris—from certain citizens requesting the improvement of general conditions at Springwood High School.

Ms Moore—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

26 PRINTING OF PAPERS

Formal Business—Ordered, on motion of Mr West, That the following papers be printed—

Report of the New South Wales Treasury Corporation for the year ended 30 June 1994.

Report of the Mental Health Review Tribunal for 1993.

Report of the Joint Coal Board for the year ended 30 June 1994.

Report of the Totalizator Agency Board of New South Wales for the year ended 30 June 1994.

27 INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr West, on behalf of Mr Fahey, read a third time.

28 REGULATION REVIEW COMMITTEE

Mr Cruickshank, tabled Report Number 30 of the Regulation Review Committee in relation to the Committee's Inquiry into the Clean Waters Act 1970 Regulation (relating to standards for waters and testing procedures) which was published in the Government Gazette of 31 March 1994 at page 1431 and as to the compliance with the requirements of the Subordinate Legislation Act 1989 in the making of that Regulation, dated October 1994.

Ordered to be printed.

29 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—VOTE OF CENSURE

Mr Hatton moved, pursuant to notice, That as a matter of urgent consideration so much of the Standing and Sessional Orders be suspended as would allow—

(1) The moving of the following motion forthwith, namely That this House censures the member for Georges River for:

- (a) His reprehensible conduct; and
- (b) In particular, his gross abuse of power and authority in persistently sexually harassing, bullying and victimising his staff.

(2) The speaking times being:

Mover, Premier and Leader of the Opposition	Unlimited
Member named	Unlimited
Any other member	15 minutes
Member named, in reply	Unlimited
Mover in reply	Unlimited

(3) The motion having precedence over private members statements at this sitting.

Question put and passed.

30 VOTE OF CENSURE—MEMBER FOR GEORGES RIVER

Mr Hatton moved, That this House censures the Member for Georges River for:

- (a) His reprehensible conduct; and
- (b) In particular, his gross abuse of power and authority in persistently sexually harassing, bullying and victimising his staff.

Upon which Mr Carr moved, That the question be amended by adding the words "Further, That this House condemns the Premier for his double standards concerning the Members for Blue Mountains and Georges River".

Mr Speaker having previously drawn the attention of the House to the similarity of the amendment proposed by the Leader of the Opposition to that debated by the House previously in the session and considering various points of order, stated that the text of the amendment moved by the Leader of the Opposition was contained within the broader scope of an amendment dealt with by the House on Thursday 13 October 1994.

Mr Speaker therefore ruled the amendment out of order having regard to precedent concerning debate on the same question.

SUSPENSION OF STANDING ORDERS—LEAVE NOT GRANTED

Mr Whelan, sought leave to suspend Standing and Sessional Orders to move a motion of dissent from Speaker's ruling.

Leave not granted.

Debate ensued.

Question put and passed.

31 WATER BOARD (CORPORATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Knowles be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr McManus be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Rumble be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr O'Doherty be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Sullivan be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Harrison be allowed to continue his speech for a further period of 5 minutes.

Mr Price moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

32 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message dated 27 October 1994 from the Legislative Council returning the Royal Commission (Police Service) Bill without amendment.

33 FORESTRY (ENVIRONMENTAL AND FAUNA IMPACT ASSESSMENT) BILL

Mr Souris moved, pursuant to notice, That leave be given to bring in a bill for an Act to make further provision with respect to environmental and fauna impact assessment and other requirements for forestry operations.

Question put and passed.

Bill presented and read a first time.

Mr Souris moved, That this bill be now read a second time.

The House continued to sit after midnight—

FRIDAY 28 OCTOBER 1994 a.m.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for a future day.

34 ELECTRICITY TRANSMISSION AUTHORITY BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to establish the New South Wales Electricity Transmission Authority and to provide for its functions; to make consequential amendments to certain Acts; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
27 October 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for a later hour of the day.

35 STOCK DISEASES (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Stock

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
27 and 28 October a.m.

Diseases Act 1923 with respect to the powers of inspectors and the sale of diseased stock; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
27 October 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for a future day.

36 DAYS AND HOURS OF SITTING

Mr West moved, pursuant to notice, (amended by leave),

That unless otherwise ordered,

(1) The House shall meet during the budget sittings as follows -

Tuesday	15 November 1994	2.15 p.m. - 11.00 p.m.
Wednesday	16 November 1994	9.00 a.m. - 7.00 p.m.
Thursday	17 November 1994	9.00 a.m. - 7.00 p.m.
Tuesday	22 November 1994	2.15 p.m. - 11.00 p.m.
Wednesday	23 November 1994	9.00 a.m. - 7.00 p.m.
Thursday	24 November 1994	9.00 a.m. - 7.00 p.m.

(2) A Minister may, by leave, move at any time that the House continue to sit beyond the time specified for the adjournment.

(3) The House shall continue to sit beyond 11.00 p.m. on Tuesdays and 7.00 p.m. on other days in order to conclude consideration of any motion then before the House dealing with confidence/no confidence or censure of a Minister or Member.

Upon which Mr Whelan moved, That the proposed Sessional Order on Days and Hours of Sitting be amended to add the following days:

"Tuesday	29 November 1994	2.15 p.m. - 11.00 p.m.
Wednesday	30 November 1994	9.00 a.m. - 7.00 p.m.
Thursday	1 December 1994	9.00 a.m. - 7.00 p.m."

Question proposed—That the amendment be agreed to.

Debate continued.

Question put

The House divided.

Ayes 41

Ms Allan	Mr Knowles	Dr Refshaug
Mr Amery	Mr Langton	Mr Rogan
Mr Anderson	Mrs Lo Po'	Mr Rumble
Mr Aquilina	Mr McBride	Mr Scully
Mr A. S. Aquilina	Mr McManus	Mr Shedden
Mr Bowman	Mr Markham	Mr Sullivan
Mr Clough	Mr Martin	Mr Thompson
Mr Crittenden	Ms Meagher	Mr Whelan
Mr Gaudry	Mr Mills	Mr Yeadon
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Ms Harrison	Mr Neilly	
Mr Iemma	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Davoren

Noes 42

Mr Baird	Mr Kinross	Mr Small
Mr Beck	Mr Longley	Mr Smith
Mr Blackmore	Dr Macdonald	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Tink
Mr Cochran	Ms Moore	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Windsor
Mr Cruickshank	Mr O'Doherty	Mr Zammit
Mr Debnam	Mr D. L. Page	
Mr Downy	Mr Peacocke	
Mr Fraser	Mr Phillips	
Mr Hartcher	Mr Photios	
Mr Hatton	Mr Richardson	Tellers
Mr Hazzard	Mr Rixon	
Mr Humpherson	Mr Schipp	Mr Jeffery
Dr Kernohan	Mrs Skinner	Mr Kerr

Pairs

Mr Carr	Mr Causley
Mr Doyle	Mr Chappell
Mr Face	Mr Fahey
Mr Hunter	Mr Glachan
Mr Knight	Mr Griffiths
Mr Price	Ms Machin

Question negatived.

Question proposed—That the original motion be agreed to—put and passed.

37 ROUTINE OF BUSINESS

Mr West moved, pursuant to notice, (amended by leave),

That for the current session, unless otherwise ordered, Standing Order 74 is amended to read:

ROUTINE OF BUSINESS

74. (1) The House shall conduct its business in the following routine:

Tuesdays

1. At 2.15 p.m. (Speaker takes Chair)
2. Ministerial Statements
3. Notices of Motions
4. Papers (if the first sitting day of the week)
5. Petitions
6. Placing or Disposal of Business
7. Formal Business
8. Committee Reports - tabling
9. Questions
10. Ministerial Statements
11. Motions for Urgent Consideration
12. Matters of Public Importance
13. Business of the House
14. Government Business

Sitting days other than the last sitting day of the week

1. At 9.00 a.m. (Speaker takes Chair)
2. Government Business
3. At 2.15 p.m. (Speaker resumes Chair)
4. Ministerial Statements
5. Notices of Motions
6. Papers (if the first sitting day of each week)
7. Petitions
8. Placing or Disposal of Business (including the re-ordering of General Business Orders of the Day (for Bills) and General Business Notices of Motions)
9. Formal Business
10. Committee Reports - tabling
11. Questions
12. Ministerial Statements
13. Motions for Urgent Consideration
14. Matters of Public Importance
15. Business of the House
16. Government Business

Last sitting day of the week

1. General Business Notices of Motions for Bills (concluding not later than 9.30 a.m.)
2. General Business Orders of the Day for Bills (concluding not later than 11.30 a.m.)

3. General Business Notices of Motions or Orders of the Day (not being for Bills) concluding at 1.00 p.m.

Any item of business not concluded shall be set down as an Order of the Day for tomorrow with precedence of other General Business (not for Bills).

4. 1.00 p.m. to 2.00 p.m. consideration of Committee Reports presented (Speaker leaves Chair)
5. At 2.15 p.m. (Speaker resumes Chair)
6. Ministerial Statements
7. Notices of Motions
8. Petitions
9. Placing or Disposal of Business
10. Formal Business
11. Committee Reports - tabling
12. Questions
13. Ministerial Statements
14. Motions for Urgent Consideration
15. Matters of Public Importance
16. Business of the House
17. Government Business

Debate ensued.

Question put and passed.

38 PRIVATE MEMBERS' STATEMENTS

Mr West moved, pursuant to notice, (amended by leave),

That, for the current session, unless otherwise ordered, Standing Order 122B(1) be amended to read:

- (1) At 5.15 p.m. on Tuesdays and at 5.50 p.m. on any other sitting day the business before the House shall be interrupted for the noting of Private Members' Statements.

Debate ensued.

Question put and passed.

39 ADOPTION OF NEW SESSIONAL ORDER—PROHIBITION ON DIVISIONS AND QUORUM CALLS

Mr West moved, (by leave), That for the current session, unless otherwise ordered:

Members shall not be permitted to call a division on any question or call attention to the

want of a quorum during the currency of Private Members' Statements or before 9.30 a.m. on any sitting day.

Debate ensued.

Question put and passed.

40 FINANCIAL AGREEMENT BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to approve a financial agreement made between the Commonwealth of Australia and the States and Territories; and to make the necessary appropriation from the Consolidated Fund.

Question put and passed.

Bill presented and read a first time.

Mr Collins moved, That this bill be now read a second time.

Debate adjourned (Mr J.H. Murray) and the resumption of the debate made an Order of the Day for a future day.

41 STATE REVENUE LEGISLATION (FURTHER AMENDMENT) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Pay-roll Tax Act 1971 to increase the threshold below which pay-rolls are exempt from pay-roll tax; to make miscellaneous amendments to certain State revenue Acts and other Acts; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Collins moved, That this bill be now read a second time.

Debate adjourned (Mr J.H. Murray) and the resumption of the debate made an Order of the Day for a future day.

42 CONSUMER CREDIT (NEW SOUTH WALES) BILL

Ms Machin moved, pursuant to notice, That leave be given to bring in a bill for an Act to regulate the provision of consumer credit.

Question put and passed.

Bill presented and read a first time.

Ms Machin moved, That this bill be now read a second time.

Debate adjourned (Mr Amery) and the resumption of the debate made an Order of the Day for a future day.

43 ELECTRICITY TRANSMISSION AUTHORITY BILL

The Order of the Day was read.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the adjourned debate made an Order of the Day for a later hour of the day.

44 PAPERS—RETURN OF ORDER FOR PAPERS

Mr West, pursuant to resolution of the House on 25 October 1994, tabled all relevant reports, test results and information on lead contamination from the Department of Health, the Department of Housing, Environment Protection Authority, Department of Transport, Roads and Traffic Authority and Department of Conservation and Land Management, with the exception of documents subject to legal professional privilege and subject to a claim for public interest immunity.

45 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Tuesday 15 November 1994, at 2.15 p.m.

Question put and passed.

46 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.14 a.m., until Tuesday 15 November 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 35

TUESDAY 15 NOVEMBER 1994

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

1 November 1994

Public Finance and Audit (Amendment) Bill
Royal Commission (Police Service) Bill

2 November 1994

Independent Commission Against Corruption (Commissioner) Bill

2 NOTICES OF MOTIONS

3 OMBUDSMAN REPORT

Mr Speaker laid upon the Table the Report of the Ombudsman for the year ended 30 June 1994.

Ordered to be printed.

4 PAPERS

(1) Mr Fahey tabled—

Report of the New South Wales Science and Technology Council for the year ended 30 June 1994.

(2) Mr Souris tabled—

Report of the Dams Safety Committee for the year ended 30 June 1994.

Report of the Darling Harbour Authority for the year ended 30 June 1994.

Report of the Home Purchase Assistance Authority for the year ended 30 June 1994.

Report of the Department of Housing for the year ended 30 June 1994.

Report of the Hunter Catchment Management Trust for the 18 month period ended 30 June 1994.

Report of the Rental Bond Board of New South Wales for the year ended 30 June 1994.

Report of the Tenancy Commissioner for New South Wales for the year ended 30 June 1994.

Report of the Upper Parramatta River Catchment Trust for the year ended 30 June 1994.

(3) Mr West tabled—

Report of the National Crime Authority for the year ended 30 June 1994.

Report of the Ministry for Police and Emergency Services for the year ended 30 June 1994.

Report of the State Rescue and Emergency Services Board and the State Emergency Management Committee for the year ended 30 June 1994.

(4) Mr Collins tabled—

Report of the Internal Audit Bureau of NSW for the year ended 30 June 1994.

Report of the NSW Treasury—Agencies and Funds Administered by the Office of Financial Management for the year ended 30 June 1994.

Report of the NSW Treasury—Office of Financial Management for the year ended 30 June 1994.

Report of the NSW Treasury—Office of State Revenue for the year ended 30 June 1994.

(5) Mr Phillips tabled—

Report of the Cancer Council for the year ended 30 June 1994.

Report of the New South Wales Institute of Psychiatry for the year ended 30 June 1994.

(6) Mrs Chikarovski tabled—

Report of the Board of Studies for the year ended 30 June 1994.

Report of the Teacher Housing Authority of New South Wales for the year ended 30 June 1994.

Report of the Technical and Further Education Commission for the year ended 30 June 1994.

Report of Tourism New South Wales for the year ended 30 June 1994.

Sancta Sophia College Incorporation Act 1929—By-laws of Sancta Sophia College.

(7) Mr Causley tabled—

Report of the New South Wales Meat Industry Authority for the year ended 30 June 1994.

Amendment to the Memorandum and Articles of Association of the Milk Distribution Services (NSW) Pty. Ltd.

Report of the Mines Rescue Board for 1992.

Report of the Mines Rescue Board for 1993.

Report of the Mine Subsidence Board for the year ended 30 June 1994.

Report of the Rice Marketing Board of New South Wales for the year ended 30 June 1994.

(8) Mr Longley tabled—

Report of the Community Services Commission for the period 9 April to 30 June 1994 together with the visitors' report for the year ended 30 June 1994.

(9) Mr Hartcher tabled—

Report of the Judicial Commission of New South Wales for the year ended 30 June 1994.

Report of the Law Foundation of New South Wales for the year ended 30 June 1994.

Report Number 73 of the New South Wales Law Reform Commission—Unilateral Severance of a Joint Tenancy, dated July 1994.

Report of the Legal Aid Commission for the year ended 30 June 1994.

Report of the Association of Property Conveyancers Ltd for the year ended 30 June 1994.

Report of the Public Defenders for the year ended 30 June 1994.

(10) Ms Machin tabled—

Report of Consumer Affairs for the year ended 30 June 1994.

Report of the HomeFund Commissioner of New South Wales for the year ended 30 June 1994.

Report of the Motor Vehicle Repair Industry Council for the year ended 30 June 1994.

5 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to section 57(1) of the Public Finance and Audit Act 1983, announced receipt of the following paper—

28 October 1994

Report of the Public Accounts Committee for the year ended 30 June 1994.

6 STATE OWNED CORPORATIONS

The Clerk, pursuant to section 26 of the State Owned Corporations Act 1989, announced receipt of the following report—

28 October 1994

Supplemental Statement of Corporate Intent of the State Bank of New South Wales for financial years 1993/94 to 1995/96 together with Annexure "A" entitled "Interim Arrangements" and the Treasurer's request to the Bank's Board to submit a modified Statement of Corporate Intent.

7 REPORTS RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following reports—

1 November 1994

Report of the New South Wales Medical Board for the year ended 31 March 1993.

3 November 1994

Report of the Coal Compensation Board for the year ended 30 June 1994.

Report of the New South Wales Dairy Corporation for the year ended 30 June 1994.

Report of the New South Wales Rural Assistance Authority for the year ended 30 June 1994.

4 November 1994

Report of the New South Wales Chiropractors and Osteopaths Registration Board for the year ended 30 June 1994.

Report of the New South Wales Dental Technicians Registration Board for the year ended 30 June 1994.

Report of the Murray Valley Citrus Marketing Board for the year ended 30 June 1994 and Five Year Operational Plan.

Report of the New South Wales Nurses Registration Board for the year ended 30 June 1994.

Report of the New South Wales Optical Dispensers Licensing Board for year ended 30 June 1994.

Report of the New South Wales Board of Optometrical Registration for the year ended 30 June 1994.

Report of the New South Wales Physiotherapists Registration Board for the year ended 30 June 1994.

Report of the New South Wales Podiatrists Registration Board for the year ended 30 June 1994.

Report of the New South Wales Psychologists Registration Board for the year ended 30 June 1994.

10 November 1994

Report of the Home Care Service of New South Wales for the year ended 30 June 1994.

Report of the Department of Mineral Resources for the year ended 30 June 1994.

Report of the MIA Citrus Fruit Marketing Committee for the year ended 30 June 1994.

The Clerk, pursuant to the Annual Reports (Departments) Act 1985, announced receipt of the following reports—

10 November 1994

Report of the New South Wales Crime Commission for the year ended 30 June 1994.

Report of the New South Wales Fire Brigades for the year ended 30 June 1994.

8 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of the following statutory instruments:

Centennial Park and Moore Park Trust Act 1983—Regulation (Relating to the authorisation of a large event to be held on Trust lands). (Gazette 145, 28 October 1994, page 6453.)

Civil Aviation (Carriers' Liability) Act 1967—Civil Aviation (Carriers' Liability) Regulations (Amendment). (Commonwealth of Australia Gazette on 18 October 1994.)

Criminal Records Act 1991—Regulation (Relating to the release of spent convictions records to Customs and Corrective Services). (Gazette 145, 28 October 1994, page 6454.)

Dairy Industry Act 1979—Regulation (Relating to price margins based on microbiological indicators). (Gazette 143, 21 October 1994, page 6357.)

Drug Misuse and Trafficking Act 1985—Drug Misuse and Trafficking Regulation 1994. (Gazette 145, 28 October 1994, page 6456.)

Environmental Planning and Assessment Act 1979—

(a) Regulation (Relating to planning for bush fire protection). (Gazette 145, 28 October 1994, page 6458.)

(b) Regulation (Relating to a transitional matter). (Gazette 145, 28 October 1994, page 6459.)

Fair Trading Act 1987—

(a) Regulation (Relating to premiums for on-site sales of movable dwellings). (Gazette 143, 21 October 1994, page 6358.)

(b) Regulation (Repealing provisions concerning portable fire extinguishers). (Gazette 145, 28 October 1994, page 6460.)

Fisheries and Oyster Farms Act 1935—Repeal of the Fish Marketing Authority (Elections) Regulation 1979 and the Fish Marketing Regulation 1980. (Gazette 145, 28 October 1994, page 6461.)

Justices Act 1902—

(a) Regulation (Relating to short description of water restrictions offence). (Gazette 145, 28 October 1994, page 6462.)

(b) Regulation (Relating to short descriptions of road train offences under the Motor Traffic Regulations 1935). (Gazette 145, 28 October 1994, page 6463.)

Legal Profession Act 1987—Rule (Amending Solicitors' Rules). (Gazette 145, 28 October 1994, page 6528.)

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
15 November 1994

Liquor Act 1982—Regulation (Relating to the auctioning of liquor pursuant to an off-licence). (Gazette 145, 28 October 1994, page 6464.)

Lord Howe Island Act 1953—Regulation (Relating to the charge levied on tourists visiting Lord Howe Island). (Gazette 143, 21 October 1994, page 6359.)

Mental Health Act 1990—Regulation (Relating to community counselling orders, community treatment orders and forms). (Gazette 143, 21 October 1994, page 6360.)

Police Service Act 1990—Regulation (Relating to the wearing of name-plates and other identification by members of the Police Service). (Gazette 147, 4 November 1994, page 6555.)

Property, Stock and Business Agents Act 1941—

(a) Regulation (Relating to conditions in respect of a sale of livestock by auction). (Gazette 145, 28 October 1994, page 6465.)

(b) Regulation (Relating to the exemption of prescribed trust accounts from certain requirements). (Gazette 145, 28 October 1994, page 6466.)

Residential Tenancies Act 1987—Regulation (Relating to visitors fees). (Gazette 143, 21 October 1994, page 6363.)

Supreme Court Act 1970—Supreme Court Rules 1970 (Amendment No. 288). (Gazette 143, 21 October 1994, page 6433.)

Traffic Act 1909—

(a) Regulation (Relating to fire engines and other vehicles proceeding to an emergency). (Gazette 143, 21 October 1994, page 6364.)

(b) Regulation (Relating to hours of driving and rest period requirements for coach drivers). (Gazette 145, 28 October 1994, page 6467.)

University of Newcastle Act 1989—By-law (Relating to Schools of the University and retirement of members of staff). (Gazette 145, 28 October 1994, page 6471.)

Water Board Act 1987—Water Board (Water Restrictions) Regulation 1994. (Gazette 145, 28 October 1994, page 6469.)

9 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Gaudry—from certain citizens requesting the retention of Hamilton Police Station as a 24 hour Police Station.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Mills—from certain citizens requesting improved working conditions for part-time TAFE teachers.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

10 NOTICE OF MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—LAND REZONING APPLICATION

Mr Carr gave notice of a motion for papers concerning an application for land rezoning to be tabled pursuant to Standing Order 54.

11 STATEMENT BY SPEAKER—QUESTIONS ON NOTICE

Mr Speaker made a statement reminding Members of the new sitting hours and the consequential amendments to the Sessional Order on the Routine of Business and the requirement under Standing Order 80 that Notices of Questions be handed to a Clerk at the Table before the commencement of formal business.

12 QUESTIONS

13 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—LAND REZONING APPLICATION

Mr Carr moved, pursuant to notice, That, pursuant to Standing Order 54, this House orders to be laid before it and made public without restricted access, by noon on Wednesday, 16 November, 1994, all documents relating to Mr Jim Kelly's application to the Department of Agriculture to have his land at Eungella assessed for rezoning together with all documents concerning the events leading up to and including the subsequent resignation of Mr Bob Smith, the officer who refused to support the application.

Debate ensued.

Question put and passed.

14 PROTECTED DISCLOSURES BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Fahey, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr D.L. Page be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Ms Nori be allowed to continue her speech for a further period of 5 minutes.

Ordered, That Mr Kinross be allowed to continue his speech for a further period of 5 minutes.

It being 5.15 p.m. debate interrupted for private members' statements.

15 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

16 PROTECTED DISCLOSURES BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Fahey, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Hatton be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Nagle be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Crittenden be allowed to continue his speech for a further period of 5 minutes.

Question put and passed.

Bill read a second time.

Mr Glachan, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Hartcher, on behalf of Mr Fahey, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

17 POLICE SERVICE (RECRUITMENT) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr Photios moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

18 EXTENSION OF SITTING

Mr West moved (by leave), That this sitting be extended to allow the consideration of Government Business Order of the Day No. 7 and the tabling of correspondence by Mr Speaker.

Question put and passed.

19 NATIONAL CRIME AUTHORITY (STATE PROVISIONS) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr West, read a third time.

20 PAPER—INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker tabled correspondence, documents and a report received by him on 7 November, 1994, from the Acting Commissioner, Independent Commission Against Corruption, concerning the Acting Commissioner's letter of 20 October, 1994, which was reported to the House on 27 October, 1994, and the Presiding Officers' reply dated 27 October, 1994, relating to the investigations into police and paedophile activity by the Independent Commission Against Corruption and the Royal Commission into the N.S.W. Police Service.

21 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.03 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 36

WEDNESDAY 16 NOVEMBER 1994

1 **POLICE SERVICE (RECRUITMENT) AMENDMENT BILL**

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr West, the Report was adopted.

Ordered by Mr Speaker That the third reading stand an Order of the Day for a later hour of the day.

2 ELECTRICITY TRANSMISSION AUTHORITY BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Deputy Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Deputy Speaker resumed the Chair and Mr Glachan, Temporary Chairman, reported the bill with amendments.

On motion of Mr West, the Report was adopted.

Ordered by Mr Deputy Speaker, That the third reading stand an Order of the Day for a later hour of the day.

3 FINANCIAL AGREEMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Collins, read a third time.

4 STATE REVENUE LEGISLATION (FURTHER AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Rixon, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Rixon, Acting Speaker, resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Collins, the Report was adopted.

Ordered by Mr Rixon, Acting Speaker, That the third reading stand an Order of the Day for a later hour of the day.

5 PROTECTED DISCLOSURES BILL

The Order of the Day was read.

Bill, on motion of Mr West, on behalf of Mr Fahey, read a third time.

6 POLICE SERVICE (RECRUITMENT) AMENDMENT BILL

The Order of the Day was read.

Bill, on motion of Mr West, read a third time.

7 PAPERS—RETURN TO ORDER FOR PAPERS

Mr West, pursuant to resolution of the House of 15 November 1994, tabled all documents relating to an application for the rezoning of certain land.

8 MINISTERIAL ARRANGEMENT

Mr Fahey informed the House that during the absence of the Honourable Kerry Anne Chikarovski, Minister for Industrial Relations and Employment, and Minister for the Status of Women, he would be answering questions on behalf of the Minister.

9 NOTICES OF MOTIONS

10 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr McManus—from certain citizens requesting a solution to rail drainage problems at Wombarra.

Mr Hunter and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Hunter—from certain citizens requesting rehabilitation and remediation work on Mudd Creek, Toronto.

Ms Moore—from certain citizens requesting a commission of inquiry into the administration, practices and policies of the New South Wales Forestry Commission.

Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Nagle—from certain citizens requesting an increase in police patrols in the Bass Hill neighbourhood watch area.

Mr Aquilina—from certain citizens requesting the establishment of a permanent police station at Quakers Hill.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Mills—from certain citizens requesting improved working conditions for part-time TAFE teachers.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Coledale, Bulli and Port Kembla Hospitals.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

11 PLACING OR DISPOSAL OF BUSINESS—CALLOVER OF GENERAL BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 3 Wolli Park Trust Bill, postponed (Ms Moore).
- No. 4 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 5 Environmental Planning and Assessment (Appeals) Amendment Bill, postponed (Dr Macdonald).
- No. 6 Crimes (Dock Statements) Amendment Bill, postponed (Dr Macdonald).
- No. 8 Business Franchise Licences (Petroleum Products) (Country Areas Exemption) Amendment Bill, lapsed (Mr Windsor not being present).

(2) Orders of the Day of General Business (for Bills):

- No. 1 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 2 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 4 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
16 November 1994

- No. 5 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 13 Capital Punishment Referendum Bill, lapsed (Mr Windsor not being present).
- No. 23 Pay-roll Tax (Country Industries Exemption) Amendment Bill (No. 2), lapsed (Mr Windsor not being present).

(4) Notices of Motions of General Business (General Notices):

- No. 6 Standing Order 54—Coogee Bay Hotel Rezoning, postponed (Mr Murray).
- No. 8 Standing Order 54—Sydney Harbour Tunnel, postponed (Mr Murray).
- No. 9 Standing Order 54—Monorail, postponed (Mr Murray).
- No. 10 Standing Order 54—Darling Harbour, postponed (Mr Murray).
- No. 19 Orange Abattoir, withdrawn (Mr Martin).

12 NOTICE OF MOTION FOR RE-ORDERING OF GENERAL BUSINESS

(1) Mr Amery moved, That General Business Order of the Day (for Bills) No. 24 (Farm Debt Mediation Bill) be re-ordered to take precedence on Thursday, 17 November 1994.

Mr Amery addressed the House.

(2) Mr Hatton moved, That General Business Order of the Day (for Bills) No. 8 (Privatisation of Core Government Services Bill) be re-ordered to take precedence on Thursday, 17 November 1994.

Mr Hatton addressed the House.

Question—That the motion for re-ordering of General Business of the honourable member for Mount Druitt be granted precedence—put and passed.

13 HOMEFUND MORTGAGES (REVIEWS AND APPEALS) BILL

(Formal Order of the Day)—Bill, on motion of Mrs Grusovin, read a third time.

14 NOTICE OF MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—ORANGE ABATTOIR

Mr Martin gave notice of a motion for papers concerning a licence to operate an abattoir at Orange to be tabled pursuant to Standing Order 54.

15 QUESTIONS

16 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—ORANGE ABATTOIR

Mr Martin moved, pursuant to notice, That, pursuant to Standing Order 54, this House orders to be laid before it and made public without restricted access, by the rising of the House on Thursday, 17 November, 1994, all documents relating to the decision to grant a licence to Yolarno Pty Ltd to operate an abattoir at Orange.

Debate ensued.

Question put and passed.

17 MATTER OF PUBLIC IMPORTANCE—RURAL SUICIDE RATE

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Amery moved, That this House notes with grave concern the suicide rate in rural New South Wales.

Debate ensued.

Question put and passed.

18 ELECTRICITY TRANSMISSION AUTHORITY BILL

The Order of the Day was read.

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

Question put and passed.

Bill read a third time.

Ordered, on motion of Mr West, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly has this day agreed to the Bill intituled "An Act to establish the New South Wales Electricity Transmission Authority and to provide for its functions; to make consequential amendments to certain Acts; and for other purposes" with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

ELECTRICITY TRANSMISSION AUTHORITY BILL

Schedule of the amendments referred to in the Legislative
Assembly's Message of 16 November 1994

RUSSELL.D. GROVE
Clerk of the Legislative Assembly

No. 1 Page 8, clause 16 (2), lines 5-7. Omit all words on those lines, insert instead:

(2) The Board is to consist of 7 directors appointed by the Governor on the recommendation of the Minister. The persons appointed are to be selected for their relevant expertise and one is to be a person (not being an employee of the Authority) selected from a panel of 3 persons nominated by the Labor Council of New South Wales.

No. 2 Page 21, Schedule 1, line 23. Omit "punishable.", insert instead:

punishable; or
(i) in the case of a director selected from a panel nominated by the Labor Council of New South Wales (as referred to in section 16 (2)), becomes an employee of the Authority.

Examined

I.D. GLACHAN
Temporary Chairman of Committees

19 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO. 2)

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to repeal certain Acts and to amend certain other Acts in various respects and for the purpose of effecting statute law revision; and to make certain savings" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
16 November 1994

M.F. WILLIS
President

Bill read a first time.

Mr West moved, That this Bill be now read a second time.

Debate adjourned (Mr Face) and the resumption of the debate made an Order of the Day for tomorrow.

20 STATE REVENUE LEGISLATION (FURTHER AMENDMENT) BILL

The Order of the Day was read.

Bill, on motion of Mr West, on behalf of Mr Collins, read a third time.

21 SPORTS LEGISLATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Downy, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Downy, read a third time.

22 GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Hartcher, read a third time.

23 WATER BOARD (CORPORATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

And Mr Bowman speaking—

It being 5.50 p.m. debate interrupted for private members' statements.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

24 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

25 ADJOURNMENT

Mr Longley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.41 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 37

THURSDAY 17 NOVEMBER 1994

1 GENERAL BUSINESS—NOTICE OF MOTION (FOR BILLS) NO. 1

General Business Notice of Motion (for Bills) No. 1 called upon and postponed, by Mr Whelan, until tomorrow.

2 GENERAL BUSINESS—NOTICE OF MOTION (FOR BILLS) NO. 2

General Business Notice of Motion (for Bills) No. 2 called upon and postponed, by Mr Whelan, until tomorrow.

3 SANDY CROSSING WASTE FACILITY BILL

Ms Allan moved, pursuant to notice, That leave be given to bring in a bill for an Act to prohibit the establishment or use of a waste facility at Sandy Crossing; and to make consequential amendments to the Land and Environment Court Act 1979.

Question put and passed.

Bill presented and read a first time.

Ms Allan moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

4 QUEANBEYAN SHOWGROUND (VARIATION OF PURPOSES) BILL

Mr Cochran moved, pursuant to notice, That leave be given to bring in a bill for an Act to dedicate all of the land comprising Queanbeyan Showground for a public showground, public recreation and community purposes; and to make related provisions.

Question put and passed.

Bill presented and read a first time.

Mr Cochran moved, That this bill be now read a second time.

Debate adjourned (Mr Martin) and the resumption of the debate made an Order of the Day for a future day.

5 COMMUNITY PROTECTION (GREGORY WAYNE KABLE) BILL

Mr Scully moved, pursuant to notice, That leave be given to bring in a bill for an Act to protect the community by providing for the preventive detention of Gregory Wayne Kable.

Question put and passed.

Bill presented and read a first time.

Mr Scully moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

6 IRRIGATION CORPORATIONS (ENVIRONMENTAL ASSESSMENT) AMENDMENT BILL

Mr Hatton moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Irrigation Corporations Act 1994 to apply certain provisions of the Environmental Planning and Assessment Act 1979 to the issue of irrigation corporation water management works licences.

Question put and passed.

Bill presented and read a first time.

Mr Hatton moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

It being 9.30 a.m. General Business Orders of the Day (for Bills) proceeded with.

7 FARM DEBT MEDIATION BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Amery, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Clough be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Ms Machin be allowed to continue her speech for a further period of 5 minutes.

Mr Kerr moved, That this debate be now adjourned.

Question put.

The House divided.

Ayes 49

Mr Armstrong	Mr Humpherson	Mr Schipp
Mr Baird	Dr Kernohan	Mr Schultz
Mr Beck	Mr Kinross	Mrs Skinner
Mr Blackmore	Mr Longley	Mr Small
Mr Causley	Dr Macdonald	Mr Smith
Mr Chappell	Mr Merton	Mr Souris
Mrs Chikarovski	Ms Moore	Mr Tink
Mr Cochran	Mr Morris	Mr Turner
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr O'Doherty	Mr Windsor
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Photios	Tellers
Mr Griffiths	Mr Richardson	
Mr Hartcher	Mr Rixon	Mr Jeffery
Mr Hatton	Mr Rozzoli	Mr Kerr

Noes 45

Ms Allan	Mr Iemma	Dr Refshauge
Mr Amery	Mr Irwin	Mr Rogan
Mr Anderson	Mr Knight	Mr Rumble
Mr Aquilina	Mr Knowles	Mr Scully
Mr A. S. Aquilina	Mr Langton	Mr Shedden
Mr Bowman	Mrs Lo Po'	Mr Sullivan
Mr Carr	Mr McManus	Mr Thompson
Mr Clough	Mr Markham	Mr Whelan
Mr Crittenden	Mr Martin	Mr Yeadon
Mr Doyle	Ms Meagher	
Mr Face	Mr Mills	
Mr Gaudry	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	Tellers
Mr Harrison	Mr Neilly	
Ms Harrison	Ms Nori	Mr Beckroge
Mr Hunter	Mr Price	Mr Davoren

Pairs

Mr Fahey	Mr McBride
Ms Machin	Mr Page

Question passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

8 PUBLIC HEALTH (SALE OF TOBACCO TO JUVENILES) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate and postponed by Dr Refshauge, having pre-audience under Standing Order 118, until tomorrow.

9 LAKE MACQUARIE STATE RECREATION AREA BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Hunter, That this bill be now read a second time.

Question again proposed and debate resumed.

And Mr Hartcher speaking—

It being 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

10 SELECT COMMITTEE UPON ELCOM POWER LINE RESUMPTIONS

The Order of the Day was read for the resumption of the adjourned debate and postponed by Mr Rogan, having pre-audience under Standing Order 118, until tomorrow.

11 HOSPITAL FINANCIAL MANAGEMENT—REFERENCE TO PUBLIC ACCOUNTS COMMITTEE

The Order of the Day was read for the resumption of the adjourned debate and postponed by Dr Refshauge, having pre-audience under Standing Order 118, until tomorrow.

12 VICTIMS COMPENSATION TRIBUNAL

The Order of the Day was read for the resumption of the adjourned debate and postponed by Mr Whelan, having pre-audience under Standing Order 118, until tomorrow.

13 PAEDOPHILES INVESTIGATION

The Order of the Day was read for the resumption of the adjourned debate and postponed by Mr Whelan, having pre-audience under Standing Order 118, until tomorrow.

14 GENERAL BUSINESS NOTICE OF MOTION NO. 1

General Business Notice of Motion No. 1 called on and postponed, by Mr Martin, until tomorrow.

15 GENERAL BUSINESS NOTICE OF MOTION NO. 2

General Business Notice of Motion No. 2 called on and lapsed, Mr Langton not being present.

16 MESSAGE TO LEGISLATIVE COUNCIL—PARLIAMENTARY ELECTORATES AND ELECTIONS (METHOD OF VOTING) AMENDMENT BILL

Mr Whelan, pursuant to notice, moved as amended (by leave)

That the following Message be sent to the Legislative Council in respect of the Parliamentary Electorates and Elections (Method of Voting) Amendment Bill:

MR PRESIDENT

With regard to the Bill intituled "An Act to amend the Parliamentary Electorates and Elections Act 1912 with respect to the use of ticks and crosses on ballot-papers" forwarded to the Legislative Council during the third session of the present Parliament not having been dealt with because of the prorogation of the Legislature, the Legislative Assembly desires to acquaint the Legislative Council that it has this day agreed to the following resolution for the consideration of the Legislative Council under the appropriate Standing Orders—

That this House requests the Legislative Council to consider the Parliamentary Electorates and Elections (Method of Voting) Amendment Bill as introduced by the member for Ashfield and passed by the Legislative Assembly.

Debate ensued.

Question put—That the motion be agreed to.

The House divided.

Ayes 45

Ms Allan	Mr Knight	Dr Refshauge
Mr Amery	Mr Knowles	Mr Rogan
Mr Anderson	Mr Langton	Mr Rumble
Mr Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McManus	Mr Shedden
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Ms Meagher	Mr Yeadon
Mr Gaudry	Mr Mills	
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Ms Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Neilly	
Mr Iemma	Ms Nori	Mr Beckroge
Mr Irwin	Mr Price	Mr Davoren

Noes 43

Mr Armstrong	Mr Humpherson	Mrs Skinner
Mr Baird	Dr Kernohan	Mr Small
Mr Beck	Mr Kinross	Mr Smith
Mr Blackmore	Mr Longley	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Cochran	Mr Morris	Mr Turner
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr O'Doherty	Mr Windsor
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Richardson	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Schipp	Mr Jeffery
Mr Hazzard	Mr Schultz	Mr Kerr

Pairs

Mr A. S. Aquilina	Mr Chappell
Mr Carr	Mrs Chikarovski
Mr Hunter	Mr Fahey
Mr McBride	Ms Machin
Mr Page	Mr Photios

Question passed.

17 GENERAL BUSINESS NOTICE OF MOTION NO. 4

General Business Notice of Motion No. 4 called on and postponed, by Dr Refshauge, until tomorrow.

18 GENERAL BUSINESS NOTICE OF MOTION NO. 5

General Business Notice of Motion No. 5 called on and postponed, by Mr Whelan, until tomorrow.

19 GENERAL BUSINESS NOTICE OF MOTION NO. 7

General Business Notice of Motion No. 7 called on and postponed, by Mr Whelan, until tomorrow.

20 GENERAL BUSINESS NOTICE OF MOTION NO. 11

General Business Notice of Motion No. 11 called on and postponed, by Mr Whelan, until tomorrow.

21 GENERAL BUSINESS NOTICE OF MOTION NO. 12

General Business Notice of Motion No. 12 called on and postponed, by Mr Aquilina, until tomorrow.

22 GENERAL BUSINESS NOTICE OF MOTION NO. 13

General Business Notice of Motion No. 13 called on and postponed, by Mr Whelan, until tomorrow.

23 GENERAL BUSINESS NOTICE OF MOTION NO. 14

General Business Notice of Motion No. 14 called on and postponed, by Mr Humpherson, until tomorrow.

24 GENERAL BUSINESS NOTICE OF MOTION NO. 15

General Business Notice of Motion No. 15 called on and postponed, by Mr Whelan, until tomorrow.

25 GENERAL BUSINESS NOTICE OF MOTION NO. 16

General Business Notice of Motion No. 16 called on and postponed, by Dr Refshauge, until tomorrow.

26 GENERAL BUSINESS NOTICE OF MOTION NO. 17

General Business Notice of Motion No. 17 called on and postponed, by Mr Whelan, until tomorrow.

27 GENERAL BUSINESS NOTICE OF MOTION NO. 18

General Business Notice of Motion No. 18 called on and postponed, by Dr Refshauge, until tomorrow.

28 GENERAL BUSINESS NOTICE OF MOTION NO. 19

General Business Notice of Motion No. 19 called on and postponed, by Mr Whelan, until tomorrow.

29 GRAVESITES

Mr Harrison moved, pursuant to notice, That this House place on record its total opposition to the introduction of renewable tenure on gravesites anywhere in New South Wales.

Mr Zammit moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

30 SUSPENSION OF STANDING ORDERS—LAKE MACQUARIE STATE RECREATION AREA BILL

Mr Whelan moved (by leave), That so much of the Standing and Sessional Orders be suspended to allow the resumption forthwith of the interrupted second reading debate on the Lake Macquarie State Recreation Area Bill until 1.00 p.m.

Question put and passed.

31 LAKE MACQUARIE STATE RECREATION AREA BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Hunter, That this bill be now read a second time.

Question put—That the bill be read a second time.

The House divided.

Ayes 45

Ms Allan	Mr Knight	Dr Refshauge
Mr Amery	Mr Knowles	Mr Rogan
Mr Anderson	Mr Langton	Mr Rumble
Mr Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McManus	Mr Shedden
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Ms Meagher	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	
Ms Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Mr Neilly	
Mr Iemma	Ms Nori	Mr Beckroge
Mr Irwin	Mr Price	Mr Davoren

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
17 November 1994

Noes 43

Mr Armstrong	Mr Humpherson	Mrs Skinner
Mr Baird	Dr Kernohan	Mr Small
Mr Beck	Mr Kinross	Mr Smith
Mr Blackmore	Mr Longley	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Cochran	Mr Morris	Mr Turner
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr O'Doherty	Mr Windsor
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Richardson	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Schipp	Mr Jeffery
Mr Hazzard	Mr Schultz	Mr Kerr

Pairs

Mr A. S. Aquilina	Mr Chappell
Mr Carr	Mrs Chikarovski
Mr Doyle	Mr Fahey
Mr McBride	Ms Machin
Mr Page	Mr Photios

Question passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported progress and obtained leave to sit again tomorrow.

It being 1.00 p.m. pursuant to Sessional Orders, General Business Orders of the Day (Committee Reports) proceeded with.

32 REGULATION REVIEW COMMITTEE—REPORT NO. 29

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

33 PUBLIC ACCOUNTS COMMITTEE—REPORT ENTITLED "A TALE OF TWO OLYMPIC CITIES"

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

34 STANDING ORDERS AND PROCEDURE COMMITTEE—REPORT ON PROPOSED AMENDMENTS TO STANDING ORDER 78

Question proposed—That the House take note of the Report.

Question put and passed.

35 COMMITTEE UPON THE INDEPENDENT COMMISSION AGAINST CORRUPTION—COLLATION OF EVIDENCE OF THE ACTING COMMISSIONER ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Question proposed—That the House take note of the Report.

Question put and passed.

36 REGULATION REVIEW COMMITTEE—REPORT NO. 30

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

37 PUBLIC ACCOUNTS COMMITTEE—ANNUAL REPORT

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

38 NOTICES OF MOTIONS

39 PETITIONS

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

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Crittenden—from certain citizens requesting the installation of traffic lights at the intersection of Evans and Main Roads, East Toukley.

Ms Allan and Mr Knowles—from certain citizens requesting an evaluated strategy for the supply of water to both the Clarence Valley and Coffs Harbour.

Ms Moore—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Mr Crittenden—from certain citizens requesting the allocation of additional police to the Wyong Shire.

Mr Gaudry—from certain citizens requesting the retention of Hamilton Police Station as a 24 hour police station.

Mr Nagle—from certain citizens requesting an increase in police patrols in the Bass Hill neighbourhood watch area.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Coledale, Bulli and Port Kembla Hospitals.

Mr Gaudry—from certain citizens requesting more acute hospital beds in Newcastle.

Mr Hatton—from certain citizens opposing the Sydney Casino.

Mr Crittenden—from certain citizens requesting the retention of the Sydney Electricity Office at Toukley.

40 PRINTING OF PAPERS

Formal Business—Ordered, on motion of Mr West, That the following papers be printed—

Report of the New South Wales Science and Technology Council for the year ended 30 June 1994.

Report of the Dams Safety Committee for the year ended 30 June 1994.

Report of the Darling Harbour Authority for the year ended 30 June 1994.

Report of the Home Purchase Assistance Authority for the year ended 30 June 1994.

Report of the Department of Housing for the year ended 30 June 1994.

Report of the Hunter Catchment Management Trust for the 18 month period ended 30 June 1994.

- Report of the Rental Bond Board of New South Wales for the year ended 30 June 1994.
- Report of the Tenancy Commissioner for New South Wales for the year ended 30 June 1994.
- Report of the Upper Parramatta River Catchment Trust for the year ended 30 June 1994.
- Report of the Ministry for Police and Emergency Services for the year ended 30 June 1994.
- Report of the State Rescue and Emergency Services Board and the State Emergency Management Committee for the year ended 30 June 1994.
- Report of the Internal Audit Bureau of NSW for the year ended 30 June 1994.
- Report of the NSW Treasury—Agencies and Funds Administered by the Office of Financial Management for the year ended 30 June 1994.
- Report of the NSW Treasury—Office of Financial Management for the year ended 30 June 1994.
- Report of the NSW Treasury—Office of State Revenue for the year ended 30 June 1994.
- Report of the New South Wales Institute of Psychiatry for the year ended 30 June 1994.
- Report of the Board of Studies for the year ended 30 June 1994.
- Report of the Teacher Housing Authority of New South Wales for the year ended 30 June 1994.
- Report of the Technical and Further Education Commission for the year ended 30 June 1994.
- Report of Tourism New South Wales for the year ended 30 June 1994.
- Report of the New South Wales Meat Industry Authority for the year ended 30 June 1994.
- Report of the Mines Rescue Board for 1992.
- Report of the Mines Rescue Board for 1993.
- Report of the Mine Subsidence Board for the year ended 30 June 1994.
- Report of the Rice Marketing Board of New South Wales for the year ended 30 June 1994.
- Report of the Judicial Commission of New South Wales for the year ended 30 June 1994.
- Report of the Legal Aid Commission for the year ended 30 June 1994.
- Report of Consumer Affairs for the year ended 30 June 1994.

Report of the HomeFund Commissioner of New South Wales for the year ended 30 June 1994.

Report of the Motor Vehicle Repair Industry Council for the year ended 30 June 1994.

41 NOTICE OF MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—POLICE STRENGTH

Mr Whelan gave notice of a motion for all documents showing Police strength as at 1 November 1994 to be tabled pursuant to Standing Order 54.

42 QUESTIONS

43 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—POLICE STRENGTH

Mr Whelan moved, pursuant to notice, That, pursuant to Standing Order 54, this House orders to be laid before it an made public without restricted access by noon on Monday, 21 November 1994 all documents showing as at 1 November 1994:

(1) The authorised and actual strength of each patrol including the number of officers:

- (a) assigned to beat policing;
- (b) on long term sick leave;
- (c) on leave without pay;
- (d) on part-time leave without pay;
- (e) on extended leave;
- (f) on maternity leave;
- (g) undergoing rehabilitation;
- (h) on restricted duties (inquiry);
- (i) on restricted duties (other);
- (j) suspended;
- (k) seconded.

(2) The authorised and actual strengths of police for:

- (a) each district;
- (b) each region, branch and command;
- (c) Ministry for Police and Emergency Services;
- (d) NSW Crime Commission;
- (e) Transit Police;
- (f) Parking Police;
- (g) Corrective Services.

(3) The authorised and actual strengths for the offices of:

- (a) The Commissioner;
- (b) The Deputy Commissioner;
- (c) State Commander;

- (d) Operations support;
- (e) Assistant Commissioner-Education and Training;
- (f) Human Resources;
- (g) Assistant Commissioner-Professional Responsibility;
- (h) Commissioner of Corporate Review and strategy;
- (i) Assistant Commissioner Drug Enforcement Agency;
- (j) Corporate Services;
- (k) approved level external positions;
- (l) Independent Commission Against Corruption;
- (m) any other police in positions not listed above.

(4) Documents showing the monthly casualty list since May 1991.

Debate ensued.

Question put.

The House divided.

Ayes 48

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr Bowman	Mrs Lo Po'	Mr Scully
Mr Carr	Mr McManus	Mr Shedden
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Ms Meagher	Mr Yeadon
Mr Gaudry	Mr Mills	
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Ms Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Neilly	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Iemma	Mr Page	Mr Davoren

Noes 45

Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	
Mr Glachan	Mr Photios	
Mr Griffiths	Mr Richardson	Tellers
Mr Hartcher	Mr Rixon	
Mr Hazzard	Mr Schipp	Mr Jeffery
Mr Humpherson	Mr Schultz	Mr Kerr

Pairs

Mr A. S. Aquilina
Mr McBrideMr Armstrong
Mr Fahey

Question passed.

44 STATE DEBT CONTROL (BALANCED BUDGETS) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to require the Government to balance the State budget.

Question put and passed.

Bill presented and read a first time.

Mr Collins moved, That this bill be now read a second time.

Debate adjourned (Mr J. H. Murray) and the resumption of the debate made an Order of the Day for a future day.

45 SUSPENSION OF STANDING ORDERS—TOTALIZATOR LEGISLATION (AMENDMENT) BILL

Mr West moved (by leave), That so much of the Standing and Sessional Orders be suspended as would preclude the Totalizator Legislation (Amendment) Bill, notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Debate ensued.

Question put and passed.

46 TOTALIZATOR LEGISLATION (AMENDMENT) BILL

Mr Downy moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Totalizator Act 1916 and the Totalizator (Off-course Betting) Act 1964 to alter the distribution of totalizator commissions; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Downy moved, That this bill be now read a second time.

Debate adjourned (Mr Face) and the resumption of the debate made an Order of the Day for a future day.

47 WATER BOARD (CORPORATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Bowman be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Gaudry be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Neilly be allowed to continue his speech for a further period of 5 minutes.

And Mr Mills speaking—

It being 5.50 p.m. debate interrupted for private members' statements.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

48 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

49 COMMUNITY PROTECTION BILL

Mr Hazzard, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to protect the

community by providing for the preventative detention of persons who are, in the opinion of the Supreme Court, more likely than not to commit serious acts of violence" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
17 November 1994

M.F. WILLIS
President

Bill read a first time.

Ordered by Mr Hazzard, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

50 ELECTRICITY TRANSMISSION AUTHORITY BILL

Mr Hazzard, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the Assembly's amendments Nos 1 and 2 in the Electricity Transmission Authority Bill.

Legislative Council
17 November 1994

M.F. WILLIS
President

51 SELECT COMMITTEE UPON THE SYDNEY MARKET AUTHORITY

Mr West moved (by leave), That the reporting date for the Select Committee upon the Sydney Market Authority be extended to 24 December 1994.

52 PAPERS—RETURN TO ORDER FOR PAPERS

Mr West, pursuant to resolution of the House of 16 November 1994, tabled documents relating to the decision to grant a licence to Yolarno Pty Ltd to operate an abattoir at Orange.

53 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Monday 21 November 1994, with such sitting commencing at 9.00 a.m. and concluding at 7.00 p.m.

Debate ensued.

Question put and passed.

54 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.46 p.m., until Monday 21 November 1994, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 38

MONDAY 21 NOVEMBER 1994

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

18 November 1994

Appropriation Bill
Parliamentary Appropriation Bill
Business Franchise Licences (Petroleum Products) Amendment Bill
Motor Vehicles Taxation (Amendment) Bill
Road Improvement (Special Funding) Amendment Bill
Financial Agreement Bill
State Revenue Legislation (Further Amendment) Bill

2 CRIMES (PROHIBITED MATERIAL) AMENDMENT BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crimes Act 1900 with respect to the possession of certain films, computer games and publications; to amend that Act, the Film and Computer Game Classification Act 1984 and the Indecent Articles and Classified Publications Act 1975 for related purposes; and to consequentially amend the Search Warrants Act 1985" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
18 November 1994

DUNCAN GAY
Deputy President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for a later hour of the day.

3 SPECIAL AUDIT REPORT—PROPOSED SALE OF STATE BANK

Mr Speaker, pursuant to the resolution of the House of 13 October 1994, announced receipt of the following report from the Treasurer—

18 November 1994

Special Audit Report on Proposed Sale of the State Bank of New South Wales by the Auditor-General, together with Volume 2 being a Report to the Auditor-General on Proposed Sale of State Bank of New South Wales by CS First Boston and Coopers & Lybrand.

4 MINISTERIAL STATEMENT—ORDER FOR PAPERS—POLICE STRENGTH

Mr West (by leave) made a ministerial statement concerning the compliance with the resolution under Standing Order 54 agreed to on 17 November 1994.

Mr Whelan also addressed the House.

5 STATE BANK (PRIVATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr Fahey moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

6 PRECEDENCE OF BUSINESS—STATE BANK (PRIVATISATION) BILL

Mr West moved, That at the sitting on Monday, 21 November, 1994, "and at any subsequent sitting" the Order of the Day for the consideration of the State Bank (Privatisation) Bill shall have precedence of all other business "until finally concluded", provided that the House shall consider the routine of business at each sitting up to and including Questions without Notice.

Debate ensued.

Dr Macdonald moved, That the motion be amended by deleting the words "and at any subsequent sitting" and the words "until finally concluded".

Debate continued.

Question—That the amendment be agreed to—put and passed.

Question proposed—That the motion, as amended, be agreed to.

Question put.

The House divided.

Ayes 46

Mr Armstrong
Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Griffiths
Mr Hartcher

Mr Hatton
Mr Hazzard
Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Dr Macdonald
Ms Machin
Ms Moore
Mr Morris
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Phillips
Mr Richardson

Mr Schipp
Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr West
Mr Windsor
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Noes 42

Ms Allan	Mr Hunter	Mr Rogan
Mr Amery	Mr Iemma	Mr Rumble
Mr Anderson	Mr Irwin	Mr Scully
Mr Aquilina	Mr Knowles	Mr Shedden
Mr A. S. Aquilina	Mrs Lo Po'	Mr Sullivan
Mr Bowman	Mr McManus	Mr Thompson
Mr Carr	Mr Markham	Mr Whelan
Mr Clough	Mr Martin	Mr Yeadon
Mr Crittenden	Ms Meagher	
Mr Doyle	Mr Mills	
Mr Face	Mr Moss	
Mr Gaudry	Mr J. H. Murray	
Mr Gibson	Mr Neilly	Tellers
Mrs Grusovin	Ms Nori	
Mr Harrison	Mr Page	Mr Beckroge
Ms Harrison	Dr Refshauge	Mr Davoren

Pairs

Mrs Chikarovski	Mr Knight
Mr Merton	Mr Langton
Mr Photios	Mr McBride
Mr Rixon	Mr Nagle
Mr Turner	Mr Price

Question passed.

7 STATE BANK (PRIVATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Fahey be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Thompson be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Souris be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr McManus be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Zammit be allowed to continue his speech for a further period of 5 minutes.

Mr Neilly moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

8 NOTICES OF MOTIONS

9 PAPERS

(1) Mr Armstrong tabled—

Report of the Board of Architects of New South Wales for the year ended 30 June 1994.

Report of the Chipping Norton Lake Authority for the year ended 30 June 1994.

Report of the Maritime Services Board for the year ended 30 June 1994.

(2) Mr West tabled—

Report of Central West Electricity for the year ended 30 June 1994.

Report of the New South Wales Financial Institutions Commission for the year ended 30 June 1994.

Report of the Gas Council of New South Wales for the year ended 30 June 1994.

Report of Monaro Electricity for the year ended 30 June 1994.

Report of Murrumbidgee Electricity for the year ended 30 June 1994.

Report of New England Electricity for the year ended 30 June 1994.

Report of North West Electricity for the year ended 30 June 1994.

Report of NRCC Electricity (Northern Riverina County Council) for the year ended 30 June 1994 and Water for the eighteen month period ending 30 June 1994.

Report of Ophir Electricity for the year ended 30 June 1994.

Report of Pacific Power, Volumes 1 and 2, for the year ended 30 June 1994.

Report of Shortland Electricity for the year ended 30 June 1994.

Report of Southern Riverina Electricity for the year ended 30 June 1994 and Water for the eighteen month period ending 30 June 1994.

Report of Sydney Electricity for the year ended 30 June 1994.

Report of Ulan Electricity for the year ended 30 June 1994.

(3) Mr Souris tabled—

Report of the City West Development Corporation for the year ended 30 June 1994.

Report of the Homebush Bay Development Corporation for the year ended 30 June 1994.

Report of the Honeysuckle Development Corporation for the year ended 30 June 1994.

Report of the Ministry of Housing, Planning and Urban Affairs, and the Office of Housing Policy for the nine months period ending 30 June 1994.

Report of the Hunter Water Corporation for the year ended 30 June 1994.

Report of the Ministerial Development Corporation for the year ended 30 June 1994.

Report of the Department of Planning for the year ended 30 June 1994.

Report of the Property Services Group for the year ended 30 June 1994.

(4) Mr Collins tabled—

Report of the Archives Authority of New South Wales for the year ended 30 June 1994.

Report of the Art Gallery of New South Wales for the year ended 30 June 1994.

Report of the Ministry for the Arts for the year ended 30 June 1994.

Report of the Australian Museum Trust for the year ended 30 June 1994.

Report of the New South Wales Film and Television Office for the year ended 30 June 1994.

Report of the Historic Houses Trust of New South Wales for the year ended 30 June 1994.

Report of the Library Council of New South Wales, incorporating the report of the State Library of New South Wales, for the year ended 30 June 1994.

Report of the Museum of Applied Arts and Sciences for the year ended 30 June 1994.

Report of the Sydney Opera House Trust for the year ended 30 June 1994.

(5) Mrs Chikarovski tabled—

Report of the Joint Committee administering the Broken Hill Mines (Pneumoconiosis-Tuberculosis) Compensation Scheme for the year ended 30 June 1994.

Report of the Building and Construction Industry Long Service Payments Corporation for the year ended 30 June 1994.

Report of the Coal and Oil Shale Mine Workers' Superannuation Tribunal for the year ended 30 June 1994.

Report of the Ministry of Education and Youth Affairs for the year ended 30 June 1994.

Report of the Department of Industrial Relations, Employment, Training and Further Education for the year ended 30 June 1994.

Report of the Sporting Injuries Committee for the year ended 30 June 1994.

Report of the Vocational Education and Training Accreditation Board for the year ended 30 June 1994.

Report of the Workers' Compensation (Dust Diseases) Board for the year ended 30 June 1994.

(6) Mr Longley tabled—

Report of the Community Services Appeals Tribunal for the period 8 April 1994 to 30 June 1994.

(7) Mr Chappell tabled—

Report of the Department of Business and Regional Development for the year ended 30 June 1994.

10 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of the following statutory instruments:

Environmental Planning and Assessment Act 1979—Regulation (Relating to the form of development applications, the giving of notice under the Act and the measurement of distances in connection with development applications for designated development). (Gazette 150, 11 November 1994, page 6662.)

Justices Act 1902—Regulation (Relating to short descriptions of offences under the Commercial Vessels Act 1979 and certain regulations). (Gazette 150, 11 November 1994, page 6664.)

University of Wollongong Act 1989—By-law (Relating to the power of the Council of the University of Wollongong to make rules). (Gazette No. 150, 11 November 1994, page 6679.)

11 AUDITOR-GENERAL—PERFORMANCE AUDIT REPORT

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following report—

18 November 1994

Performance Audit Report, the Audit Office of New South Wales, entitled "Sydney Olympics 2000 Review of Estimates", dated 18 November 1994.

12 PETITIONS

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

Mr Hunter and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Hunter—from certain citizens requesting rehabilitation and remediation work on Mudd Creek, Toronto.

Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Markham—from certain citizens requesting the reinstatement of the beat police in Bellambi and Corrimal.

Mr Mills—from certain citizens requesting improved working conditions for part-time TAFE teachers.

Ms Moore—from certain citizens opposing wildlife farming.

13 QUESTIONS

14 STATE BANK (PRIVATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Crittenden be allowed to continue his speech for a further period of 5 minutes.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
21 November 1994

Ordered, That Mr Moss be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Hatton be allowed to continue his speech for a further period of 5 minutes.

Question put.

The House divided.

Ayes 47

Mr Armstrong	Mr Hartcher	Mr Schipp
Mr Baird	Mr Hatton	Mr Schultz
Mr Beck	Dr Kernohan	Mrs Skinner
Mr Blackmore	Mr Kinross	Mr Small
Mr Causley	Mr Longley	Mr Smith
Mr Chappell	Dr Macdonald	Mr Souris
Mrs Chikarovski	Ms Machin	Mr Tink
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Ms Moore	Mr West
Mr Collins	Mr Morris	Mr Windsor
Mr Cruickshank	Mr Murray	Mr Zammit
Mr Debnam	Mr O'Doherty	
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	Tellers
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Photios	Mr Jeffery
Mr Griffiths	Mr Richardson	Mr Kerr

Noes 42

Ms Allan	Mr Iemma	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Rogan
Mr A. S. Aquilina	Mr Knowles	Mr Rumble
Mr Bowman	Mr Langton	Mr Scully
Mr Clough	Mrs Lo Po'	Mr Shedden
Mr Crittenden	Mr McManus	Mr Sullivan
Mr Doyle	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Ms Meagher	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Mr Moss	Tellers
Mr Harrison	Mr J. H. Murray	
Ms Harrison	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren

Pairs

Mr Hazzard	Mr Aquilina
Mr Humpherson	Mr Carr
Mr Petch	Mr McBride
Mr Rixon	Dr Refshauge

Question passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported progress and obtained leave to sit at a later hour of the day.

15 EXTENSION OF SITTING—STATE BANK (PRIVATISATION) BILL

Mr West moved (by leave), That Sessional Orders be suspended to allow the House to sit beyond 7.00 p.m. to conclude proceedings on the State Bank (Privatisation) Bill.

Question put and passed.

16 STATE BANK (PRIVATISATION) BILL

The Order of the Day was read, Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported a point of order and obtained leave to sit again as soon as the point of order has been decided by the House.

The Chairman then stated the point of order was that objection had been taken to his ruling that the proposed amendment inserting a new clause 27 and schedule 3 was not relevant to the subject matter of the bill.

Debate ensued.

Mr Speaker upheld the Chairman's ruling in that the leave of the bill did not provide for the specific dealing with parcels of land in which the State Bank had an interest.

Mr Speaker left the Chair and the House again resolved itself into a Committee of the Whole to continue consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported the bill without amendment.

On motion of Mr Collins, the Report was adopted.

Mr Speaker having consented to the third reading being taken forthwith.

Bill, on motion of Mr Collins, read a third time.

17 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 7.24 p.m., until tomorrow, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 39

TUESDAY 22 NOVEMBER 1994

- 1 NOTICES OF MOTIONS
- 2 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Knowles—from certain citizens requesting more pedestrian overbridges and improved staff levels at railway stations.

Ms Allan—from certain citizens requesting an evaluated strategy for the supply of water to both the Clarence Valley and Coffs Harbour.

Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Knowles—from certain citizens requesting the retention of Ingleburn Fire Station.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Chappell—from certain citizens requesting the upgrading and refurbishment of Armidale and New England Hospital.

Ms Harrison—from certain citizens requesting an increase in safety measures with regard to asbestos within the building and construction industry.

3 PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION) AMENDMENT BILL (NO. 2)

(Formal Business)—Mr Windsor moved, That pursuant to Standing Order 121, the lapsed General Business Order of the Day on the Pay-Roll Tax (Country Industries Exemption) Bill (No. 2) be restored to the Business Paper.

Question put and passed.

4 JOINT STANDING COMMITTEE UPON ROAD SAFETY—REPORT NO. 26

Mr Hazzard tabled Report No. 26 of the Joint Standing Committee upon Road Safety entitled "Pedestrian Safety. I. School Children Around Buses", dated November 1994.

Ordered to be printed.

Mr Hazzard also tabled the Minutes of Evidence taken before the Committee and submissions received by the Committee.

5 NOTICE OF MOTION FOR URGENT CONSIDERATION—VOTE OF NO CONFIDENCE—MINISTER FOR TRANSPORT AND MINISTER FOR ROADS

Mr Carr gave notice of a motion for a vote of no confidence in the Minister for Transport and Minister for Roads.

6 MINISTERIAL ARRANGEMENT

Mr Fahey informed the House that during the absence of the Honourable George Souris, Minister for Land and Water Conservation, the Deputy Premier would be answering questions on behalf of the Minister.

7 QUESTIONS

8 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—VOTE OF NO CONFIDENCE—MINISTER FOR TRANSPORT AND MINISTER FOR ROADS

Mr Carr moved, pursuant to notice, That Standing and Sessional Orders be suspended to allow consideration of the following motion forthwith—

- (1) That due to his gross maladministration of the planning, investigation, determination and awarding of the M2 North West Transport Link contracts, the Minister for Transport and Minister for Roads no longer possesses the confidence of this House;
- (2) As a consequence, this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts for report to the House by Tuesday, 29 November, 1994; and
- (3) That in his review, the Auditor-General obtain independent legal advice on all matters relating to the M2 contracts, including, but not restricted to, the following matters:
 - (a) whether the contracts are legally binding;
 - (b) whether variations in the contracts may be made; and
 - (c) whether a contract binding governments and taxpayers for up to 45 years is constitutionally valid and acceptable public policy.

That the following speaking times apply to the debate:

Mover	unspecified
Minister subject of the motion	unspecified
All other speakers	20 minutes
Minister in response	unspecified
Mover in reply	unspecified

Question put and passed.

9 VOTE OF NO CONFIDENCE—MINISTER FOR TRANSPORT AND MINISTER FOR ROADS

Mr Carr moved, pursuant to notice,

- (1) That due to his gross maladministration of the planning, investigation, determination and awarding of the M2 North West Transport Link contracts, the Minister for Transport and Minister for Roads no longer possesses the confidence of this House;
- (2) As a consequence, this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts for report to the House by Tuesday, 29 November, 1994; and
- (3) That in his review, the Auditor-General obtain independent legal advice on all

matters relating to the M2 contracts, including, but not restricted to, the following matters:

- (a) whether the contracts are legally binding;
- (b) whether variations in the contracts may be made; and
- (c) whether a contract binding governments and taxpayers for up to 45 years is constitutionally valid and acceptable public policy.

Debate ensued.

PAPER: Mr Baird, by leave, tabled a copy of a letter to the Legal Services Branch, Roads and Traffic Authority, concerning the M2 Motorway Project Deed, from Blake Dawson Waldron, Solicitors, dated 22 November 1994.

It being 5.15 p.m. debate interrupted for private members' statements.

10 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

11 SUSPENSION OF STANDING ORDERS—RETURN TO ORDER FOR PAPERS— POLICE SERVICE DOCUMENTS

Mr Whelan moved, by leave, That Standing and Sessional Orders be suspended to allow the Minister for Police and Minister for Emergency Services to comply with the resolution of the House agreed to on 17 November 1994, regarding the tabling of papers on police numbers under Standing Order 54, by requiring only the provision of a certified list of numbers, not names, in respect of the information sought in paragraphs 1(b) to (k) and 3(l).

Debate ensued.

Mr Kerr moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

12 VOTE OF NO CONFIDENCE—MINISTER FOR TRANSPORT AND MINISTER FOR ROADS

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Carr,

- (1) "That" due to his gross maladministration of the planning, investigation, determination and awarding of the M2 North West Transport Link contracts, the Minister for Transport and Minister for Roads no longer possesses the confidence of this House;
- (2) As a consequence, this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts for report to the House by Tuesday, 29 November, 1994; and
- (3) That in his review, the Auditor-General obtain independent legal advice on all matters relating to the M2 contracts, including, but not restricted to, the following matters:
 - (a) whether the contracts are legally binding;
 - (b) whether variations in the contracts may be made; and
 - (c) whether a contract binding governments and taxpayers for up to 45 years is constitutionally valid and acceptable public policy.

Question again proposed and debate resumed.

Dr Macdonald moved, That the question be amended by leaving out all words after the word "That" with a view to adding instead the following words:

"this House censures the Minister for Transport and Minister for Roads for his failure to maximise public transport infrastructure options open to future governments in his determination and awarding of the M2 contracts.

- (2) That, as a consequence, this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts for report to the House by 9.00 a.m. Thursday 1 December 1994.
- (3) That in his review, the Auditor-General obtain independent legal advice on all matters relating to the M2 contracts, including, but not restricted to, the following matters:
 - (a) whether the contracts are legally binding;
 - (b) whether variations in the contracts may be made; and
 - (c) whether a contract binding governments and taxpayers for up to 45 years is constitutionally valid and whether it is appropriate in light of financial and other issues.
- (4) That this House calls upon the Government to make all documents, including Cabinet and legal documents, available to the Auditor-General to ensure a full, in-depth inquiry under the terms of this motion."

Question proposed—That the amendment be agreed to.

Debate continued.

Mr Hatton moved, pursuant to Standing Order 183, That the question be divided to provide for two separate questions to be put on paragraph (1) and paragraphs (2), (3) and (4) of the amendment of the Member for Manly.

Question put.

The House divided.

Ayes 47

Ms Allan	Mr Iemma	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Mr McManus	Mr Scully
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Ms Meagher	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	Tellers
Ms Harrison	Mr J. H. Murray	Mr Beckroge
Mr Hatton	Mr Nagle	Mr Davoren
Mr Hunter	Mr Neilly	

Noes 44

Mr Armstrong	Mr Hartcher	Mr Rixon
Mr Baird	Mr Hazzard	Mr Schipp
Mr Beck	Mr Humpherson	Mr Schultz
Mr Blackmore	Dr Kernohan	Mrs Skinner
Mr Causley	Mr Kinross	Mr Small
Mr Chappell	Mr Longley	Mr Smith
Mrs Chikarovski	Ms Machin	Mr Tink
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Zammit
Mr Cruickshank	Mr O'Doherty	
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	Tellers
Mr Fraser	Mr Phillips	Mr Jeffery
Mr Glachan	Mr Photios	Mr Kerr
Mr Griffiths	Mr Richardson	

Pairs

Mr Doyle	Mr Debnam
Mr McBride	Mr Petch
Mr Shedden	Mr Souris

Question passed.

Question—That Paragraph (1) of the amendment be agreed to—put and negatived.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
22 November 1994

Question put—That Paragraphs (2), (3) and (4) of the amendment be agreed to.

The House divided.

Ayes 47

Ms Allan	Mr Lemma	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Mr McManus	Mr Scully
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Ms Meagher	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	Tellers
Ms Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren

Noes 45

Mr Armstrong	Mr Hazzard	Mr Schultz
Mr Baird	Mr Humpherson	Mrs Skinner
Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Kinross	Mr Smith
Mr Causley	Mr Longley	Mr Tink
Mr Chappell	Ms Machin	Mr Turner
Mrs Chikarovski	Mr Merton	Mr West
Mr Cochran	Mr Morris	Mr Windsor
Mrs Cohen	Mr Murray	Mr Zammit
Mr Collins	Mr O'Doherty	
Mr Cruickshank	Mr D. L. Page	
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Phillips	
Mr Fraser	Mr Photios	Tellers
Mr Glachan	Mr Richardson	
Mr Griffiths	Mr Rixon	Mr Jeffery
Mr Hartcher	Mr Schipp	Mr Kerr

Pairs

Mr Doyle	Mr Debnam
Mr McBride	Mr Petch
Mr Shedden	Mr Souris

Question passed.

Question proposed—That the motion, as amended, be agreed to.

Mr Langton moved, pursuant to Standing Order 183, That the question be divided to provide for two separate questions to be put on paragraph (1) and paragraphs (2), (3) and (4) of the amended motion of the Leader of the Opposition.

Question put.

The House divided.

The House continued to sit after midnight—

WEDNESDAY 23 NOVEMBER 1994 a.m.

Ayes 47

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McManus	Mr Sullivan
Mr Carr	Dr Macdonald	Mr Thompson
Mr Clough	Mr Markham	Mr Whelan
Mr Crittenden	Mr Martin	Mr Yeadon
Mr Face	Ms Meagher	
Mr Gaudry	Mr Mills	
Mr Gibson	Ms Moore	
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Ms Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Neilly	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Iemma	Mr Page	Mr Davoren

Noes 45

Mr Armstrong	Mr Hartcher	Mr Rixon
Mr Baird	Mr Hazzard	Mr Schipp
Mr Beck	Mr Humpherson	Mr Schultz
Mr Blackmore	Dr Kernohan	Mrs Skinner
Mr Causley	Mr Kinross	Mr Small
Mr Chappell	Mr Longley	Mr Smith
Mrs Chikarovski	Ms Machin	Mr Tink
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Windsor
Mr Cruickshank	Mr O'Doherty	Mr Zammit
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	Tellers
Mr Fraser	Mr Phillips	
Mr Glachan	Mr Photios	Mr Jeffery
Mr Griffiths	Mr Richardson	Mr Kerr

Pairs

Mr Doyle	Mr Debnam
Mr McBride	Mr Petch
Mr Shedden	Mr Souris

Question passed.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
22 and 23 November 1994 a.m.

Question put—That Paragraph (1) of the motion, as amended, be agreed to.

The House divided.

Ayes 44

Ms Allan	Mr Iemma	Mr Page
Mr Amery	Mr Irwin	Mr Price
Mr Anderson	Mr Knight	Dr Refshauge
Mr Aquilina	Mr Knowles	Mr Rogan
Mr A. S. Aquilina	Mr Langton	Mr Rumble
Mr Bowman	Mrs Lo Po'	Mr Scully
Mr Carr	Mr McManus	Mr Sullivan
Mr Clough	Mr Markham	Mr Thompson
Mr Crittenden	Mr Martin	Mr Whelan
Mr Face	Ms Meagher	Mr Yeadon
Mr Gaudry	Mr Mills	
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	Tellers
Mr Harrison	Mr Nagle	
Ms Harrison	Mr Neilly	Mr Beckroge
Mr Hunter	Ms Nori	Mr Davoren

Noes 48

Mr Armstrong	Mr Hatton	Mr Richardson
Mr Baird	Mr Hazzard	Mr Rixon
Mr Beck	Mr Humpherson	Mr Schipp
Mr Blackmore	Dr Kernohan	Mr Schultz
Mr Causley	Mr Kinross	Mrs Skinner
Mr Chappell	Mr Longley	Mr Small
Mrs Chikarovski	Dr Macdonald	Mr Smith
Mr Cochran	Ms Machin	Mr Tink
Mrs Cohen	Mr Merton	Mr Turner
Mr Collins	Ms Moore	Mr West
Mr Cruickshank	Mr Morris	Mr Windsor
Mr Downy	Mr Murray	Mr Zammit
Mr Fahey	Mr O'Doherty	
Mr Fraser	Mr D. L. Page	Tellers
Mr Giachan	Mr Peacocke	
Mr Griffiths	Mr Phillips	Mr Jeffery
Mr Hartcher	Mr Photios	Mr Kerr

Pairs

Mr Doyle	Mr Debnam
Mr McBride	Mr Petch
Mr Shedden	Mr Souris

Question negatived.

Question put—That paragraphs (2), (3) and (4) of the motion, as amended, be agreed to, namely:

- "(1) That this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts for report to the House by 9.00 a.m. Thursday 1 December 1994.

- (2) That in his review, the Auditor-General obtain independent legal advice on all matters relating to the M2 contracts, including, but not restricted to, the following matters:
- (a) whether the contracts are legally binding;
 - (b) whether variations in the contracts may be made; and
 - (c) whether a contract binding governments and taxpayers for up to 45 years is constitutionally valid and whether it is appropriate in light of financial and other issues.
- (3) That this House calls upon the Government to make all documents, including Cabinet and legal documents, available to the Auditor-General to ensure a full, in-depth inquiry under the terms of this motion."

The House divided.

Ayes 47

Ms Allan	Mr Iemma	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Rumble
Mr Carr	Mr McManus	Mr Scully
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Ms Meagher	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	Tellers
Ms Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren

Noes 45

Mr Armstrong	Mr Hazzard	Mr Schultz
Mr Baird	Mr Humpherson	Mrs Skinner
Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Kinross	Mr Smith
Mr Causley	Mr Longley	Mr Tink
Mr Chappell	Ms Machin	Mr Turner
Mrs Chikarovski	Mr Merton	Mr West
Mr Cochran	Mr Morris	Mr Windsor
Mrs Cohen	Mr Murray	Mr Zammit
Mr Collins	Mr O'Doherty	
Mr Cruickshank	Mr D. L. Page	
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Phillips	
Mr Fraser	Mr Photios	Tellers
Mr Glachan	Mr Richardson	
Mr Griffiths	Mr Rixon	Mr Jeffery
Mr Hartcher	Mr Schipp	Mr Kerr

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
22 and 23 November 1994 a.m.

Pairs

Mr Doyle
Mr McBride
Mr Shedden

Mr Debnam
Mr Petch
Mr Souris

Question passed.

13 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.10 a.m., until 9.00 a.m. this day.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 40

WEDNESDAY 23 NOVEMBER 1994

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

22 November 1994

Police Service (Recruitment) Amendment Bill
State Bank (Privatisation) Bill.

2 SENTENCING LEGISLATION (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Sentencing Act 1989 and the Prisons Act 1952 to revise the procedures relating to the parole for prisoners who are serious offenders; to require victim submissions and victim impact statements to be taken into consideration in certain circumstances; to amend the Crimes Act

1900 in relation to the making and use of victim impact statements; to change the name of the Offenders Review Board and for this purpose to make consequential amendments to other Acts; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
22 November 1994

M.F. WILLIS
President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for a later hour of the day.

3 COMMUNITY PROTECTION BILL

The Order of the Day was read.

Mr West moved, on behalf of Mr Hartcher, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the adjourned debate made an Order of the Day for tomorrow.

4 LANDFILL DEPOTS (MORATORIUM) BILL

Mr West moved, on behalf of Mr Hartcher, pursuant to notice, That leave be given to bring in a bill for an Act to impose a moratorium on the granting of authorities to operate certain new landfill depots; to prohibit the operation of a putrescible waste landfill depot at Erskine Park; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

5 SELECT COMMITTEE UPON LEAD POLLUTION—AMENDMENT TO TERMS OF REFERENCE

Mr West moved, pursuant to notice, That the terms of reference of the Select Committee upon Lead Pollution be amended by omitting paragraph (5) and adding instead the following paragraphs:

- (5) That the committee report by Wednesday 30 November 1994.
- (6) That should the House stand adjourned and the Committee agree to any report before the House resume sitting:

- (a) the Committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the House;
- (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
- (c) the documents shall be laid upon the Table of the House at its next sitting.

Question put and passed.

6 STATE DEBT CONTROL (BALANCED BUDGETS) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Zammit be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr J.H. Murray be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Kinross be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Nagle be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Iemma be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Crittenden be allowed to continue his speech for a further period of 5 minutes.

Mr Cruickshank moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate be made an Order of the Day for a later hour of the day.

7 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of the following statutory instruments:

District Court Act 1973—Rule (Amending District Court Rules 1973). (Gazette 154, 18 November 1994, page 6850.)

Plant Diseases Act 1924—Order under section 5A of the Act. (Gazette 154, 18 November 1994, page 6771.)

Property, Stock and Business Agents Act 1941—Regulation (Relating to the delegation of authority to sign trust account cheques). (Gazette 154, 18 November 1994, page 6764.)

Public Authorities (Financial Arrangements) Act 1987—Regulation (Relating to the borrowing powers of the Albury Rural Lands Protection Board). (Gazette 154, 18 November 1994, page 6763.)

Security (Protection) Industry Act 1985—Regulation (Relating to the exemption of certain persons from the operation of the Act). (Gazette 154, 18 November 1994, page 6765.)

8 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Ms Moore—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Nagle—from certain citizens requesting an increase in police patrols in the Bass Hill neighbourhood watch area.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Aquilina—from certain citizens requesting the removal of certain waste from Riverstone.

Ms Nori—from certain citizens concerning the contaminated waste arising from the development at 35 Terry Street, Rozelle.

9 PLACING OF BUSINESS—BUSINESS OF THE HOUSE—WITHDRAWAL

Mr Whelan withdrew Notice of Motion No. 1—Dissent from Mr Speaker's ruling.

10 PLACING OR DISPOSAL OF BUSINESS—CALLOVER OF GENERAL BUSINESS

(1) Notices of Motions of General Business (for Bills):

No. 5 Environmental Planning and Assessment (Appeals) Amendment Bill, postponed (Dr Macdonald).

No. 6 Crimes (Dock Statements) Amendment Bill, postponed (Dr Macdonald).

(2) Orders of the Day of General Business (for Bills):

No. 1 Forestry (Amendment) Bill, postponed (Dr Macdonald).

No. 2 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).

No. 4 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).

No. 5 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).

(3) Orders of the Day of General Business (General Orders):

No. 1 Select Committee upon Elcom Resumptions for Power Lines, postponed (Mr Rogan).

No. 2 Hospital Financial Management reference to the Public Accounts Committee, postponed (Dr Refshauge).

(4) Notices of Motions of General Business (General Notices):

No. 4 Standing Order 54—Coogee Bay Hotel Rezoning, postponed (Mr Murray).

No. 6 Standing Order 54—Sydney Harbour Tunnel, postponed (Mr Murray).

No. 7 Standing Order 54—Monorail, postponed (Mr Murray).

No. 8 Standing Order 54—Darling Harbour, postponed (Mr Murray).

11 MOTIONS FOR RE-ORDERING OF GENERAL BUSINESS—ORDERS OF THE DAY (FOR BILLS)

(1) Mr Windsor moved, That General Business Order of the Day (for Bills) No. 28 (Pay-roll Tax (Country Industries Exemption) Amendment Bill (No. 2)) be re-ordered to take precedence on Thursday, 24 November 1994.

Mr Windsor addressed the House.

(2) Mr Amery moved, That General Business Order of the Day (for Bills) No. 21 (Farm Debt Mediation Bill) be re-ordered to take precedence on Thursday, 24 November 1994.

Mr Amery addressed the House.

Question—That the motion for re-ordering of General Business of the honourable member for Tamworth be agreed to—put and negatived.

Question—That the motion for re-ordering of General Business of the honourable member for Mount Drutt be agreed to—put and passed.

12 PRINTING OF PAPERS

Formal Business—Ordered, on motion of Mr West, That the following papers be printed—

Report of the Board of Architects of New South Wales for the year ended 30 June 1994.

Report of the Chipping Norton Lake Authority for the year ended 30 June 1994.

Report of the Maritime Services Board for the year ended 30 June 1994.

Report of Central West Electricity for the year ended 30 June 1994.

Report of the New South Wales Financial Institutions Commission for the year ended 30 June 1994.

Report of the Gas Council of New South Wales for the year ended 30 June 1994.

Report of Monaro Electricity for the year ended 30 June 1994.

Report of Murrumbidgee Electricity for the year ended 30 June 1994.

Report of New England Electricity for the year ended 30 June 1994.

Report of North West Electricity for the year ended 30 June 1994.

Report of NRCC Electricity (Northern Riverina County Council) for the year ended 30 June 1994 and Water for the eighteen month period ending 30 June 1994.

Report of Ophir Electricity for the year ended 30 June 1994.

Report of Pacific Power, Volumes 1 and 2, for the year ended 30 June 1994.

Report of Shortland Electricity for the year ended 30 June 1994.

Report of Southern Riverina Electricity for the year ended 30 June 1994 and Water for the eighteen month period ending 30 June 1994.

Report of Sydney Electricity for the year ended 30 June 1994.

Report of Ulan Electricity for the year ended 30 June 1994.

Report of the City West Development Corporation for the year ended 30 June 1994.

Report of the Homebush Bay Development Corporation for the year ended 30 June 1994.

Report of the Honeysuckle Development Corporation for the year ended 30 June 1994.

Report of the Ministry of Housing, Planning and Urban Affairs and the Office of Housing Policy for the nine months period ending 30 June 1994.

Report of the Hunter Water Corporation for the year ended 30 June 1994.

Report of the Ministerial Development Corporation for the year ended 30 June 1994.

Report of the Department of Planning for the year ended 30 June 1994.

Report of the Property Services Group for the year ended 30 June 1994.

Report of the Archives Authority of New South Wales for the year ended 30 June 1994.

Report of the Art Gallery of New South Wales for the year ended 30 June 1994.

Report of the Ministry for the Arts for the year ended 30 June 1994.

Report of the Australian Museum Trust for the year ended 30 June 1994.

Report of the New South Wales Film and Television Office for the year ended 30 June 1994.

Report of the Historic Houses Trust of New South Wales for the year ended 30 June 1994.

Report of the Library Council of New South Wales, incorporating the report of the State Library of New South Wales, for the year ended 30 June 1994.

Report of the Museum of Applied Arts and Sciences for the year ended 30 June 1994.

Report of the Sydney Opera House Trust for the year ended 30 June 1994.

Report of the Joint Committee administering the Broken Hill Mines (Pneumoconiosis-Tuberculosis) Compensation Scheme for the year ended 30 June 1994.

Report of the Building and Construction Industry Long Service Payments Corporation for the year ended 30 June 1994.

Report of the Coal and Oil Shale Mine Workers' Superannuation Tribunal for the year ended 30 June 1994.

Report of the Ministry of Education and Youth Affairs for the year ended 30 June 1994.

Report of the Department of Industrial Relations, Employment, Training and Further Education for the year ended 30 June 1994.

Report of the Sporting Injuries Committee for the year ended 30 June 1994.

Report of the Vocational Education and Training Accreditation Board for the year ended 30 June 1994.

Report of the Workers' Compensation (Dust Diseases) Board for the year ended 30 June 1994.

Report of the Department of Business and Regional Development for the year ended 30 June 1994.

13 NOTICE OF MOTION FOR URGENT CONSIDERATION—PARLIAMENTARY ELECTORATES AND ELECTIONS (METHOD OF VOTING) AMENDMENT BILL (NO. 2)

Mr Whelan gave notice of a motion to allow the Parliamentary Electorates and Elections (Method of Voting) Amendment Bill (No. 2) being introduced and passed through all stages at this sitting.

14 QUESTIONS

15 NOTICES OF MOTIONS

16 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—PARLIAMENTARY ELECTORATES AND ELECTIONS (METHOD OF VOTING) AMENDMENT BILL (NO. 2)

Mr Whelan moved, pursuant to notice, That so much of the Standing and Sessional Orders be suspended as would allow the Parliamentary Electorates and Elections (Method of Voting) Amendment Bill (No. 2) being introduced and passed through all stages at this sitting.

Debate ensued.

Question put.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
23 November 1994

The House divided.

Ayes 47

Ms Allan	Mr Iemma	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Bowman	Mrs Lo Po'	Mr Scully
Mr Clough	Mr McManus	Mr Shedden
Mr Crittenden	Dr Macdonald	Mr Sullivan
Mr Doyle	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Ms Meagher	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	Tellers
Ms Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren

Noes 45

Mr Armstrong	Mr Humpherson	Mr Schipp
Mr Baird	Dr Kernohan	Mr Schultz
Mr Beck	Mr Kinross	Mrs Skinner
Mr Blackmore	Mr Longley	Mr Small
Mr Chappell	Ms Machin	Mr Smith
Mrs Chikarovski	Mr Merton	Mr Souris
Mr Cochran	Mr Morris	Mr Tink
Mrs Cohen	Mr Murray	Mr Turner
Mr Collins	Mr O'Doherty	Mr West
Mr Cruickshank	Mr D. L. Page	Mr Windsor
Mr Debnam	Mr Peacocke	Mr Zammit
Mr Fraser	Mr Petch	
Mr Glachan	Mr Phillips	Tellers
Mr Griffiths	Mr Photios	
Mr Hartcher	Mr Richardson	Mr Jeffery
Mr Hazzard	Mr Rixon	Mr Kerr

Pairs

Mr Carr	Mr Causley
Mr McBride	Mr Downy
Mr Rumble	Mr Fahey

Question passed.

17 PARLIAMENTARY ELECTORATES AND ELECTIONS (METHOD OF VOTING)
AMENDMENT BILL (NO. 2)

Mr Whelan moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Parliamentary Electorates and Elections Act 1912 with respect to the use of ticks and crosses on ballot-papers.

Question put and passed.

Bill presented and read a first time.

Mr Whelan moved, That this bill be now read a second time.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Whelan, read a third time.

18 SUSPENSION OF STANDING ORDERS—GENERAL BUSINESS ORDER OF THE DAY
(NO. 6)

Mr Whelan moved (by leave), That Standing and Sessional Orders be suspended to allow the consideration forthwith of General Business Order of the Day (No. 6).

Question put and passed.

19 RETURN TO ORDER FOR PAPERS—POLICE SERVICE DOCUMENTS

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Whelan, "That" Standing and Sessional Orders be suspended to allow the Minister for Police and Minister for Emergency Services to comply with the resolution of the House agreed to on 17 November 1994, regarding the tabling of papers on police numbers under Standing Order 54, by requiring only the provision of a certified list of numbers, not names, in respect of the information sought in the resolution 1(b) to (k) and 3(l).

Mr Whelan moved, (by leave), That the motion be amended to delete all words after "That" with a view to adding instead the following words:

"notwithstanding anything contained in the Standing and Sessional Orders this House rescinds that part of the resolution of the House of 17 November, 1994, calling for the production of papers under Standing Order 54 on the motion of the Member for Ashfield being parts 1(b) to (k) and 3(l) and calls for in substitution a certified list of numbers, not names, in respect of the information sought in that resolution 1(b) to (k) and 3(l)."

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion, as amended, be agreed to—put and passed.

20 MATTER OF PUBLIC IMPORTANCE—THIRD RUNWAY

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr J.H. Murray moved, That this House notes as a matter of public importance:

The concern and problems being experienced by the people of New South Wales, particularly inner west residents, arising from the construction of the third runway.

Debate ensued.

Question put and passed.

21 STATE DEBT CONTROL (BALANCED BUDGETS) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

And Mr Rumble speaking—

It being 5.50 p.m. debate interrupted for private members' statements.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

22 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

23 LEGISLATION COMMITTEE ON THE ENDANGERED AND OTHER THREATENED SPECIES CONSERVATION BILL

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the reporting date for the Legislation Committee on the Endangered and Other Threatened Species Conservation Bill being extended to 1 December 1994.

24 IRRIGATION LEGISLATION (FREEHOLD TENURES) AMENDMENT BILL

Mr Rixon, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crown Lands (Continued Tenures) Act 1989, the Hay Irrigation Act 1902 and the Wentworth Irrigation Act 1890 to provide a mechanism for the removal of restrictions on the transfer of freehold land in irrigation areas; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
23 November 1994

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Rixon, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

25 WESTERN LANDS (LAND PURCHASE) AMENDMENT BILL

Mr Rixon, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Western Lands Act 1901 to enable the purchase and to regulate the clearing of certain land; to increase penalties for certain offences; to consequentially amend the Land and Environment Court Act 1979; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
23 November 1994

BERYL A. EVANS
Deputy President

Bill read a first time.

Ordered by Mr Rixon, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

26 ROYAL COMMISSION (POLICE SERVICE) AMENDMENT BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Royal Commission (Police Service) Act 1994 to confer additional powers on the Police Royal Commission relating to the investigation of complaints against police; to confer additional powers on officers of the Commission and to make further provision with respect to the reporting of possible corrupt conduct; and to amend consequentially the Police Service Act 1990.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

27 FIRE BRIGADES (CONTRIBUTIONS) AMENDMENT BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Fire Brigades Act 1989 with respect to contributions to fire brigade costs.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

28 CRIMES (HOME INVASION) AMENDMENT BILL

Mr Rixon, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crimes Act 1900 in relation to housebreaking, robbery and associated crimes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
23 November 1994

M.F. WILLIS
President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

29 CRIMES (THREATS AND STALKING) AMENDMENT BILL

Mr Rixon, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crimes Act 1900 in relation to the offences of sending documents threatening death or bodily harm and stalking" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
23 November 1994

DOUGLAS. F. MOPPETT
Deputy President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

30 CRIMINAL PROCEDURE (SENTENCE INDICATION HEARINGS) AMENDMENT
BILL

Mr Rixon, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Criminal Procedure Act 1986 to provide for the extension of the Sentence Indication Pilot Scheme conducted in the District Court" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
23 November 1994

DOUGLAS F. MOPPETT
Deputy President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

31 ADJOURNMENT

Mr Hartcher moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.59 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 41

THURSDAY 24 NOVEMBER 1994

1 CRIMES (UNRELIABLE TESTIMONY) AMENDMENT BILL

Mr Whelan moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 so as to prevent accused persons from being convicted on the basis of uncorroborated confessions, to reduce the incidence of accused persons being convicted on the basis of false testimony and to facilitate the initiation of judicial inquiries into doubtful convictions.

Question put and passed.

Bill presented and read a first time.

Mr Whelan moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

2 GENERAL BUSINESS—NOTICE OF MOTION (FOR BILLS) NO. 2

General Business Notice of Motion (for Bills) No. 2 called upon and postponed, by Mr Whelan, until tomorrow.

3 GENERAL BUSINESS—NOTICE OF MOTION (FOR BILLS) NO. 3

General Business Notice of Motion (for Bills) No. 3 called upon and postponed, by Ms Moore, until tomorrow.

4 GENERAL BUSINESS—NOTICE OF MOTION (FOR BILLS) NO. 4

General Business Notice of Motion (for Bills) No. 4 called upon and postponed, by Mr Markham, until tomorrow.

5 CAPITAL PUNISHMENT REFERENDUM BILL

Mr Windsor moved, pursuant to notice, That pursuant to Standing Order 121, the lapsed General Business Order of the Day on the Capital Punishment Referendum Bill be restored to the Business Paper.

Question put and passed.

6 BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) (COUNTRY AREAS EXEMPTION) AMENDMENT BILL

Mr Windsor moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Business Franchise Licences (Petroleum Products) Act 1987 to make provision for the exemption from licence fee of petroleum products sold in country areas of the State.

Question put and passed.

Bill presented and read a first time.

Mr Windsor moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

7 ANTI-DISCRIMINATION (TRANSGENDER) AMENDMENT BILL

Ms Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Anti-Discrimination Act 1977 to render transgender discrimination unlawful.

Question put and passed.

Bill presented and read a first time.

Ms Moore moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

It being 9.30 a.m. General Business Orders of the Day (for Bills) proceeded with.

8 FARM DEBT MEDIATION BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Amery, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Hazzard, Acting Speaker, resumed the Chair and Mr Rixon, Temporary Chairman, reported the bill with amendments.

On motion of Mr Amery, the Report was adopted.

Ordered by Mr Hazzard, Acting Speaker, That the third reading stand an Order of the Day for a later hour of the day.

9 PUBLIC HEALTH (SALE OF TOBACCO TO JUVENILES) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Dr Refshauge, That this bill be now read a second time.

Question again proposed and debate resumed.

And Mr Phillips speaking—

It being 11.30 a.m. debate interrupted pursuant to Sessional Orders for the consideration of General Business Orders of the Day and Notices of Motions.

10 SUSPENSION OF STANDING ORDERS—PUBLIC HEALTH (SALE OF TOBACCO TO JUVENILES) AMENDMENT BILL

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the second reading debate on the Public Health (Sale of Tobacco to Juveniles) Amendment Bill to continue until 12.15 p.m. this day.

Question put and passed.

11 PUBLIC HEALTH (SALE OF TOBACCO TO JUVENILES) AMENDMENT BILL

Debate continued.

And Mr Phillips speaking—

It being 12.15 p.m. debate interrupted pursuant to the resolution of the House agreed to this day.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

12 VICTIMS COMPENSATION TRIBUNAL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Whelan—

That a public inquiry be established to examine and to review the provisions of victims compensation and the operations of Victims Compensation Act, 1987 and the Victims Compensation Tribunal with the following terms of reference:

- To examine the basis upon which a person may be entitled to victims compensation and in particular as to whether the existing definition of an "act of violence" is an adequate or proper statutory means of determining entitlement.
- To examine the basis upon which compensation is to be determined and in particular as to whether common law principles should apply.
- To examine the way in which victims compensation applications should be determined and in particular as to whether such applications should be determined by way of a tribunal based system or one operated by the Courts.
- To examine where applicants for victims compensation should be entitled, as of right, to a hearing as distinct from a determination of the matter without a hearing.
- To examine the way in which victims of sexual assault have their applications determined with a view to removing delay and anxiety occasioned to such victims.
- To examine and make recommendations in respect of the availability of counselling and specialist services to the victims of sexual assault and victims of crime generally.
- To examine the way in which moneys are recovered from offenders.
- To examine the methods of payment of legal costs and actual expenses in actions against the Victims Compensation Tribunal.
- To examine the role played by the Attorney General and the Attorney General's Department.

Question again proposed.

Mr West moved, That this debate be now adjourned.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

13 PAEDOPHILES INVESTIGATION

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Whelan—

That this House—

- (1) Views with deep and grave concern:
 - (a) correspondence, dated 20 October, 1994, addressed to the Premier and the Presiding Officers from Royal Commissioner Wood and Acting Commissioner Holland of the Independent Commission Against Corruption concerning administrative arrangements agreed between themselves concerning their respective terms of reference relating to investigations into activities of paedophiles contrary to the express intention of the Parliament.
 - (b) that the will of both House of Parliament has been thwarted.
- (2) Expresses its dissatisfaction with the Commissioner's intention to publicly announce their proposal despite Parliament's intention and before the Parliament has expressed any further opinion on the matters.
- (3) Calls upon the Government to take all necessary steps to ensure that the Royal Commission into the New South Wales Police Service and the Independent Commission Against Corruption comply, in all respects, with the will of the Parliament, as expressed.
- (4) Calls upon the Royal Commissioner and the Acting Commissioner to fully explain their actions, motivation and the reason they wish to depart from the expressed will of Parliament.

Question again proposed.

Mr West moved, That this debate be now adjourned.

Ordered, That the resumption of debate stand an Order for Day for tomorrow.

14 GRAVESITES

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Harrison—

"That" this House place on record its total opposition to the introduction of renewable tenure on gravesites anywhere in New South Wales.

Question again proposed and debate resumed.

Mr Souris moved, That the motion be amended by leaving out all words after the word "That" with a view to inserting instead the following words:

- (1) a Select Committee be appointed to consider and report on the issue of the provision of cemetery sites for the Greater Sydney Area.
- (2) That the Committee consist of Mr Harrison, Mr Humpherson, Mr Martin, Mr Petch, and be chaired by Mr Cochran.
- (3) That at any meeting of the committee three members shall constitute a quorum.
- (4) That such committee have leave to meet during any sitting or any adjournment of the House; to adjourn from place to place; to make visits of inspection within New South Wales and the Commonwealth of Australia; and have power to take evidence and send for persons and papers and to report from time to time.
- (5) That should the House stand adjourned and the Committee agree to any report before the House resume sitting:
 - (a) the Committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the House;
 - (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
 - (c) the documents shall be laid upon the Table of the House at its next sitting.

Question proposed—That the amendment be agreed to.

Debate continued.

Question put.

The House divided.

Ayes 45

Mr Baird	Mr Hazzard	Mr Rixson
Mr Beck	Mr Humpherson	Mr Schipp
Mr Blackmore	Dr Kernohan	Mr Schultz
Mr Causley	Mr Kinross	Mrs Skinner
Mr Chappell	Mr Longley	Mr Small
Mrs Chikarovski	Dr Macdonald	Mr Smith
Mr Cochran	Ms Machin	Mr Souris
Mrs Cohen	Mr Merton	Mr Tink
Mr Collins	Ms Moore	Mr Turner
Mr Debnam	Mr Morris	Mr West
Mr Downy	Mr Murray	Mr Zammitt
Mr Fahy	Mr O'Doherty	
Mr Fraser	Mr D. L. Page	Tellers
Mr Glachan	Mr Peacocke	Mr Jeffery
Mr Griffiths	Mr Photos	Mr Kerr
Mr Harcher	Mr Richardson	

Noes 45

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McManus	Mr Sheddin
Mr Clough	Mr Markham	Mr Sullivan
Mr Crittenden	Mr Martin	Mr Thompson
Mr Face	Ms Meagher	Mr Whelan
Mr Gaudry	Mr Mills	Mr Windsor
Mr Gibson	Mr Moss	Mr Yeadon
Mrs Grusovin	Mr J. H. Murray	Tellers
Mr Harrison	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Neilly	Mr Davoren
Mr Hunter	Ms Nori	
Mr Iemma	Mr Page	

Mr Armstrong	Mr Phillips
Mr Cruickshank	Mr Peich
Mr Doyle	Ms Harrison
Mr Carr	Mr McBride

Pairs

The numbers being equal, Mr Speaker gave his casting vote with the "Noes" and declared the Question negatived.

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

15 SUSPENSION OF STANDING ORDERS—STATE DEBT CONTROL (BALANCED BUDGETS) BILL

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the resumption of the second reading debate on the State Debt Control (Balanced Budgets) Bill

until 1.00 p.m. this day and to permit the Premier to speak on the bill prior to the Member who has pre-audience.

Question put and passed.

16 STATE DEBT CONTROL (BALANCED BUDGETS) BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Collins, That this bill be now read a second time.

Question again proposed and debate resumed.

And Mr Rumble speaking—

It being 1.00 p.m. pursuant to Sessional Orders, General Business Orders of the Day (Committee Reports) proceeded with.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

17 JOINT STANDING COMMITTEE UPON ROAD SAFETY—REPORT NO. 26

Question proposed—That the House take note of the Report.

Debate ensued.

SUSPENSION OF SESSIONAL ORDERS

Mr Small moved (by leave), That Sessional Orders be suspended to allow the Member for Murray and the Member for Murrumbidgee to speak to the motion.

Question put and passed.

Question put and passed.

18 FORESTRY ACT 1916—REVOCATION OF DEDICATION OF CERTAIN STATE FORESTS

Mr Speaker reported the following message from His Excellency the Governor—

P.R. SINCLAIR,
Governor

In accordance with the provisions contained in the Nineteenth Section of the Forestry Act 1916, the Government recommends, for the consideration of the Legislative Assembly, that

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
24 November 1994

a resolution be adopted authorising the revocation of the dedication as State Forest of the land set out in the attached schedule.

Government House
Sydney, 23 November 1994.

REVOCATION SCHEDULE

State Forest	No.	Parishes	Counties	Area (ha)	Portion	Purpose
Bemboka	1007	Bronte, Mookerwah, Numbugga, Ooranook, Puen Buen, Werri Berri	Auckland	13,745	Part	Addition to National Park
Bondi	128	Bondi, Genoa, Nalbaugh Gulgin	Auckland Wellesley	5,550	Parts (3)	Addition to National Park & Nature Reserve
Cathcart	607	Kanoonah, Yuglamah	Auckland	2,160	Part	Addition to National Park
Coolangubra	547	Coolangubra, Kanoonah, Mataganah	Auckland	8,455	Parts (2)	Addition to National Park
Glenbog	149	Bredbendoura, Colombo, Mogila, Tantawangalo, Werri Berri	Auckland	2,200	Parts (3)	Addition to National Park
Mumbulla	605	Mumbulla Wapengo	Auckland Dampier	1,400	Part	Addition to National Park
Nalbaugh	129	Nalbaugh	Auckland	224	Part	Addition to National Park
Nullica	545	Bimmil, Boyd, Eden, Imlay	Auckland	4,355	Part	Addition to National Park
Tantawangalo	134	Bredbendoura, Mogila Creewah	Auckland Wellesley	3,655	Part	Addition to National Park
Nangar	686	Goimbla, Mogong	Ashburnham	5,134	Whole	Addition to Nangar National Park
Capertee	876	Coco	Roxburgh	2,733	Whole	Part of proposed Gardens of Stone National Park
Wolgan	454	Wolgan	Cook	400	Part	Part of proposed Gardens of Stone National Park
Newnes	748	Cook, Wolgan	Cook	2,700	Part	Part of proposed Gardens of Stone National Park
Ben Bullen	434	Ben Bullen	Roxburgh	600	Part	Part of proposed Gardens of Stone National Park
Conjola	863	Conjola, Cudmirrah	St Vincent	315	Part	Part of proposed Cudmirrah National Park
Dampier	926	Coondella, Wamban	Dampier	740	Part	Addition to Deua National Park

Ordered, That the message and accompanying schedule be printed.

19 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

23 November 1994

Appropriation Bill

Parliamentary Appropriation Bill

Business Franchise Licenses (Petroleum Products) Amendment Bill

Motor Vehicles Taxation (Amendment) Bill

Road Improvement (Special Funding) Amendment Bill

Electricity Transmission Authority Bill

Financial Agreement Bill

Greek Orthodox Archdiocese of Australia Consolidated Trust Bill

National Crime Authority (State Provisions) Amendment Bill

Police Service (Recruitment) Amendment Bill

Sports Legislation (Amendment) Bill

State Bank (Privatisation) Bill

State Revenue Legislation (Further Amendment) Bill

20 NOTICES OF MOTIONS**21 DEPARTMENT OF LEGISLATIVE ASSEMBLY—ANNUAL REPORT**

Mr Speaker laid upon the Table the Report of the Department of the Legislative Assembly for the year ended 30 June 1994.

Ordered to be printed.

22 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Ms Moore—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Ms Allan—from certain citizens requesting an evaluated strategy for the supply of water to both the Clarence Valley and Coffs Harbour.

Mr Harrison and Mr Rumble—from certain citizens requesting more police be allocated to Warilla Police Station.

Mr Gaudry—from certain citizens requesting the retention of Hamilton Police Station as a 24 hour Police Station.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Harrison and Mr Rumble—from certain citizens requesting the re-opening of the children's ward of the Shellharbour Hospital.

Dr Refshauge—from certain citizens requesting that St Vincent's Hospital remain within the public system and that standards be maintained at St Vincent's Hospital and the Eastern Sydney Area Health Service.

Ms Nori—from certain citizens concerning the contaminated waste arising from the development at 35 Terry Street, Rozelle.

23 SELECT COMMITTEE UPON MOTOR VEHICLE EMISSIONS

Mr Humpherson tabled the report of the Select Committee upon Motor Vehicle Emissions, dated November 1994.

Ordered to be printed.

Mr Humpherson also tabled the Minutes of Evidence and submissions taken before the Committee.

24 JOINT COMMITTEE ON THE OFFICE OF THE OMBUDSMAN

Mr Fraser tabled the report of the Joint Committee on the Office of the Ombudsman entitled "Second General Meeting with the New South Wales Ombudsman Collation of Evidence", dated November 1994.

Ordered to be printed.

Mr Fraser also tabled the Minutes of Evidence of the Committee.

25 NOTICES OF MOTIONS FOR URGENT CONSIDERATION

Mr Whelan—Address to the Governor—Sittings of the House.

Mr Hartcher—Proposed Gardens of Stone National Park.

26 QUESTIONS

27 MOTIONS FOR URGENT CONSIDERATION

(1) Mr Whelan made a statement in support of his notice for urgent consideration.

(2) Mr Hartcher made a statement in support of his notice for urgent consideration.

Question—That the notice for urgent consideration of the Honourable Member for Ashfield be proceeded with.

Question put.

The House divided.

Ayes 47

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Bowman
Mr Clough
Mr Crittenden
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Iemma
Mr Irwin

Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McManus
Dr Macdonald
Mr Markham
Mr Martin
Ms Meagher
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Neilly
Ms Nori
Mr Page

Mr Price
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Windsor
Mr Yeadon

Tellers

Mr Beckroge
Mr Davoren

Noes 43

Mr Armstrong
Mr Baird
Mr Beck
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovski
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Debnam
Mr Downy
Mr Fraser
Mr Glachan
Mr Griffiths

Mr Hartcher
Mr Humpherson
Dr Kernohan
Mr Kinross
Mr Longley
Ms Machin
Mr Merton
Mr Murray
Mr O'Doherty
Mr D. L. Page
Mr Peacocke
Mr Phillips
Mr Photios
Mr Richardson
Mr Rixon
Mr Schipp

Mr Schultz
Mrs Skinner
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Zammit

Tellers

Mr Jeffery
Mr Kerr

Pairs

Mr Carr
Mr Doyle
Ms Harrison
Mr McBride

Mr Fahey
Mr Hazzard
Mr Morris
Mr Petch

Question passed.

28 MOTION FOR URGENT CONSIDERATION—ADDRESS TO THE GOVERNOR—
SITTINGS OF THE HOUSE

Mr Whelan moved, pursuant to notice,

- (1) That this House notes:
- (a) That the Constitution (Fixed Term Parliaments) Special Provisions Act 1991 expressly provides that 25 March 1995 is the day for taking of the poll for the next general election and that the current Assembly expires on the 3 March 1995.
 - (b) That the Parliament is unlikely to meet until May 1995 and therefore expresses its concern that the Legislative Assembly may not meet for 120 days or longer depending upon the return of the writs of the election.
 - (c) That important business is outstanding and as a consequence, requests his Excellency the Governor not to prorogue the Parliament prior to the statutory date of 3 March 1995.
- (2) That this House meet for the despatch of business on:
- | | |
|-----------------------------|--------------------|
| Tuesday 29 November, 1994 | 2.15 pm - 11.00 pm |
| Wednesday 30 November, 1994 | 9.00 am - 7.00 pm |
| Thursday 1 December, 1994 | 9.00 am - 7.00 pm |
- (3) That on the last day of sitting prior to Christmas, the House shall rise to be reconvened upon the petition of a majority of its Members pursuant to the Standing and Sessional Orders.
- (4) That, pursuant to Standing Order 215, an Address be sent to His Excellency the Governor conveying the terms of the above resolution of the Legislative Assembly.

Upon which Mr West moved, That the question be amended by the addition of the following sub-paragraph to paragraph (1):

- (d) That under the terms of the Constitution Act and the conventions that govern the relationship between the Governor and Executive Government in New South Wales, it is a matter for the Governor acting on the advice of the Government of the day as to when Parliament should be prorogued.

Question proposed—That the amendment be agreed to.

Debate continued.

Question put.

The House divided.

Ayes 43

Mr Armstrong	Mr Hartcher	Mr Schultz
Mr Baird	Mr Humpherson	Mrs Skinner
Mr Beck	Dr Kernohan	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Zammit
Mr Collins	Mr D. L. Page	
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Phillips	
Mr Downy	Mr Photios	Tellers
Mr Fraser	Mr Richardson	
Mr Glachan	Mr Rixon	Mr Jeffery
Mr Griffiths	Mr Schipp	Mr Kerr

Noes 47

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mrs Lo Po'	Mr Rumble
Mr A. S. Aquilina	Mr McManus	Mr Scully
Mr Bowman	Dr Macdonald	Mr Shedden
Mr Clough	Mr Markham	Mr Sullivan
Mr Crittenden	Mr Martin	Mr Thompson
Mr Face	Ms Meagher	Mr Whelan
Mr Gaudry	Mr Mills	Mr Windsor
Mr Gibson	Ms Moore	Mr Yeadon
Mrs Grusovin	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Mr Neilly	
Mr Iemma	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Davoren

Pairs

Mr Fahey	Mr Carr
Mr Hazzard	Mr Doyle
Mr Kinross	Ms Harrison
Mr Petch	Mr McBride

Question negatived.

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

29 MATTER OF PUBLIC IMPORTANCE—BEEF CONTAMINATION

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Martin moved, That this House notes as a matter of public importance:

The need for strict controls on pesticide residues in the beef industry, particularly the export market.

Debate ensued.

Question put and passed.

30 CHILDREN (PARENTAL RESPONSIBILITY) BILL
SUMMARY OFFENCES AND OTHER LEGISLATION (GRAFFITI) AMENDMENT
BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act with respect to the responsibility of parents for the behaviour of certain children; to enable police to escort certain children from public places to their parents' residences or other places; and for other purposes.
- (ii) A bill for an Act to amend the Summary Offences Act 1988 with respect to the possession and use of spray cans, and the Community Service Orders Act 1979 and the Children (Community Service Orders) Act 1987 so as to encourage the removal of graffiti as a preferred form of community service work; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mr Fahey moved, That these bills be now read a second time.

Debate adjourned (Mr Mills) and the resumption of the debate made an Order of the Day for a future day.

31 STATE DEBT CONTROL (BALANCED BUDGETS) BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Collins, "That" this bill be now read a second time.

Question again proposed and debate resumed.

Dr Macdonald moved, That the question be amended by leaving out all the words after the word "That" with a view to inserting instead the words "the bill be referred to the Public Accounts Committee for consideration, full public consultation and report to the House on 1 February 1995.

Question proposed—That the amendment be agreed to.

Debate continued.

And Mr O'Doherty speaking—

It being 5.50 p.m. debate interrupted for private members' statements.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

32 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

PAPER: Mrs Cohen (by leave) tabled a document entitled Chronology of Events (Dual Occupancy - Ku-ring-gai Council).

Question put and passed.

33 RETURN TO ORDER FOR PAPERS—POLICE SERVICE DOCUMENTS

Mr West tabled, pursuant to the resolution of the House, Police Service documents.

34 CRIMES (DANGEROUS DRIVING OFFENCES) AMENDMENT BILL TRAFFIC (NEGLIGENT DRIVING OFFENCES) AMENDMENT BILL

Mr Hazzard, Acting Speaker, reported the following messages from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crimes Act 1900 in relation to dangerous driving offences; to make a consequent amendment to the Criminal Records Act 1991; and for other purposes" transmits the Bill to the Legislative Assembly for its concurrence.

Legislative Council
24 November 1994

M. F. WILLIS
President

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Traffic Act 1909 in relation to negligent driving offences" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
24 November 1994

M. F. WILLIS
President

Bills read a first time.

Ordered by Mr Hazzard, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

35 STATUTE LAW REVISION (LOCAL GOVERNMENT) BILL

Mr Hazzard, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend certain Acts and to repeal certain other Acts and a regulation as a consequence of the enactment of the Local Government Act 1993" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
24 November 1994

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Hazzard, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

36 TOW TRUCK (AMENDMENT) BILL

Mr Hazzard, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Tow Truck Act 1989 to limit the application of that Act to the towing of light vehicles from scenes of accidents, to reconstitute the Tow Truck Industry Council; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
24 November 1994

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Hazzard, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

37 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Hazzard, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day agreed to the "Protected Disclosures Bill" with the

amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
23 November 1994

M.F. WILLIS
President

PROTECTED DISCLOSURES BILL

Schedule of the amendments referred to in the Legislative Council's Message of 23 November 1994.

JOHN EVANS
Clerk of the Parliaments

-
- No. 1 Page 2, clause 4, line 35. Omit "20", insert instead "19".
 - No. 2 Page 3, clause 4, lines 15-17. Omit all words on those lines.
 - No. 3 Page 4, clause 8, line 21. Omit "or".
 - No. 4 Page 4, clause 8, line 22. Omit all words on that line.
 - No. 5 Page 8, clause 19. Omit the clause.
 - No. 6 Page 9, clause 21, lines 30 and 31. Omit ", public official, member of Parliament or journalist", insert instead "or public official".

Examined
DUNCAN GAY
Chairman of Committees

Ordered, by Mr Hazzard, Acting Speaker, That the amendments made by the Legislative Council in this bill be taken into consideration tomorrow.

38 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.44 p.m., until Tuesday 29 November 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 42

TUESDAY 29 NOVEMBER 1994

1 NOTICES OF MOTIONS

2 PAPERS

(1) Mr Fahey tabled—

Report of the Election Funding Authority for the year ended 30 June 1994.

Report on Freedom of Information activities of the Office of the Ombudsman for the year ended 30 June 1994.

Report of the Premier's Department for the year ended 30 June 1994.

Report of the State Electoral Office for the year ended 30 June 1994.

Statistical Return for the by-election held in the Electoral District of Cabramatta on Saturday 22 October 1994.

Report of the Sydney Organising Committee for the Olympic Games for the period 12 November 1993 to 30 June 1994.

(2) Mr Armstrong tabled—

Report of NSW Public Works for the year ended 30 June 1994.

(3) Mr Baird tabled—

Report of the Roads and Traffic Authority for the year ended 30 June 1994.

Report of the State Rail Authority for the year ended 30 June 1994.

Report of the State Transit Authority for the year ended 30 June 1994.

Report of the Tow Truck Industry Council for the year ended 30 June 1994.

Report of the Department of Transport for the year ended 30 June 1994.

(4) Mr Souris tabled—

Report of the Murray/Darling Basin Commission for the year ended 30 June 1994.

Report of the National Trust of Australia (New South Wales) for the year ended 30 June 1994.

Report of the Newcastle International Sports Centre Trust for the year ended 30 June 1994.

Report of the Water Board for the year ended 30 June 1994.

Report of the Department of Water Resources for the year ended 30 June 1994.

(5) Mr Collins tabled—

The Public Accounts for the year ended 30 June 1994.

(6) Mr Phillips tabled—

Report of the Ambulance Service of New South Wales for the year ended 30 June 1994.

Report of the New South Wales Drug Offensive Foundation for the year ended 30 June 1994.

Report of NSW Health for the year ended 30 June 1994.

- Report of the New South Wales Health Foundation for the year ended 30 June 1994.
- Report of the Royal Alexandra Hospital for Children for the year ended 30 June 1994.
- Report of the Sydney Home Nursing Service for the year ended 30 June 1994.
- Report of the Central Coast Area Health Service for the year ended 30 June 1994.
- Report of the Central Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Eastern Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Hunter Area Health Service for the year ended 30 June 1994.
- Report of the Illawarra Area Health Service for the year ended 30 June 1994.
- Report of the Northern Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Southern Sydney Area Health Service for the year ended 30 June 1994.
- Report of the South Western Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Wentworth Area Health Service for the year ended 30 June 1994.
- Report of the Western Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Barwon District Health Service for the year ended 30 June 1994.
- Report of the Castlereagh District Health Service for the year ended 30 June 1994.
- Report of the Clarence District Health Service for the year ended 30 June 1994.
- Report of the Evans District Health Service for the year ended 30 June 1994.
- Report of the Far West District Health Service for the year ended 30 June 1994.
- Report of the Hume District Health Service for the year ended 30 June 1994.
- Report of the Lachlan District Health Service for the year ended 30 June 1994.
- Report of the Lower North Coast District Health Service for the year ended 30 June 1994.
- Report of the Macleay-Hastings District Health Service for the year ended 30 June 1994.
- Report of the Macquarie District Health Service for the year ended 30 June 1994.
- Report of the Mid North Coast District Health Service for the year ended 30 June 1994.
- Report of the Monaro District Health Service for the year ended 30 June 1994.

Report of the Murray District Health Service for the year ended 30 June 1994.

Report of the Murrumbidgee District Health Service for the year ended 30 June 1994.

Report of the North West District Health Service for the year ended 30 June 1994.

Report of the Orana District Health Service for the year ended 30 June 1994.

Report of the Richmond District Health Service for the year ended 30 June 1994.

Report of the Riverina District Health Service for the year ended 30 June 1994.

Report of the South Coast District Health Service for the year ended 30 June 1994.

Report of the Southern Tablelands District Health Service for the year ended 30 June 1994.

Report of the Tweed Valley District Health Service for the year ended 30 June 1994.

(7) Mrs Chikarovski tabled—

Report of the Industrial Relations Commission of New South Wales for 1993.

Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year ended 30 June 1994.

Report of the State Authorities Superannuation Board and the State Superannuation Investment and Management Corporation for the fifteen month period ended 30 June 1994.

Report of the Ministry for the Status and Advancement of Women for the year ended 30 June 1994.

Report of the WorkCover Authority of New South Wales for the year ended 30 June 1994 together with the financial statements for the WorkCover Scheme Statutory Funds for the year ended 30 June 1993.

(8) Mr Causley tabled—

Report of NSW Agriculture for the year ended 30 June 1994.

Report of the Earth Exchange (Geological and Mining Museum Trust) for the year ended 30 June 1994.

Report of NSW Fisheries for the year ended 30 June 1994.

Report of the Processing Tomato Marketing Committee for the year ended 31 May 1994.

(9) Mr Hartcher tabled—

Report of the Attorney General's Department for the year ended 30 June 1994.

Report of the New South Wales Bar Association incorporating the Report of the Barristers' Benevolent Association of New South Wales for the year ended 30 June 1994.

Report of the Bicentennial Park Trust for the year ended 30 June 1994.

Report of the Centennial Park and Moore Park Trust for the year ended 30 June 1994.

Report of the Department of Corrective Services for the year ended 30 June 1994.

Report of the Environment Protection Authority for the year ended 30 June 1994.

Report of the Environmental Trusts incorporating the Environmental Restoration and Rehabilitation Trust, Environmental Research Trust and Environmental Education Trust for the year ended 30 June 1994.

Report of the Department of Juvenile Justice for the year ended 30 June 1994.

Report of the Licensed Conveyancers Council, under section 209B of the Legal Profession Act 1987, for the period 10 September 1993 to 30 June 1994.

Report of the Lord Howe Island Board for the year ended 30 June 1994.

Report of the Motor Accidents Authority for the year ended 30 June 1994.

Report of the National Parks and Wildlife Service for the year ended 30 June 1994.

Report of the Office of the Protective Commissioner for the year ended 30 June 1994.

Report of the Office of the Director of Public Prosecutions New South Wales for the year ended 30 June 1994.

Report of the Royal Botanic Gardens Sydney for the year ended 30 June 1994.

Report of the Urban Parks Agency for the year ended 30 June 1994.

Report of the Waste Recycling and Processing Service of New South Wales for the year ended 30 June 1994.

Report of the Zoological Parks Board for the year ended 30 June 1994.

(10) Mrs Cohen tabled—

Report of the New South Wales Casino Control Authority for the year ended 30 June 1994.

Report of the Chief Secretary's Department for the year ended 30 June 1994.

Report of the New South Wales Government Telecommunications Authority for the year ended 30 June 1994.

Report of the Liquor Administration Board for the year ended 30 June 1994.

(11) Mr Downy tabled—

Report of the Greyhound Racing Control Board for the year ended 30 June 1994.

Report of the Harness Racing Authority of New South Wales for the year ended 30 June 1994.

Report of the State Sports Centre for the year ended 30 June 1994.

3 AUDITOR-GENERAL

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following report—

28 November 1994

Auditor-General's Report for 1994, Volume Two.

4 REPORTS RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following reports—

25 November 1994

Report of the Commercial Services Group for the year ended 30 June 1994.

Report of NSW Lotteries for the year ended 30 June 1994.

5 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry, Mr Hunter and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Mr Hunter—from certain citizens requesting rehabilitation and remediation work on Mudd Creek, Toronto.

Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Ms Nori—from certain citizens concerning the health and environmental risks associated with the development at 35 Terry Street, Rozelle.

6 FARM DEBT MEDIATION BILL

(Formal Order of the Day)—Bill, on motion of Mr Amery, read a third time.

7 NOTICE OF MOTION FOR URGENT CONSIDERATION—RESOLUTIONS OF THE HOUSE

Mr Carr gave notice of a motion calling for compliance with a resolution of the House on 17 March 1994 for an order for papers under Standing Order 54 and an order for papers relating to the privatisation of the Water Board agreed to on 14 April 1994.

8 QUESTIONS

9 MINISTERIAL STATEMENT—CRICKET TEST MATCH

Mr Fahey made a ministerial statement concerning the result of the first cricket test match between Australia and England.

Mr Carr also addressed the House.

10 MOTION FOR URGENT CONSIDERATION—RESOLUTIONS OF THE HOUSE

Mr Carr moved, pursuant to notice, That this House directs the Premier to comply with resolutions of this House by:

- (1) Requiring the Minister for Planning to comply with the motion passed by this House on 17 March 1994 to close down "and decommission the Malabar sludge screenings incinerators"; and
- (2) Tabling and making public without restricted access, pursuant to Standing Order 54, reports relating to privatisation of the Water Board, forthwith in accordance with the motion passed by this House on 14 April 1994.

Debate ensued.

PAPER: Mr Souris (by leave) tabled, pursuant to the order of the House of 17 March 1994, a report by KPMG Peat Marwick concerning the corporatisation of the Water Board and a report of the National Economic Research Associates concerning models of the corporatisation/privatisation of the Water Board.

Dr Macdonald moved, that the motion be amended by leaving out the words "and decommission the Malabar sludge screenings incinerators" and inserting instead:

"the Malabar sludge incinerators and decommission the incinerators at both the North Head and Malabar Sewerage Treatment plants".

Question proposed—That the amendment be agreed to.

Debate continued.

PAPER: Mr Hartcher (by leave) tabled a news release of the Environmental Protection Authority concerning the Malabar Incinerator, dated 13 September 1994.

Question—That the amendment be agreed to—put and passed.

Question—That the motion, as amended, be agreed to—put.

The House divided.

Ayes 48

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr A. S. Aquilina	Mrs Lo Po'	Mr Scully
Mr Bowman	Mr McBride	Mr Shedden
Mr Carr	Mr McManus	Mr Sullivan
Mr Clough	Dr Macdonald	Mr Thompson
Mr Crittenden	Mr Markham	Mr Whelan
Mr Face	Mr Martin	Mr Yeadon
Mr Gaudry	Ms Meagher	
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	
Ms Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
29 November 1994

Noes 46

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	
Mr Fraser	Mr Photios	Tellers
Mr Glachan	Mr Richardson	
Mr Griffiths	Mr Rixon	Mr Jeffery
Mr Hartcher	Mr Schipp	Mr Kerr

Pairs

Mr Doyle	Mr Fahey
Mr Price	Mr Hazzard

Question passed.

11 MATTER OF PUBLIC IMPORTANCE—CASINO CONTROL AUTHORITY

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr Carr moved, That this House notes as a matter of public importance:

The selection of the preferred applicant by the Casino Control Authority.

Debate ensued.

Question put and passed.

12 FORESTRY ACT 1916—REVOCATION OF DEDICATION OF CERTAIN STATE FORESTS

Mr Souris moved, pursuant to notice—

- (1) That, pursuant and subject to the provisions of the Forestry Act, 1916, this House agrees to the revocation of the dedication of those part areas of State Forests indicated on the attached "Schedule".

REVOCATION SCHEDULE

State Forest	No.	Parishes	Counties	Area (ha)	Portion	Purpose
Bemboka	1007	Bronte, Mookerwah, Numbugga, Ooranook, Puen Buen, Werri Berri	Auckland	13,745	Part	Addition to National Park
Bondi	128	Bondi, Genoa, Nalbaugh Gulgin	Auckland Wellesley	5,550	Parts (3)	Addition to National Park & Nature Reserve
Cathcart	607	Kanoonah, Yuglamah	Auckland	2,160	Part	Addition to National Park
Coolangubra	547	Coolangubra, Kanoonah, Mataganah	Auckland	8,455	Parts (2)	Addition to National Park
Glenbog	149	Bredbendoura, Colombo, Mogila, Tantawangalo, Werri Berri	Auckland	2,200	Parts (3)	Addition to National Park
Mumbulla	605	Mumbulla Wapengo	Auckland Dampier	1,400	Part	Addition to National Park
Nalbaugh	129	Nalbaugh	Auckland	224	Part	Addition to National Park
Nullica	545	Bimmil, Boyd, Eden, Imlay	Auckland	4,355	Part	Addition to National Park
Tantawangalo	134	Bredbendoura, Mogila Creewah	Auckland Wellesley	3,655	Part	Addition to National Park
Nangar	686	Goimbla, Mogong	Ashburnham	5,134	Whole	Addition to Nangar National Park
Capertee	876	Coco	Roxburgh	2,733	Whole	Part of proposed Gardens of Stone National Park
Wolgan	454	Wolgan	Cook	400	Part	Part of proposed Gardens of Stone National Park
Newnes	748	Cook, Wolgan	Cook	2,700	Part	Part of proposed Gardens of Stone National Park
Ben Bullen	434	Ben Bullen	Roxburgh	600	Part	Part of proposed Gardens of Stone National Park
Conjola	863	Conjola, Cudmirrah	St Vincent	315	Part	Part of proposed Cudmirrah National Park
Dampier	926	Coondella, Wamban	Dampier	740	Part	Addition to Deua National Park

(2) That the foregoing be communicated by Address to His Excellency the Governor.

PAPER: Mr Souris tabled (by leave) a copy of a letter dated 27 October, 1994 from the Minister for Agriculture and Fisheries and Minister for Mines to the Premier concerning an advising on Cabinet Minute 94-264: Proposed amendments to the National Parks and Wildlife Act to allow for reservation of new areas and revoke certain state forests.

Debate ensued.

Mr Martin moved, That the motion be amended by the addition after the word "Schedule" of the following words:

", but requests your Excellency to withhold the revocation of the dedication of the following State Forests until after advice is received from the Minister for Agriculture and Fisheries and Minister for Mines, namely Nangar, Capertee, Wolgan, Newnes and Ben Bullen."

Question proposed—That the amendment be agreed to.

Debate continued.

It being 5.15 p.m. debate interrupted for private members' statements.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

13 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

14 FORESTRY ACT 1916—REVOCATION OF DEDICATION OF CERTAIN STATE FORESTS

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Souris—

- (1) That, pursuant and subject to the provisions of the Forestry Act, 1916, this House agrees to the revocation of the dedication of those part areas of State Forests indicated on the attached "Schedule".

REVOCATION SCHEDULE

State Forest	No.	Parishes	Counties	Area (ha)	Portion	Purpose
Bemboka	1007	Bronte, Mookerwah, Numbugga, Ooranook, Puen Buen, Werri Berri	Auckland	13,745	Part	Addition to National Park
Bondi	128	Bondi, Genoa, Nalbaugh Gulgin	Auckland Wellesley	5,550	Parts (3)	Addition to National Park & Nature Reserve
Cathcart	607	Kanoonah, Yuglamah	Auckland	2,160	Part	Addition to National Park
Coolangubra	547	Coolangubra, Kanoonah, Mataganah	Auckland	8,455	Parts (2)	Addition to National Park
Glenbog	149	Bredbendoura, Colombo, Mogila, Tantawangalo, Werri Berri	Auckland	2,200	Parts (3)	Addition to National Park
Mumbulla	605	Mumbulla Wapengo	Auckland Dampier	1,400	Part	Addition to National Park
Nalbaugh	129	Nalbaugh	Auckland	224	Part	Addition to National Park
Nullica	545	Bimmil, Boyd, Eden, Imlay	Auckland	4,355	Part	Addition to National Park
Tantawangalo	134	Bredbendoura, Mogila Creewah	Auckland Wellesley	3,655	Part	Addition to National Park
Nangar	686	Goimbla, Mogong	Ashburnham	5,134	Whole	Addition to Nangar National Park
Capertee	876	Coco	Roxburgh	2,733	Whole	Part of proposed Gardens of Stone National Park
Wolgan	454	Wolgan	Cook	400	Part	Part of proposed Gardens of Stone National Park
Newnes	748	Cook, Wolgan	Cook	2,700	Part	Part of proposed Gardens of Stone National Park
Ben Bullen	434	Ben Bullen	Roxburgh	600	Part	Part of proposed Gardens of Stone National Park
Conjola	863	Conjola, Cudmirrah	St Vincent	315	Part	Part of proposed Cudmirrah National Park
Dampier	926	Coondella, Wamban	Dampier	740	Part	Addition to Deua National Park

(2) That the foregoing be communicated by Address to His Excellency the Governor.

Upon which Mr Martin had moved, That the motion be amended by the addition after the word "Schedule" of the following words:

", but requests your Excellency to withhold the revocation of the dedication of the following State Forests until after advice is received from the Minister for Agriculture and Fisheries and Minister for Mines, namely Nangar, Capertee, Wolgan, Newnes and Ben Bullen."

Question again proposed—That the amendment be agreed to.

Debate resumed.

Question—That the amendment be agreed to—put and negatived.

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

15 DEFAMATION (AMENDMENT) BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Defamation Act 1974 in relation to the defence of truth, the functions of trial judges and juries and the assessment of damages in defamation proceedings; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
29 November 1994

M. F. WILLIS
President

Bill read a first time.

Mr Hartcher moved, That this Bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

16 ROYAL COMMISSION (POLICE SERVICE) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr West, read a third time.

17 LANDFILL DEPOTS (MORATORIUM) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr Jeffery moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for tomorrow.

18 TOTALIZATOR LEGISLATION (AMENDMENT) BILL.

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Downy, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Downy, read a third time.

19 ADJOURNMENT

Mr Downy moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.00 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 43

WEDNESDAY 30 NOVEMBER 1994

1 **CHILDREN (PARENTAL RESPONSIBILITY) BILL
SUMMARY OFFENCES AND OTHER LEGISLATION (GRAFFITI) AMENDMENT
BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Fahey, That these bills be now read a second time—

Question again proposed and debate resumed.

Ordered, That Mr Richardson be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Aquilina be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr Hatton be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Mr McManus be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Dr Macdonald be allowed to continue his speech for a further period of 5 minutes.

Ordered, That Ms Moore be allowed to continue her speech for a further period of 5 minutes.

Mr Whelan moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for a later hour of the day.

2 SUSPENSION OF STANDING ORDERS—RETURN TO ORDER FOR PAPERS—
POLICE STRENGTH

Mr Whelan moved (by leave), That Standing and Sessional Orders be suspended to allow the rescission of part of the order of 17 November 1994 for certain police documents.

Question put and passed.

3 RETURN TO ORDER FOR PAPERS—POLICE STRENGTH

Mr Whelan moved—

- (1) That this House rescinds that part of the resolution of the House of 17 November 1994, calling for the production of papers under Standing Order 54 on the motion of the Member for Ashfield, which would require the Minister for Police and Minister for Emergency Services to table documents being sought in 2(a) and 2(b) of that resolution which could prejudice the safety of police officers or the security of police operations, namely:

POLICE UNIT	POLICE REGION
Major Crime Squad, Drug Unit	North
Major Crime Squad, Drug Unit	North West
Major Crime Squad, Gaming and Vice	North West
Major Crime Squad, Special Crime	North West
Major Crime Squad, Task Force	North West
Major Crime Squad, Special Investigation	North West
Major Crime Squad, Command/Intelligence	North West
Monaro District, Drug Unit	South
Major Crime Squad, Gaming and Vice	South
Major Crime Squad, Drug Unit	South
Telephone Interception Unit	
Joint Technical Services Group	
Drug Enforcement Agency	
Fraud Enforcement Agency	

- (2) That the Minister substitute collated details of police numbers for those papers which are affected by (1) above.

Debate ensued.

Question put and passed.

4 RETURN TO ORDER FOR PAPERS—POLICE STRENGTH

Mr West, pursuant to orders of the House of 17 November 1994 and 30 November 1994, tabled certain documents relating to police strength.

5 SUSPENSION OF STANDING ORDERS—EXTENSION OF SITTING

Mr West moved (by leave), That Standing and Sessional Orders be suspended to permit the House to sit after 7.00 p.m. at this sitting for the purpose of:

- (1) Debate on the Water Board (Corporatisation) Bill up to the Minister in reply;
- (2) General Business Orders of the Day (General Orders) No. 4 standing in the name of Mr Whelan;
- (3) A motion to release in-camera evidence of the Joint Select Committee upon Police Administration, notice of which will be given this day; and
- (4) Members not being permitted to call a division on any question or call attention to the want of a quorum after 7.00 p.m. at this sitting.

Debate ensued.

Question put and passed.

6 NOTICES OF MOTIONS

7 PAPERS

Mr Fahey tabled (by leave) the following reports:

Report of the Cabinet Office for the year ended 30 June 1994.

Report of the Government Pricing Tribunal for the year ended 30 June 1994.

Report of the Parliamentary Counsel's Office for the year ended 30 June 1994.

8 REPORTS RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Departments) Act 1985, announced receipt of the following reports—

29 November 1994

Report of the Office of Aboriginal Affairs for the year ended 30 June 1994.

Report of the Department of Community Services together with an addendum report entitled "Funds granted to non-government community organisations" for the year ended 30 June 1994, volumes 1 and 2.

Report of the Government Social Policy Directorate for the year ended 30 June 1994.

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following report—

30 November 1994

Report of State Forests of New South Wales for the year ended 30 June 1994.

9 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry, Mr Hunter and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Ms Moore—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Mr Gaudry and Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Nagle—from certain citizens requesting an increase in police patrols in the Bass Hill neighbourhood watch area.

Mr Crittenden—from certain citizens requesting the allocation of additional police to the Wyong Shire.

Mr Gaudry—from certain citizens requesting more acute hospital beds in Newcastle.

Mr Crittenden—from certain citizens requesting an obstetric and childbirthing facility at Wyong Hospital.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

Mr Chappell—from certain citizens opposing the construction of the proposed Eastlink power line.

10 PLACING OR DISPOSAL OF BUSINESS—CALLOVER OF GENERAL BUSINESS

(1) Notices of Motions of General Business (for Bills):

- No. 1 Crimes (Apprehended Violence) Amendment Bill, postponed (Mr Whelan).
- No. 3 National Parks and Wildlife (Return of Aboriginal Remains and Cultural Artefacts) Amendment Bill, postponed (Mr Markham).
- No. 4 Environmental Planning and Assessment (Appeals) Amendment Bill, postponed (Dr Macdonald).
- No. 5 Crimes (Dock Statements) Amendment Bill, postponed (Dr Macdonald).

(2) Orders of the Day of General Business (for Bills):

- No. 1 Forestry (Amendment) Bill, postponed (Dr Macdonald).
- No. 2 National Parks and Wildlife (New Areas and Miscellaneous Provisions) Amendment Bill, postponed (Dr Macdonald).
- No. 4 Occupational Health and Safety (Smoke-free Indoor Air) Amendment Bill, postponed (Dr Macdonald).
- No. 5 Workers Compensation (Journey Claims) Amendment Bill, postponed (Mr Yeadon).
- No. 27 Pay-roll Tax (Country Industries Exemption) Amendment Bill (No. 2), postponed (Mr Windsor).

11 MOTIONS FOR RE-ORDERING OF GENERAL BUSINESS—ORDERS OF THE DAY (FOR BILLS)

- (1) Mr Cochran moved, That General Business Order of the Day (for Bills) No. 24 (Queanbeyan Showground (Variation of Purposes) Bill) be re-ordered to take precedence on Thursday, 1 December 1994.

Mr Cochran addressed the House.

(2) Ms Moore moved, That General Business Order of the Day (for Bills) No. 19 (Local Government (Boarding and Lodging Houses) Amendment Bill) be re-ordered to take precedence on Thursday, 1 December 1994.

Ms Moore addressed the House.

Question—That the motion for re-ordering of General Business of the honourable member for Monaro be agreed to—put.

The House divided.

Ayes 46

Mr Armstrong	Mr Hartcher	Mr Schipp
Mr Baird	Mr Hazzard	Mr Schultz
Mr Beck	Mr Humpherson	Mrs Skinner
Mr Blackmore	Dr Kernohan	Mr Small
Mr Causley	Mr Kinross	Mr Smith
Mr Chappell	Mr Longley	Mr Souris
Mrs Chikarovski	Ms Machin	Mr Tink
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr Zammit
Mr Cruickshank	Mr D. L. Page	
Mr Debnam	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fahey	Mr Phillips	Tellers
Mr Fraser	Mr Photios	
Mr Glachan	Mr Richardson	Mr Jeffery
Mr Griffiths	Mr Rixon	Mr Kerr

Noes 49

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rumble
Mr Bowman	Mr McBride	Mr Scully
Mr Carr	Mr McManus	Mr Shedden
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Ms Meagher	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	
Ms Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Neilly	Mr Beckroge
Mr Iemma	Ms Nori	Mr Davoren

Pairs

Mr O'Doherty

Mr Doyle

Question negatived.

Question—That the motion for re-ordering of General Business of the honourable member for Bligh be agreed to—put and passed.

12 SELECT COMMITTEE ON BUSHFIRES

Mr Cochran tabled the Report of the Select Committee on Bushfires, dated November 1994.

Ordered to be printed.

Mr Cochran also tabled the Minutes of Evidence taken before the Committee and submissions received by the Committee.

13 NOTICES OF MOTIONS FOR URGENT CONSIDERATION

Mrs Chikarovski—Condemnation of Leader of Opposition.

Mr Whelan—Order for Papers—Third Runway.

14 QUESTIONS UPON NOTICE—UNANSWERED

Mr Speaker drew the attention of the House to Questions upon Notice (Nos. 1519, 1521, 1524, 1549, 1571, 1585) not answered within 35 calendar days and called on the responsible Ministers to explain their non-compliance with Sessional Orders.

15 QUESTIONS

Disorder in the Speaker's Gallery: A certain person in the Gallery having interrupted the orderly conduct of business, Mr Speaker pursuant to Standing Order 394, directed that the Speaker's Gallery and the Upper and Northern Galleries be cleared.

Mr Speaker left the Chair at 3.04 p.m. until the ringing of one long bell.

At 3.15 p.m. Mr Speaker resumed the Chair.

16 STATEMENT BY MR SPEAKER—MEMBERS' SECURITY

Mr Speaker made a statement on the security of Members and the conduct of Members' guests in the Galleries.

17 QUESTIONS (Continuation of Entry 14)

18 MOTIONS FOR URGENT CONSIDERATION

(1) Mrs Chikarovski made a statement in support of her notice for urgent consideration.

(2) Mr Whelan made a statement in support of his notice for urgent consideration.

Question—That the notice for urgent consideration of the honourable member for Lane Cove be proceeded with—put.

The House divided.

Ayes 45

Mr Armstrong	Mr Humpherson	Mr Schipp
Mr Baird	Dr Kernohan	Mr Schultz
Mr Beck	Mr Kinross	Mrs Skinner
Mr Blackmore	Mr Longley	Mr Small
Mr Causley	Ms Machin	Mr Smith
Mr Chappell	Mr Merton	Mr Souris
Mrs Chikarovski	Mr Morris	Mr Tink
Mr Cochran	Mr Murray	Mr Turner
Mrs Cohen	Mr O'Doherty	Mr West
Mr Collins	Mr D. L. Page	Mr Windsor
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	Tellers
Mr Fraser	Mr Photios	
Mr Glachan	Mr Richardson	Mr Jeffery
Mr Hartcher	Mr Rixon	Mr Kerr

Noes 48

Ms Allan	Mr Irwin	Ms Nori
Mr Amery	Mr Knight	Mr Page
Mr Anderson	Mr Knowles	Mr Price
Mr Aquilina	Mr Langton	Dr Refshauge
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rogan
Mr Bowman	Mr McBride	Mr Rumble
Mr Clough	Mr McManus	Mr Scully
Mr Crittenden	Dr Macdonald	Mr Shedden
Mr Face	Mr Markham	Mr Sullivan
Mr Gaudry	Mr Martin	Mr Thompson
Mr Gibson	Ms Meagher	Mr Whelan
Mrs Grusovin	Mr Mills	Mr Yeadon
Mr Harrison	Ms Moore	
Ms Harrison	Mr Moss	Tellers
Mr Hatton	Mr J. H. Murray	
Mr Hunter	Mr Nagle	Mr Beckroge
Mr Iemma	Mr Neilly	Mr Davoren

Pairs

Mr Fahey	Mr Carr
Mr Hazzard	Mr Doyle

Question negatived

Question—That the notice for urgent consideration of the honourable member for Ashfield be proceeded with—put and passed.

19 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—ORDER FOR PAPERS—THIRD RUNWAY

Mr Whelan moved, pursuant to notice, That Standing and Sessional Orders be suspended to allow the consideration of the following motion of the member for Ashfield:

That pursuant to Standing Order 54, this House orders to be laid before it and made public without restricted access, by noon tomorrow all documents, including minutes, notes, memoranda and reports, concerning the third runway at Kingsford-Smith Airport held or relating to the Kingsford-Smith Third Runway Pre-negotiation Task Force, the Sydney Airports State Steering Committee, the Sydney Airports Commonwealth Steering Committee and the Sydney Airports Commonwealth/State Co-ordination Committee, those documents including those held by:

- (a) the Office of Economic Development;
- (b) the former Department of State Development;
- (c) the former Department of Business and Consumer Affairs;
- (d) the Department of Planning;
- (e) the Environment Protection Authority;
- (f) the Maritime Services Board;
- (g) the former Sydney Organising Committee for the Olympic Games;
- (h) the Cabinet Office;
- (i) the Premier's Department;
- (j) Tourism NSW; together with:
- (k) a report on the third runway for the Department of State Development by Hill and Knowlton Consultants;
- (l) all documents, minutes, notes, memoranda and reports to the Cabinet Sub-committee on the third runway; and
- (m) documents provided to the Cabinet sub-committee on the Olympic Games chaired by the Minister for Transport and Minister for Roads.

with the following time limits—

Mover 10 minutes

Minister	10 minutes
Deputy Leader of the Opposition	10 minutes
Member for Port Jackson	10 minutes
Member for Drummoyne	10 minutes
Three other members and mover in reply	10 minutes

Question put and passed.

20 ORDER FOR PAPERS—THIRD RUNWAY

Mr Whelan moved, pursuant to notice, That pursuant to Standing Order 54, this House orders to be laid before it and made public without restricted access, by noon tomorrow all documents, including minutes, notes, memoranda and reports, concerning the third runway at Kingsford-Smith Airport held or relating to the Kingsford-Smith Third Runway Pre-negotiation Task Force, the Sydney Airports State Steering Committee, the Sydney Airports Commonwealth Steering Committee and the Sydney Airports Commonwealth/State Co-ordination Committee, those documents including those held by:

- (a) the Office of Economic Development;
- (b) the former Department of State Development;
- (c) the former Department of Business and Consumer Affairs;
- (d) the Department of Planning;
- (e) the Environment Protection Authority;
- (f) the Maritime Services Board;
- (g) the former Sydney Organising Committee for the Olympic Games;
- (h) the Cabinet Office;
- (i) the Premier's Department;
- (j) Tourism NSW; together with:
- (k) a report on the third runway for the Department of State Development by Hill and Knowlton Consultants;
- (l) all documents, minutes, notes, memoranda and reports to the Cabinet Sub-committee on the third runway; and
- (m) documents provided to the Cabinet sub-committee on the Olympic Games chaired by the Minister for Transport and Minister for Roads.

Debate ensued.

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
30 November 1994

Question put

The House divided.

Ayes 48

Ms Allan	Mr Irwin	Ms Nori
Mr Amery	Mr Knight	Mr Page
Mr Anderson	Mr Knowles	Mr Price
Mr Aquilina	Mr Langton	Dr Refshauge
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rogan
Mr Bowman	Mr McBride	Mr Rumble
Mr Clough	Mr McManus	Mr Scully
Mr Crittenden	Dr Macdonald	Mr Shedden
Mr Face	Mr Markham	Mr Sullivan
Mr Gaudry	Mr Martin	Mr Thompson
Mr Gibson	Ms Meagher	Mr Whelan
Mrs Grusovin	Mr Mills	Mr Yeadon
Mr Harrison	Ms Moore	
Ms Harrison	Mr Moss	Tellers
Mr Hatton	Mr J. H. Murray	
Mr Hunter	Mr Nagle	Mr Beckroge
Mr Iemma	Mr Neilly	Mr Davoren

Noes 46

Mr Armstrong	Mr Humpherson	Mr Schultz
Mr Baird	Dr Kernohan	Mrs Skinner
Mr Beck	Mr Kinross	Mr Small
Mr Blackmore	Mr Longley	Mr Smith
Mr Causley	Ms Machin	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	Tellers
Mr Fraser	Mr Photios	
Mr Glachan	Mr Richardson	Mr Jeffery
Mr Griffiths	Mr Rixon	Mr Kerr
Mr Harcher	Mr Schipp	

Pairs

Mr Carr	Mr Fahey
Mr Doyle	Mr Hazzard

Question passed.

21 CHILDREN (PARENTAL RESPONSIBILITY) BILL
SUMMARY OFFENCES AND OTHER LEGISLATION (GRAFFITI) AMENDMENT
BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Fahey, That these bills be now read a second time.

Question again proposed and debate resumed.

And Mr Whelan speaking—

It being 5.50 p.m. debate interrupted for private members' statements.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

22 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

23 SUSPENSION OF STANDING ORDERS—EXTENSION OF SITTING

Mr West moved (by leave), That Standing and Sessional Orders be suspended to permit the resolution agreed to this day for business to be dealt with after 7.00 p.m. at this sitting to be varied to:

- (1) Omit General Business Order of the Day (General Orders) No. 4 (Paedophiles Investigation) standing in the name of Mr Whelan; and
- (2) Add consideration of:
 - (a) A motion to extend the reporting date of the Select Committee upon Lead Pollution;
 - (b) Government Business Order of the Day No. 28 (Criminal Procedure (Sentence Indication Hearings) Amendment Bill);
 - (c) Government Business Notice of Motion No. 2 (Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Bill up to the Minister's second reading speech; and
 - (d) Government Business Notice of Motion No. 3 (Health Legislation (Miscellaneous Amendments) Bill (No. 2) up to and including the Minister's second reading speech.

Question put and passed.

24 ENERGY LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Mr Glachan, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Electricity Act 1945 in relation to the constitution of the Electricity Council, the functions of electricity distributors and other matters, the Gas Act 1986 in relation to the supply of gas, the Local Government Act 1993 in relation to the exercise of water supply functions by electricity distributors, the Pipelines Act 1967 in relation to pipelines and pipeline licences and the Sydney Electricity Act 1990 in relation to the functions of Sydney Electricity; and to make minor or consequential amendments to those and other Acts and instruments" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
30 November 1994

M.H. GOLDSMITH
Deputy President

Bill read a first time.

Ordered by Mr Glachan, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

25 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

30 November 1994

Royal Commission (Police Service) Amendment Bill
Totalizator Legislation (Amendment) Bill.

26 SELECT COMMITTEE UPON LEAD POLLUTION

Mr West moved, pursuant to the order of the House, That the terms of reference of the Select Committee upon Lead Pollution be amended by omitting paragraph (5) and adding instead the following paragraph:

(5) That the Committee report by Monday 5 December 1994.

Question put and passed.

27 WATER BOARD (CORPORATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr Amery moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for a later hour of the day.

28 ROYAL COMMISSION INTO THE NEW SOUTH WALES POLICE SERVICE—RELEASE OF IN CAMERA EVIDENCE

Mr West moved, pursuant to notice—

- (1) That this House authorises the release to the Royal Commission into the New South Wales Police Service of all evidence taken in camera by the Joint Select Committee Upon Police Administration.
- (2) That the evidence be released on condition, agreed to in writing to the Presiding "Officers", that it be used for investigative purposes only and not for publication.
- (3) That the Clerk have leave to produce any documents or records of the House as may be requested by the Royal Commission.
- (4) That leave be given to Members of the House to attend, if they think fit, as witnesses before the Royal Commission.
- (5) That a Message be sent to the Legislative Council requesting that the Council adopt a similar resolution.

Mr West moved (by leave), That the motion be amended in paragraph (2) by leaving out all words after the word "Officers" with a view to inserting instead "that it be treated as highly confidential and is not to be published and it only be received for intelligence and investigative purposes, including derivative use."

PAPER: Mr West (by leave) tabled copies of correspondence from and to the Royal Commission into the NSW Police Service relating to the Commission's request for in camera evidence.

Question proposed—That the amendment be agreed to.

Debate ensued.

Mrs Grusovin moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

29 WATER BOARD (CORPORATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Amery be allowed to continue his speech for a further period of 5 minutes.

Mr Photios moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

30 **CRIMINAL PROCEDURE (SENTENCE INDICATION HEARINGS) AMENDMENT BILL**

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Hartcher, read a third time.

31 **COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) FURTHER AMENDMENT BILL**

Mr West moved, on behalf of Mrs Chikarovski, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Coal and Oil Shale Mine Workers (Superannuation) Act 1941 for the purposes of providing for the amalgamation of the Coal and Oil Shale Mine Workers Superannuation Fund and the COSAF Superannuation Fund and for the abolition of the Coal and Oil Shale Mine Workers Superannuation Tribunal and the transfer of certain of its functions to a corporate trustee; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr West moved, That this bill be now read a second time.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

32 HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL (NO. 2)

Mr Phillips moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Medical Practice Act 1992 in relation to the grounds for deregistration or suspension from practice and the award of costs in proceedings before the Medical Tribunal, the Poisons Act 1966 in relation to the making of regulations, the Public Health Act 1991 in relation to proceedings for certain offences, the sale of tobacco to juveniles and notifications of notifiable diseases, and the Walker Trusts Act 1938 in relation to the name and use of the Dame Eadith Walker Convalescent Hospital for Men; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Phillips moved, That this bill be now read a second time.

Mr Phillips (by leave) tabled the second reading speech for incorporation in Hansard.

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for a future day.

33 ADJOURNMENT

Mr Phillips moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 8.59 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 44

THURSDAY 1 DECEMBER 1994

1 AUDITOR-GENERAL'S PERFORMANCE AUDIT REPORT ON THE M2 MOTORWAY

Mr Baird, pursuant to a resolution of the House of 22 November 1994, tabled (by leave) the Performance Audit Report of the Auditor-General entitled "The M2 Motorway: Draft Report", dated 1 December 1994.

2 MINISTERIAL STATEMENT—AUDITOR-GENERAL'S REPORT ON M2 MOTORWAY

Mr Baird made a ministerial statement concerning the Auditor-General's performance audit report on the M2 Motorway.

Mr Langton also addressed the House.

3 PUBLIC ACCOUNTS COMMITTEE—REPORT ON THE STATE DEBT CONTROL (BALANCED BUDGETS) BILL

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the following paper—

1 December 1994

Report No. 86 of the Public Accounts Committee entitled "Inquiry into State Debt Control (Balanced Budgets) Bill 1994", dated December 1994.

4 GENERAL BUSINESS NOTICE OF MOTION (FOR BILLS) (NO. 2)

Notice called upon and postponed by Ms Moore until tomorrow.

5 ST GEORGES BASIN/SUSSEX INLET INTERIM PROTECTION BILL

Mr Hatton moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide interim protection for the environment, wildlife, scenery and natural systems of the St Georges Basin and Sussex Inlet by deferring development of land within their water catchments until an appropriate regional environmental plan has been prepared, and for related purposes.

Question put and passed.

Bill presented and read a first time.

Mr Hatton moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

6 FIREARMS (REFERENDUM) BILL

Ms Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to enact provisions for the safe storage and registration of firearms; and to provide for the holding of a referendum on whether those provisions should be brought in to effect.

Question put and passed.

Bill presented and read a first time.

Ms Moore moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

7 RESIDENTIAL TENANCIES (AMENDMENT) BILL

Ms Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Residential Tenancies Act 1987 to make further provision with respect to the rights and obligations of landlords and tenants under residential tenancy agreements; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Ms Moore moved, That this bill be now read a second time.

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a future day.

It being 9.30 a.m. General Business Orders of the Day (for Bills) proceeded with.

8 LOCAL GOVERNMENT (BOARDING AND LODGING HOUSES) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Ms Moore, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported the bill with an amendment.

On motion of Ms Moore, the Report was adopted.

Mr Speaker having consented to the third reading being taken forthwith.

Bill, on motion of Ms Moore, read a third time.

9 PUBLIC HEALTH (SALE OF TOBACCO TO JUVENILES) AMENDMENT BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Dr Refshauge, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put.

The House divided.

Ayes 48

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mrs Lo Po'	Mr Rumble
Mr A. S. Aquilina	Mr McBride	Mr Scully
Mr Bowman	Mr McManus	Mr Shedden
Mr Clough	Dr Macdonald	Mr Sullivan
Mr Crittenden	Mr Markham	Mr Thompson
Mr Face	Mr Martin	Mr Whelan
Mr Gaudry	Ms Meagher	Mr Yeadon
Mr Gibson	Mr Mills	
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	
Ms Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Mr Neilly	
Mr Iemma	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Davoren

Noes 45

Mr Armstrong	Dr Kernohan	Mrs Skinner
Mr Baird	Mr Kinross	Mr Small
Mr Beck	Mr Longley	Mr Smith
Mr Blackmore	Ms Machin	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mrs Chikarovski	Mr Morris	Mr Turner
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr O'Doherty	Mr Windsor
Mr Collins	Mr D. L. Page	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	
Mr Fraser	Mr Photios	
Mr Glachan	Mr Richardson	Tellers
Mr Hartcher	Mr Rixon	
Mr Hazzard	Mr Schipp	Mr Jeffery
Mr Humpherson	Mr Schultz	Mr Kerr

Pairs

Mr Carr	Mr Chappell
Mr Doyle	Mr Fahey

Question passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Turner, Deputy Speaker, resumed the Chair and Mr Glachan, Temporary Chairman, reported the bill with an amendment.

On motion of Dr Refshauge, the Report was adopted.

Ordered by Mr Turner, Deputy Speaker, That the third reading stand an Order of the Day for a later hour of the day.

10 SUSPENSION OF STANDING ORDERS—EXTENSION OF TIME FOR CONSIDERATION OF GENERAL BUSINESS ORDERS OF THE DAY (FOR BILLS)

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the consideration of General Business Orders of the Day (for Bills) to continue until 12.15 p.m. this day.

Question put and passed.

11 SUSPENSION OF STANDING ORDERS—STANDING ORDER 54—EXTENSION OF TIME

Mr West sought leave of the House to move a motion for the suspension of Standing and Sessional Orders to allow an extension for the tabling of material requested under Standing Order 54, relating to the Third Runway, agreed to in the resolution of this House on 30 November 1994.

Leave not granted.

12 LAKE MACQUARIE STATE RECREATION AREA BILL

The Order of the Day was read, Mr Turner, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bill.

Mr Glachan, Acting Speaker, resumed the Chair and Mr Rixon, Temporary Chairman, reported the bill with amendments.

On motion of Mr Hunter, the Report was adopted.

Ordered by Mr Turner, Deputy Speaker, That the third reading stand an Order of the Day for a later hour of the day.

13 THREATENED SPECIES CONSERVATION BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Dr Macdonald, That this bill be now read a second time.

Question again proposed.

Mr West moved, That the debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

It being 12.15 p.m. General Business Orders of the Day (General Orders) and Notices of Motions (General Notices) proceeded with, pursuant to the resolution of the House agreed to this day.

14 SELECT COMMITTEE UPON ELCOM POWER LINE RESUMPTIONS

The Order of the Day was read for the resumption of the adjourned debate, and postponed by Mr Rogan until tomorrow.

15 HOSPITAL FINANCIAL MANAGEMENT—REFERENCE TO THE PUBLIC ACCOUNTS COMMITTEE

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Dr Refshauge—

That this House hereby refers the following terms of reference to the Public Accounts Committee—

To inquire into and report within six months upon hospital financial management with particular reference to:

- (a) the accounting and financing methods of public sector teaching hospitals to ensure they comply with accounting standards;
- (b) the reasons for the alleged budget overrun at the Central Sydney Area Health Service;
- (c) the adequacy of the existing budget to ensure the viability of Royal Prince Alfred Hospital's continued tertiary referral, teaching and local community roles.

Question again proposed.

Mr Beckroge moved, That this debate be now adjourned.

Ordered, That the resumption of the debate stand an Order of the Day for tomorrow.

16 VICTIMS COMPENSATION TRIBUNAL

The Order of the Day was read for the resumption of the adjourned debate, and postponed by Mr Whelan until tomorrow.

17 PAEDOPHILES INVESTIGATION

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Whelan—

"That this House—"

- (1) Views with deep and grave concern:
 - (a) correspondence, dated 20 October, 1994, addressed to the Premier and the Presiding Officers from Royal Commissioner Wood and Acting Commissioner Holland of the Independent Commission Against Corruption concerning administrative arrangements agreed between themselves concerning their respective terms of reference relating to investigations into activities of paedophiles contrary to the express intention of the Parliament.
 - (b) that the will of both House of Parliament has been thwarted.
- (2) Expresses its dissatisfaction with the Commissioner's intention to publicly announce their proposal despite Parliament's intention and before the Parliament has expressed any further opinion on the matters.
- (3) Calls upon the Government to take all necessary steps to ensure that the Royal Commission into the New South Wales Police Service and the Independent Commission Against Corruption comply, in all respects, with the will of the Parliament, as expressed.
- (4) Calls upon the Royal Commissioner and the Acting Commissioner to fully explain their actions, motivation and the reason they wish to depart from the expressed will of Parliament.

SUSPENSION OF STANDING ORDERS—Mr Whelan moved (by leave), That Standing and Sessional Orders be suspended to allow him to speak again to the question for a period of 20 minutes.

Question put and passed.

Debate ensued.

Mrs Grusovin moved, That the motion be amended by omitting all the words after the words "That this House—" with a view to adding the following words:

- (1) Revokes the ICAC's reference to inquire into the alleged protection of paedophiles by members of the NSW Police Service, passed by this Parliament on 10 March, 1994;
- (2) Amends the terms of the reference of the Royal Commission into the New South Wales Police Service to require it to inquire and report into:
 - (a) allegations that some members of the Police Service of New South Wales have by act or omission protected paedophiles from criminal investigation or prosecution, and in particular the adequacy of major investigations undertaken by the police in relation to paedophiles since 1983, however, the Commissioner may investigate any matters he deems necessary and relevant which may have occurred prior to 1983;

- (b) whether the procedures of or the relationships between the Police Service of New South Wales and other public authorities adversely affected police investigations and the prosecution, attempted or failed prosecution of paedophiles; and
- (c) the conduct of public officials related to the above matters.
- (3) A message be sent to the Legislative Council conveying this resolution and requesting that the Legislative Council pass a resolution to revoke the ICAC reference to inquire into the alleged protection of paedophiles by members of the New South Wales Police Service and ensure those powers are given to the Royal Commission.

Question proposed—That the amendment be agreed to.

Debate continued.

PAPER: Mr West tabled (by leave), a statutory declaration of Colin John Fisk, dated 21 October 1994.

Question put

The House divided.

Ayes 48

Ms Allan	Mr Iemma	Ms Nori
Mr Amery	Mr Knight	Mr Page
Mr Anderson	Mr Knowles	Mr Price
Mr Aquilina	Mr Langton	Dr Refshauge
Mr A. S. Aquilina	Mrs Lo Po'	Mr Rogan
Mr Bowman	Mr McBride	Mr Rumble
Mr Clough	Mr McManus	Mr Scully
Mr Crittenden	Dr Macdonald	Mr Shedden
Mr Face	Mr Markham	Mr Sullivan
Mr Gaudry	Mr Martin	Mr Thompson
Mr Gibson	Ms Meagher	Mr Whelan
Mr Griffiths	Mr Mills	Mr Yeadon
Mrs Grusovin	Ms Moore	
Mr Harrison	Mr Moss	Tellers
Ms Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Neilly	Mr Davoren

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
1 December 1994

Noes 45

Mr Baird	Mr Humpherson	Mr Schipp
Mr Beck	Dr Kernohan	Mr Schultz
Mr Blackmore	Mr Kinross	Mrs Skinner
Mr Causley	Mr Longley	Mr Small
Mr Chappell	Ms Machin	Mr Smith
Mrs Chikarovski	Mr Merton	Mr Souris
Mr Cochran	Mr Morris	Mr Tink
Mrs Cohen	Mr Murray	Mr Turner
Mr Collins	Mr O'Doherty	Mr West
Mr Cruickshank	Mr D. L. Page	Mr Windsor
Mr Debnam	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fraser	Mr Phillips	Tellers
Mr Glachan	Mr Photios	
Mr Hartcher	Mr Richardson	Mr Jeffery
Mr Hazzard	Mr Rixon	Mr Kerr

Pairs

Mr Doyle	Mr Armstrong
Mr Irwin	Mr Fahey

Question passed.

Question—That the motion, as amended, be agreed to—put and passed.

18 SUSPENSION OF STANDING ORDERS—GOVERNMENT BUSINESS ORDER OF THE DAY (NO. 3)

Mr West moved (by leave), That Standing and Sessional Orders be suspended to allow the consideration of Government Business Order of the Day No. 3 prior to the consideration of the General Business Order of the Day for Committee Reports.

Question put and passed.

19 ROYAL COMMISSION INTO THE NEW SOUTH WALES POLICE SERVICE—RELEASE OF IN CAMERA EVIDENCE

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West—

- (1) That this House authorises the release to the Royal Commission into the New South Wales Police Service of all evidence taken in camera by the Joint Select Committee Upon Police Administration.
- (2) That the evidence be released on condition, agreed to in writing to the Presiding "Officers", that it be used for investigative purposes only and not for publication.
- (3) That the Clerk have leave to produce any documents or records of the House as may be requested by the Royal Commission.

- (4) That leave be given to Members of the House to attend, if they think fit, as witnesses before the Royal Commission.
- (5) That a Message be sent to the Legislative Council requesting that the Council adopt a similar resolution.

Mr West moved (by leave), That the motion be amended in paragraph (2) by leaving out all words after the word "Officers" with a view to inserting instead "that it be treated as highly confidential and is not to be published and it only be received for intelligence and investigative purposes, including derivative use."

Question—That the amendment be agreed to—put and passed.

Question—That the motion, as amended, be agreed to—put and passed.

20 RETURN TO ORDER FOR PAPERS—THIRD RUNWAY

Mr West, pursuant to Standing Order 54, tabled (by leave) papers requested in the resolution of this House dated 30 November 1994, concerning the third runway.

It being after 1.00 p.m. General Business Orders of the Day (Committee Reports) proceeded with.

21 REPORT OF THE SELECT COMMITTEE UPON MOTOR VEHICLE EMISSIONS

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

22 JOINT COMMITTEE ON THE OFFICE OF THE OMBUDSMAN—COLLATION OF OMBUDSMAN'S EVIDENCE

Question proposed—That the House take note of the Report.

Question put and passed.

23 REPORT OF THE SELECT COMMITTEE UPON BUSHFIRES

Question proposed—That the House take note of the Report.

Debate ensued.

Question put and passed.

24 PUBLIC ACCOUNTS COMMITTEE—REPORT NO. 86

Question proposed—That the House take note of the Report.

Question put and passed.

25 NOTICES OF MOTIONS**26 REPORTS RECEIVED BY THE CLERK**

The Clerk pursuant to the Annual Reports (Departments) Act 1985 announced receipt of the following report—

30 November 1994

Report of the Department of Conservation and Land Management for the year ended 30 June 1994, volumes 1 and 2.

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following report—

30 November 1994

Report of the Dumaresq-Barwon Border Rivers Commission for the year ended 30 June 1994.

27 STATUTORY INSTRUMENTS—RECEIVED BY THE CLERK

The Clerk announced receipt of notices of the making of the following statutory instruments:

Darling Harbour Authority Act 1984—Regulation (Relating to the variation of the Darling Harbour Authority Development Area). (Gazette 159, 30 November 1994, page 6997.)

District Court Act 1973—Amendments to the District Court Rules 1973. (Gazette 156, 25 November 1994, page 6968.)

Liquor Act 1982—Regulation (Relating to penalty notices). (Gazette 156, 25 November 1994, page 6874.)

Local Government Act 1993—Regulation (Relating to competing claimants for enrolment and to law revision). (Gazette 156, 25 November 1994, page 6872.)

Registered Clubs Act 1976—

(a) Regulation (Relating to penalty notices). (Gazette 156, 25 November 1994, page 6877.)

(b) Regulation (Relating to deferrals and exemptions from poker machine duty). (Gazette 156, 25 November 1994, page 6880.)

Supreme Court Act 1970—Rules (Amendment No. 289 of Supreme Court Rules 1970).
(Gazette 156, 25 November 1994, page 6976.)

28 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Gaudry—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Ms Allan and Ms Moore—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Ms Allan—from certain citizens requesting an evaluated strategy for the supply of water to both the Clarence Valley and Coffs Harbour.

Mr Gaudry—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Nagle—from certain citizens requesting an increase in police patrols in the Bass Hill neighbourhood watch area.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

29 PRINTING OF PAPERS

Formal Business—Ordered, on motion of Mr West, That the following papers be printed—

Report of the Election Funding Authority for the year ended 30 June 1994.

Report on Freedom of Information activities of the Office of the Ombudsman for the year ended 30 June 1994.

Report of the Premier's Department for the year ended 30 June 1994.

Report of the State Electoral Office for the year ended 30 June 1994.

Statistical Return for the by-election held in the Electoral District of Cabramatta on Saturday 22 October 1994.

Report of the Sydney Organising Committee for the Olympic Games for the period 12 November 1993 to 30 June 1994.

Report of NSW Public Works for the year ended 30 June 1994.

Report of the Roads and Traffic Authority for the year ended 30 June 1994.

Report of the State Rail Authority for the year ended 30 June 1994.

Report of the State Transit Authority for the year ended 30 June 1994.

- Report of the Tow Truck Industry Council for the year ended 30 June 1994.
- Report of the Department of Transport for the year ended 30 June 1994.
- Report of the Murray/Darling Basin Commission for the year ended 30 June 1994.
- Report of the National Trust of Australia (New South Wales) for the year ended 30 June 1994.
- Report of the Newcastle International Sports Centre Trust for the year ended 30 June 1994.
- Report of the Water Board for the year ended 30 June 1994.
- Report of the Department of Water Resources for the year ended 30 June 1994.
- The Public Accounts for the year ended 30 June 1994.
- Report of the Ambulance Service of New South Wales for the year ended 30 June 1994.
- Report of the New South Wales Drug Offensive Foundation for the year ended 30 June 1994.
- Report of NSW Health for the year ended 30 June 1994.
- Report of the New South Wales Health Foundation for the year ended 30 June 1994.
- Report of the Royal Alexandra Hospital for Children for the year ended 30 June 1994.
- Report of the Sydney Home Nursing Service for the year ended 30 June 1994.
- Report of the Central Coast Area Health Service for the year ended 30 June 1994.
- Report of the Central Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Eastern Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Hunter Area Health Service for the year ended 30 June 1994.
- Report of the Illawarra Area Health Service for the year ended 30 June 1994.
- Report of the Northern Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Southern Sydney Area Health Service for the year ended 30 June 1994.
- Report of the South Western Sydney Area Health Service for the year ended 30 June 1994.
- Report of the Wentworth Area Health Service for the year ended 30 June 1994.
- Report of the Western Sydney Area Health Service for the year ended 30 June 1994.

Report of the Barwon District Health Service for the year ended 30 June 1994.

Report of the Castlereagh District Health Service for the year ended 30 June 1994.

Report of the Clarence District Health Service for the year ended 30 June 1994.

Report of the Evans District Health Service for the year ended 30 June 1994.

Report of the Far West District Health Service for the year ended 30 June 1994.

Report of the Hume District Health Service for the year ended 30 June 1994.

Report of the Lachlan District Health Service for the year ended 30 June 1994.

Report of the Lower North Coast District Health Service for the year ended 30 June 1994.

Report of the Macleay-Hastings District Health Service for the year ended 30 June 1994.

Report of the Macquarie District Health Service for the year ended 30 June 1994.

Report of the Mid North Coast District Health Service for the year ended 30 June 1994.

Report of the Monaro District Health Service for the year ended 30 June 1994.

Report of the Murray District Health Service for the year ended 30 June 1994.

Report of the Murrumbidgee District Health Service for the year ended 30 June 1994.

Report of the North West District Health Service for the year ended 30 June 1994.

Report of the Orana District Health Service for the year ended 30 June 1994.

Report of the Richmond District Health Service for the year ended 30 June 1994.

Report of the Riverina District Health Service for the year ended 30 June 1994.

Report of the South Coast District Health Service for the year ended 30 June 1994.

Report of the Southern Tablelands District Health Service for the year ended 30 June 1994.

Report of the Tweed Valley District Health Service for the year ended 30 June 1994.

Report of the Industrial Relations Commission of New South Wales for 1993.

Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year ended 30 June 1994.

Report of the State Authorities Superannuation Board and the State Superannuation Investment and Management Corporation for the fifteen month period ended 30 June 1994.

Report of the Ministry for the Status and Advancement of Women for the year ended 30 June 1994.

Report of the WorkCover Authority of New South Wales for the year ended 30 June 1994 together with the financial statements for the WorkCover Scheme Statutory Funds for the year ended 30 June 1993.

Report of NSW Agriculture for the year ended 30 June 1994.

Report of the Earth Exchange (Geological and Mining Museum Trust) for the year ended 30 June 1994.

Report of NSW Fisheries for the year ended 30 June 1994.

Report of the Processing Tomato Marketing Committee for the year ended 31 May 1994.

Report of the Attorney General's Department for the year ended 30 June 1994.

Report of the New South Wales Bar Association incorporating the Report of the Barristers' Benevolent Association of New South Wales for the year ended 30 June 1994.

Report of the Bicentennial Park Trust for the year ended 30 June 1994.

Report of the Centennial Park and Moore Park Trust for the year ended 30 June 1994.

Report of the Department of Corrective Services for the year ended 30 June 1994.

Report of the Environment Protection Authority for the year ended 30 June 1994.

Report of the Environmental Trusts incorporating the Environmental Restoration and Rehabilitation Trust, Environmental Research Trust and Environmental Education Trust for the year ended 30 June 1994.

Report of the Department of Juvenile Justice for the year ended 30 June 1994.

Report of the Licensed Conveyancers Council under section 209B of the Legal Profession Act 1987, for the period 10 September 1993 to 30 June 1994.

Report of the Lord Howe Island Board for the year ended 30 June 1994.

Report of the Motor Accidents Authority for the year ended 30 June 1994.

Report of the National Parks and Wildlife Service for the year ended 30 June 1994.

Report of the Office of the Protective Commissioner for the year ended 30 June 1994.

Report of the Office of the Director of Public Prosecutions New South Wales for the year ended 30 June 1994.

Report of the Royal Botanic Gardens Sydney for the year ended 30 June 1994.

Report of the Urban Parks Agency for the year ended 30 June 1994.

Report of the Waste Recycling and Processing Service of New South Wales for the year ended 30 June 1994.

Report of the Zoological Parks Board for the year ended 30 June 1994.

Report of the New South Wales Casino Control Authority for the year ended 30 June 1994.

Report of the Chief Secretary's Department for the year ended 30 June 1994.

Report of the New South Wales Government Telecommunications Authority for the year ended 30 June 1994.

Report of the Liquor Administration Board for the year ended 30 June 1994.

Report of the Greyhound Racing Control Board for the year ended 30 June 1994.

Report of the Harness Racing Authority for the year ended 30 June 1994.

Report of the State Sports Centre for the year ended 30 June 1994.

30 LEGISLATION COMMITTEE ON THE ENDANGERED AND OTHER THREATENED SPECIES CONSERVATION BILL

Mr Humpherson tabled the report of the Legislation Committee on the Endangered and Other Threatened Species Conservation Bill, dated 1 December 1994.

Ordered to be printed.

Mr Humpherson also tabled the Minutes of Evidence taken before the Committee.

31 REGULATION REVIEW COMMITTEE

Mr Cruickshank tabled Report No. 31 of the Regulation Review Committee drawing the special attention of Parliament to the need to amend the Forestry Regulation 1994 so that it implements Government policy for public participation in the preparation of management plans for State forests, dated November 1994.

Ordered to be printed.

32 NOTICE OF MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—LEAD

Mr Hunter gave notice of a motion for papers concerning lead to be tabled pursuant to Standing Order 54.

33 QUESTIONS

34 MOTION FOR URGENT CONSIDERATION—ORDER FOR PAPERS—LEAD

Mr Hunter moved, pursuant to notice, That pursuant to Standing Order 54 this House orders to be laid before it and made public without restricted access by 7.00 p.m. on Friday 2 December 1994 the following documents:

All existing relevant reports, test results and information on lead contamination, lead in air, blood lead levels and the effect of lead on health from the following Departments, Boards, Authorities, Corporations and Commissions namely;

- * Department of School Education
- * Water Board
- * Hunter Water Corporation
- * Maritime Services Board including Port Authorities
- * TAFE Commission including child care centres
- * Department of Planning
- * Department of Community Services including child care centres
- * Department of Industrial Relations, Employment, Training and Further Education
- * Electricity Commission of NSW including Pacific Power and Power Coal
- * Department of Mineral Resources
- * Property Services Group
- * NSW Public Works.

Question put and passed.

35 MATTER OF PUBLIC IMPORTANCE—ENVIRONMENTAL LAND ZONING

Mr Speaker having previously informed the House of receipt of a notice of a matter of public importance—

Mr McManus moved, That this House notes as a matter of public importance:

The need to zone for environmental protection lands at Helensburgh adjoining the Royal National Park and within the Hacking River Catchment vital to the continuing integrity of this area of State heritage significance.

Debate ensued.

Question put and passed.

36 SUSPENSION OF STANDING ORDERS—LEAVE NOT GRANTED

Ms Allan moved, That Standing and Sessional Orders be suspended to allow the resumption of the debate on the Landfill Depots (Moratorium) Bill forthwith.

Leave not granted.

**37 CHILDREN (PARENTAL RESPONSIBILITY) BILL
SUMMARY OFFENCES AND OTHER LEGISLATION (GRAFFITI) AMENDMENT
BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Fahey, That these bills be now read a second time—

Question again proposed and debate resumed.

Mr Hartcher moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for a later hour of the day.

38 CRIMES (HOME INVASION) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Ms Meagher be allowed to continue her speech for a further period of 5 minutes.

Mr West moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for a later hour of the day.

39 MESSAGES FROM THE GOVERNOR

Mr Speaker reported a message from His Excellency the Governor dated 29 November 1994, acknowledging receipt of the Legislative Assembly's Address dated 24 November 1994.

Mr Speaker reported a further message from His Excellency the Governor dated 30 November 1994 acknowledging receipt of the resolution adopted by the Legislative Assembly of New South Wales on 29 November 1994, regarding the revocation of the dedication of certain State Forests.

40 CHILDREN (PARENTAL RESPONSIBILITY) BILL
SUMMARY OFFENCES AND OTHER LEGISLATION (GRAFFITI) AMENDMENT
BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Fahey, That these bills be now read a second time—

Question again proposed and debate resumed.

Question put.

Dr Macdonald requested, That pursuant to Standing Orders 248A(3) and 179, the question for the second reading be put in seriatim.

Question—That the Children (Parental Responsibility) Bill be now read a second time—put and passed.

Question—That the Summary Offences and Other Legislation (Graffiti) Amendment Bill be now read a second time—put and passed.

Bills read a second time.

Mr Rixon, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr Rixon, Acting Speaker, resumed the Chair and Mr Hazzard, Temporary Chairman, reported the Children (Parental Responsibility) Bill with amendments and the Summary Offences and Other Legislation (Graffiti) Amendment Bill with amendments.

On motion of Mr Fahey, the Report was adopted.

Ordered by Mr Rixon, Acting Speaker, That the third reading stand an Order of the Day for a later hour of the day.

It being 5.50 p.m. private members' statements proceeded with.

41 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

42 SUSPENSION OF STANDING ORDERS—EXTENSION OF SITTING

Mr West moved (by leave)—

- (1) That Sessional Orders be suspended to extend this day's sitting beyond 7.00 p.m., and
- (2) That Members not be permitted to call a division on any question or call attention to the want of a quorum after 7.00 p.m. at this sitting.

Question put and passed.

43 RESIDENTIAL TENANCIES (CARAVAN PARKS AND MANUFACTURED HOME ESTATES) AMENDMENT BILL

Mr Glachan, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Residential Tenancies Act 1987 with respect to agreements for the installation and use of caravans and manufactured homes in caravan parks and manufactured home estates; and for other purposes" transmits the Bill to the Legislative Assembly for concurrence.

Legislative Council
1 December 1994

M. F. WILLIS
President

Bill read a first time.

Ordered by Mr Glachan, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

44 INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL

Mr Glachan, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day agreed to the "Independent Commission Against Corruption (Amendment) Bill" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Further, the Legislative Council invites the Legislative Assembly to propose an amendment as Division 2 of proposed Part 7A in the Council's proposed amendment in the Bill, relating to Parliamentary Ethical Standards for the Legislative Assembly.

Legislative Council
1 December 1994

M. F. WILLIS
President

INDEPENDENT COMMISSION AGAINST CORRUPTION
(AMENDMENT) BILL

Schedule of the amendments referred to in the Legislative Council's Message of 1 December 1994.

JOHN EVANS
Clerk of the Parliaments

- No. 1 Page 3, clause 3. Lines 3 and 4. Omit "or involve a contravention", insert instead "a breach".
- No. 2 Page 3-7, clause 3. Line 7 on page 3 to line 5 on page 7. Omit all words on those lines, insert instead:

PART 7A - PARLIAMENTARY ETHICAL STANDARDS**Division 1 - Legislative Council****Definition**

72A. In this Division:

"designated committee" means the committee of the Legislative Council that is for the time being designated under section 72B.

Designation of committee

72B. (1) As soon as practicable after the commencement of this Division and the commencement of the first session of each Parliament, a committee of the Legislative Council is to be designated by resolution of the Legislative Council as the designated committee for the purposes of this Division.

(2) Another committee of the Legislative Council may be designated by such a resolution from time to time in place of any previously designated.

(3) The designation of a committee under this section does not affect the functions that the committee has apart from this Division.

Functions of committee

72C. (1) The functions of the designated committee are:

- (a) to prepare for consideration by the Legislative Council draft codes of conduct for members of the Legislative Council and draft amendments to codes of conduct already adopted; and
- (b) to carry out educative work relating to ethical standards applying to members of the Legislative Council; and
- (c) to give advice in relation to such ethical standards in response to requests for advice by the Legislative Council, but not in relation to actual or alleged conduct of any particular person.

(2) The designated committee may seek comments from the public in relation to any of its functions under this section.

(3) Before being presented for consideration by the Legislative Council, the designated committee must:

- (a) give public notice of the place at which, the dates on which, and the times during which, a draft code of conduct may be inspected by the public; and
- (b) publicly exhibit a copy of the draft code of conduct at the place, on the dates and during the times set out in the notice; and
- (c) specify, in the notice, the period during which submissions may be made to the committee.

(4) Any person may, during the period referred to in subsection (3) (c), make submissions in writing to the designated committee with respect to the provisions of the draft code of conduct. The committee must take any such submissions into consideration.

(5) Within 12 months after the commencement of this Division, the designated committee is to present for consideration by the Legislative Council a draft code of conduct for members of the Legislative Council.

(6) The designated committee is to review the code of conduct at least once in each period of two years.

Division 2 - Legislative Assembly

Examined
DUNCAN GAY
Chairman of Committees

Ordered by Mr Glachan, Acting Speaker, That the consideration of the Legislative Council amendments be set down as an Order of the Day for tomorrow.

45 FARM DEBT MEDIATION BILL

Mr Glachan, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day agreed to the "Farm Debt Mediation Bill" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
1 December 1994

M. F. WILLIS
President

FARM DEBT MEDIATION BILL

Schedule of the amendments referred to in the Legislative Council's Message of 1 December 1994.

JOHN EVANS
Clerk of the Parliaments

No. 1 Page 3, clause 4, line 22. Omit "power", insert instead "a power".

No. 2 Page 3, clause 4, line 27. Omit "Act", insert instead "This Act".

No. 3 Page 4, clause 7. After line 12, insert:

(2) Nothing in this Act is to be construed as affecting the operation of the Banking Act 1959 of the Commonwealth and, in particular, the duty of the Reserve Bank under Division 2 of Part II of that Act.

No. 4 Page 4, clause 8, line 22. After "farmer" where secondly occurring, insert "in respect of the farm mortgage".

No. 5 Page 4, clause 8, line 26. Omit all words on that line, insert instead "Authority (informing the farmer of the creditor's intention to take enforcement action in respect of the farm mortgage and of the availability of".

No. 6 Page 4, clause 8. After line 27, insert:

(3) This section does not apply if the Authority has given a certificate under section 11 in respect of the farm mortgage concerned.

No. 7 Page 5, clause 10, lines 10-12. Omit all words on those lines, insert instead "until the Authority has given a certificate under section 11 in respect of the farm mortgage.".

No. 8 Page 5, clause 11, lines 13-22. Omit all words on those lines, insert instead:

Certificate that Act does not apply to farm mortgage

11. (1) The Authority must, on the application of a creditor under a farm mortgage, issue a certificate that this Act does not apply to the farm mortgage if the Authority is satisfied that:

- (a) satisfactory mediation in respect of the farm debt concerned has taken place; or
- (b) the farmer has declined to mediate in respect of the farm debt; or
- (c) 3 months have elapsed after a notice was given by the creditor under section 8 and the creditor has throughout that period attempted to mediate in good faith (whether or not satisfactory mediation has taken place during that period).

(2) A farmer is presumed to have declined to mediate if any of the following circumstances is established:

- (a) the farmer has failed to take part in mediation in good faith or has unreasonably delayed entering into or proceeding with mediation;
- (b) the farmer has indicated in writing to the Authority or to the creditor that the farmer does not wish to enter into or proceed with mediation in respect of the debt concerned;
- (c) the farmer has failed to respond within 28 days to an invitation in writing given to the farmer by the creditor to commence mediation in respect of the farm debt.

(3) The regulations may make provision for or with respect to what constitutes satisfactory mediation.

(4) A certificate may be given under this section (except under subsection (1) (c))

whether or not any notice has been given under section 8.

No. 9 Page 5, clause 12, lines 30-34. Omit all words on those lines, insert instead:

(2) The Authority is to make arrangements for the referral of parties to mediation for the purposes of this Act. The Authority is not liable for any of the costs of or associated with mediation for the purposes of this Act.

No. 10 Page 6, clause 13, line 3. Omit "creditors who wish to be heard", insert instead "creditor".

No. 11 Page 6, clause 13, line 4. Omit "creditors", insert instead "creditor".

No. 12 Page 6, clause 13, line 5. Omit "creditors", insert instead "creditor".

No. 13 Page 6, clause 13, lines 7 and 8. Omit all words on those lines.

No. 14 Page 6, clause 13, lines 9-11. Omit all words on those lines, insert instead:

(e) to advise, counsel and assist the farmer and the creditor in attempting to arrive at an agreement for the present arrangements and future conduct of financial relations among them.

No. 15 Page 7, clause 17, line 32. Omit "any", insert instead "the".

No. 16 Pages 11 and 12, clause 31, line 29 on page 11 to line 4 on page 12. Omit all words on those lines, insert instead:

Expiry of Act

31. This Act expires on the second anniversary of the commencement of section 6.

Examined
MARLENE GOLDSMITH
Temporary Chairman of Committees

Ordered, by Mr Glachan, Acting Speaker, That the amendments made by the Legislative Council in this bill be taken into consideration forthwith.

46 FARM DEBT MEDIATION BILL

Mr Glachan, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in the Farm Debt Mediation Bill.

Mr Glachan, Acting Speaker, resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

47 SUSPENSION OF STANDING ORDERS—COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) FURTHER AMENDMENT BILL

Mrs Chikarovski moved (by leave), That Standing and Sessional Orders be suspended to allow the resumption of the adjourned second reading debate on the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Bill.

Question put and passed.

48 COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) FURTHER AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Chikarovski, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mrs Chikarovski, read a third time.

**49 CRIMES (DANGEROUS DRIVING OFFENCES) AMENDMENT BILL
TRAFFIC (NEGLIGENT DRIVING OFFENCES) AMENDMENT BILL**

The Order of the Day was read.

Mr Hartcher moved, That these bills be now read a second time.

Debate ensued.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mrs Chikarovski, on behalf of Mr Hartcher, read a third time.

50 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO. 2)

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr West, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr West, read a third time.

51 PROFESSIONAL STANDARDS BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr West, on behalf of Mr Hartcher, read a third time.

52 CRIMES (HOME INVASION) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Mr West moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the adjourned debate stand an Order of the Day for tomorrow.

53 ENERGY LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

The Order of the Day was read.

Mr West moved, That this bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr West, read a third time.

54 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until tomorrow, at 9.00 a.m. until 7.00 p.m. with the routine of business other than the last day of the week.

Debate ensued.

Question put and passed.

55 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 8.05 p.m., until tomorrow, at 9.00 a.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1994

FOURTH SESSION OF THE FIFTIETH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 45

FRIDAY 2 DECEMBER 1994

1 STATEMENT BY SPEAKER—QUESTIONS AND ANSWERS PAPER

Mr Speaker informed the House that due to a major computer systems failure the full text of the Questions and Answers Paper was not available until a later hour..

2 ABORIGINAL RECONCILIATION

Mr Fahey moved, pursuant to notice, That the House:

- (1) Notes that in 1991 the Parliament of the Commonwealth of Australia unanimously enacted the Council for Aboriginal Reconciliation Act 1991 to promote a process of reconciliation between the indigenous and wider Australian communities;
- (2) Supports the concept of constructive reconciliation between indigenous and wider Australian communities; and
- (3) In acknowledgment of this support, adopts, as a vision shared by this House, the vision of the Council for Aboriginal Reconciliation, namely,

"A united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage, and provides justice and equity for all".

Debate ensued.

Question put and passed.

Mr Fahey moved, That a Message be sent to the Legislative Council requesting that the Council adopt the same resolution.

Question put and passed.

3 CHILDREN (PARENTAL RESPONSIBILITY) BILL
SUMMARY OFFENCES AND OTHER LEGISLATION (GRAFFITI) AMENDMENT
BILL

The Order of the Day was read.

Mr Fahey moved, That these bills be now read a third time.

Question put and passed.

Bills read a third time.

4 MINISTERIAL STATEMENT—ALLEGATIONS AGAINST CITIZENS

Mr Fahey made a statement concerning the use of a statutory declaration by the Member for Heffron to make unsubstantiated allegations about certain individuals under Parliamentary privilege.

Mr Carr also addressed the House.

5 JOINT STANDING COMMITTEE: THE PARLIAMENTARY MANAGEMENT BOARD

Mr West moved, pursuant to notice, as amended (by leave):

- (1) That there be established a Joint Standing Committee known as "The Parliamentary Management Board".
- (2) That the Board consist of 14 Members; being 7 Members of the Legislative Assembly and 7 Members of the Legislative Council.
- (3) That the quorum for a meeting of the Board shall be 8 Members.
- (4) That the following office-holders shall be ex-officio Members of the Board:
 - (a) The Speaker
 - (b) The Président
 - (c) Leader of the House, Legislative Assembly

- (d) Manager of Opposition Business, Legislative Assembly
 - (e) Leader of the Government, Legislative Council
 - (f) Leader of the Opposition, Legislative Council
- (5) That ex-officio Members be entitled to nominate alternates for the purpose of attending meetings of the Board.
- (6) That the Speaker and President be joint Chairmen of the Board.
- (7) That the Legislative Assembly appoint 4 Members being 2 Members supporting the Government; and 2 Members not supporting the Government 1 of whom shall be an independent minor party representative.
- (8) That the Legislative Council appoint 4 Members being 2 Members supporting the Government; and 2 Members not supporting the Government 1 of whom shall be an independent or minor party representative.
- (9) That subject to the control and direction of both Houses, as embodied in a similar resolution agreed to separately in each House, the Board shall be responsible for, but not limited to:
- (a) determining details of operation of the Board in areas such as the conduct of meetings, appointment of sub-committees and voting procedures;
 - (b) general control of the management and administration of the Parliament;
 - (c) setting the overall policies within which the three Parliamentary Divisions shall function in their day to day operations;
 - (d) overseeing the Joint Services Division, including final authority over the establishment of positions in that Division and the appointment of staff, with the Director, Joint Services exercising day to day management and control of the Division;
 - (e) preparing the Parliamentary forward estimates bids for consideration by the Executive Government;
 - (f) determining, consistent with the principles of global budgeting, the utilisation and allocation of the funds provided to the Parliament in the Parliamentary Appropriation Bill;
 - (g) for producing annual reports, to include information pertaining to each of the three Parliamentary Divisions and containing as far as possible the information required in annual reports of Government Departments;

- (h) arranging for independent consultants to undertake efficiency audits of the three Divisions for report to the Chairmen of the Board, who shall table such reports in each House within 15 sitting days of receipt, with the first audit to commence within 18 months of the Board being established and then at least every four years;
- (i) the Auditor General continuing to audit, by invitation, the Parliamentary accounts;

(10) That for the purposes of administration the staff of the Parliament be divided into three Divisions as follows:

- (a) an Office of the Clerk of the Legislative Assembly, comprising the Clerk of the Legislative Assembly, the Assembly table officers, and other staff responsible for assisting the Clerk to provide services to the Assembly and its Members in relation to the official proceedings of the House and its procedure and practices;
- (b) an Office of the Clerk of the Legislative Council, comprising the Clerk of the Parliaments, the Council table officers, and other staff responsible for assisting the Clerk to provide services to the Council and its Members in relation to the official proceedings of the Council and its procedures and practices;
- (c) a Joint Services Division, headed by a Director responsible for facilities and services which are provided jointly to both Houses, including the Parliamentary Library, Accounts Services, Building Services, Food and Beverage Services, Printing, Information Technology, Security, Hansard, Parliamentary Education and Community Relations, and Archives.

(11) That a message be sent to the Legislative Council requesting that the Council adopt a similar resolution.

Upon which Mr Whelan moved, That the motion be amended by the insertion of a new paragraph (11), as follows:

"(11) That the operations of the Board of Management be reviewed after 12 months and that the results of the review be made public."

Question proposed—That the amendment be agreed to.

Debate ensued.

Question put and passed.

Question—That the motion, as amended, be agreed to—put and passed.

6 CRIMES (HOME INVASION) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Ordered, That Mr Thompson be allowed to continue his speech for a further period of 5 minutes.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mrs Chikarovski, on behalf of Mr Hartcher, read a third time.

7 CRIMES (THREATS AND STALKING) AMENDMENT BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Hartcher, read a third time.

8 PROTECTED DISCLOSURES BILL

The Order of the Day was read, Mr Turner, Deputy Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in the Bill.

Mr Turner, Deputy Speaker resumed the Chair, and Mr Rixon, Temporary Chairman, reported that the Committee had disagreed to the Council amendments.

Report adopted.

9 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Turner, Deputy Speaker, reported messages from the Legislative Council returning the following bills without amendment:

2 December 1994

Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Bill
Local Government (Boarding and Lodging Houses) Amendment Bill.

10 DEFAMATION (AMENDMENT) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Glachan, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Glachan, Acting Speaker, resumed the Chair and Mr Hazzard, Temporary Chairman, reported the bill with amendments and an amendment in the long title of the bill.

On motion of Mr Hartcher, the Report was adopted.

Mr Glachan, Acting Speaker, having consented to the third reading being taken forthwith.

Bill, on motion of Mr Hartcher, read a third time.

Mr Hartcher moved, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly has this day agreed to the Bill intituled "An Act to amend the Defamation Act 1974 in relation to the defence of truth, the functions of trial judges and juries and the assessment of damages in defamation proceedings; and for other purposes" with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly
2 December 1994

K.R. ROZZOLI
Speaker

DEFAMATION (AMENDMENT) BILL

Schedule of the amendments referred to in the Legislative
Assembly's Message of 2 December 1994

RUSSELL D. GROVE
Clerk of the Legislative Assembly

- No. 1 Page 3, Schedule 1 (2), lines 7-13. Omit all words on those lines, insert instead:
- (4) If the jury determines that the matter complained of was published by the defendant and carries an imputation that is defamatory of the plaintiff, the court and not the jury is:
- (a) to determine whether any defence raised by the defendant (including all issues of fact and law relating to that defence) has been established; and
- (b) to determine the amount of damages (if any) that should be awarded to the plaintiff and all unresolved issues of fact and law relating to the determination of that amount.
- No. 2 Page 3, Schedule 1 (5), lines 27 and 28. Omit all words on those lines.
- No. 3 Page 3, Schedule 1 (6), lines 29-33. Omit all words on those lines.
- No. 4 Page 4, Schedule 1 (7), lines 2-9. Omit all words on those lines.
- No. 5 Page 1, title. Omit "the defence of truth,".

Examined
B.R. HAZZARD
Temporary Chairman of Committees

11 NOTICES OF MOTIONS

12 REPORTS RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the following reports—

1 December 1994

Report of the Central West District Health Service for the year ended 30 June 1994.

Report of the Hawkesbury-Nepean Catchment Management Trust for the period 1 September 1993 to 30 June 1994.

Report of the New England Health Service for the year ended 30 June 1994.

13 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation:

Mr Hunter and Mr Mills—from certain citizens requesting that the railway line between Civic Station and Newcastle Station not be closed.

Ms Allan—from certain citizens requesting an evaluated strategy for the supply of water to both the Clarence Valley and Coffs Harbour.

Ms Allan—from certain citizens requesting a permanent moratorium on the logging of all native old growth, wilderness and high conservation value forests.

Mr Gaudry and Mr Mills—from certain citizens requesting the reform of marijuana prohibition laws.

Mr Amery—from certain citizens requesting more beat police at Mount Druitt.

Ms Harrison—from certain citizens requesting the elimination of classroom overcrowding.

Mr Sullivan—from certain citizens requesting the continuation of the current levels of services at Bulli, Port Kembla and Coledale Hospitals.

14 PLACING OF BUSINESS—GENERAL BUSINESS NOTICE OF MOTION (GENERAL NOTICE) NO. 9—WITHDRAWAL

Mr Whelan withdrew Notice of Motion (General Notice) No. 9 of General Business.

15 PLACING OF BUSINESS—GENERAL BUSINESS NOTICE OF MOTION (GENERAL NOTICE) NO. 11—WITHDRAWAL

Mr Whelan withdrew Notice of Motion (General Notice) No. 11 of General Business.

16 PLACING OF BUSINESS—GENERAL BUSINESS NOTICE OF MOTION (GENERAL NOTICE) NO. 15—WITHDRAWAL

Mr Whelan withdrew Notice of Motion (General Notice) No. 15 of General Business.

17 PLACING OF BUSINESS—GENERAL BUSINESS NOTICE OF MOTION (GENERAL NOTICE) NO. 17—WITHDRAWAL

Mr Whelan withdrew Notice of Motion No. 17 of General Business.

18 PUBLIC HEALTH (SALE OF TOBACCO TO JUVENILES) AMENDMENT BILL

(Formal Order of the Day)—Bill, on motion of Dr Refshauge, read a third time.

19 LAKE MACQUARIE STATE RECREATION AREA BILL

(Formal Order of the Day)—Bill, on motion of Mr Hunter, read a third time.

20 NOTICE OF MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—BADGERYS CREEK WASTE FACILITY BILL

Mrs Lo Po' gave notice of a motion to suspend Standing and Sessional Orders for the consideration forthwith of General Business Order of the Day (for Bills) No. 21 (Badgerys Creek Waste Facility Bill).

21 QUESTIONS

22 MOTION FOR URGENT CONSIDERATION—SUSPENSION OF STANDING ORDERS—BADGERYS CREEK WASTE FACILITY BILL

Mrs Lo Po' moved, pursuant to notice, That Standing and Sessional Orders be suspended to allow consideration forthwith of General Business Order of the Day (for Bills) No. 21 (Badgerys Creek Waste Facility Bill).

Debate ensued.

Question put and passed.

23 BADGERYS CREEK WASTE FACILITY BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mrs Lo Po', That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and Mr Glachan, Temporary Chairman, reported the bill without amendment.

On motion of Mrs Lo Po', the Report was adopted.

Mr Speaker having consented to the third reading being taken forthwith.

Bill, on motion of Mrs Lo Po', read a third time.

24 STANDING ORDERS AND PROCEDURE COMMITTEE—REPORT

Mr Speaker laid upon the Table the Report of the Standing Orders and Procedure Committee on the Repeal of Existing Standing Orders and Adoption of New Standing Orders, dated 2 December 1994.

Ordered to be printed.

25 ADOPTION OF NEW STANDING RULES AND ORDERS

Mr West moved (by leave):

(1) That the Standing Orders approved by the Governor on 11 June 1894 and reprinted with additional and amended Standing Orders since that date be repealed; and

(2) That the Standing Orders adopted by the Standing Orders and Procedure Committee on 2 December 1994, be approved by the House.

(3) That the new Standing Orders be forwarded to His Excellency the Governor by the Speaker for approval.

Debate ensued.

Question put and passed.

26 PRINTING OF PAPERS

Mr West moved (by leave), That the following papers be printed:

Report of the Cabinet Office for the year ended 30 June 1994.

Report of the Government Pricing Tribunal for the year ended 30 June 1994.

Report of the Parliamentary Counsel's Office for the year ended 30 June 1994.

Question put and passed.

27 INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL

The Order of the Day was read, Mr Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in the Independent Commission Against Corruption (Amendment) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to Council amendment No. 1 and had amended Council amendment No. 2.

Report adopted.

Mr West moved, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council's message dated 23 November 1994 requesting the concurrence of the Legislative Assembly with certain amendments to the Independent Commission Against Corruption (Amendment) Bill as set forth in the Schedule to that Message, acquaints the Legislative Council as follows—

Amendment No. 1. The Legislative Assembly agrees to Amendment No. 1 made by the Council in the bill.

Amendment No. 2. The Legislative Assembly agrees to proposed Amendment No. 2 with the amendments in which following proposed further amendments the Legislative Assembly desires the concurrence of the Legislative Council:

- (a) by omitting from proposed section 72C (3) the words "being presented" and by inserting instead the words "presenting a draft code of conduct";
- (b) by omitting the heading "Division 2 - Legislative Assembly" and by inserting instead the following:

Division 2 - Legislative Assembly

Constitution of Standing Ethics Committee

72D. There is constituted by this Division a committee, to be known as the Standing Ethics Committee.

Functions

72E. (1) The functions of the Standing Ethics Committee are:

- (a) to prepare for consideration by the Legislative Assembly draft codes of conduct for members of the Legislative Assembly and draft amendments to codes of conduct already adopted; and
 - (b) to carry out educative work relating to ethical standards applying to members of the Legislative Assembly; and
 - (c) to give advice in relation to such ethical standards in response to requests for advice by the Legislative Assembly, but not in relation to actual or alleged conduct of any particular person.
- (2) The Standing Ethics Committee may seek comments from the public in relation to any of its functions under this section.
- (3) Before presenting a draft code of conduct for consideration by the Legislative Assembly, the Standing Ethics Committee must:
- (a) give public notice of the place at which, the dates on which, and the times during which, a draft code of conduct may be inspected by the public; and
 - (b) publicly exhibit a copy of the draft code of conduct at the place, on the dates and during the times set out in the notice; and
 - (c) specify, in the notice, the period during which submissions may be made to the Committee.
- (4) Any person may, during the period referred to in subsection (3) (c), make submissions in writing to the Standing Ethics Committee with respect to the provisions of the draft code

of conduct. The Committee must take any such submissions into consideration.

(5) Within 12 months after the commencement of this Division, the Standing Ethics Committee is to present for consideration by the Legislative Assembly a draft code of conduct for members of the Legislative Assembly.

(6) The Standing Ethics Committee is to review the code of conduct at least once in each period of two years.

Membership

72F. (1) The Standing Ethics Committee is to consist of 9 members, comprising:

- (a) 6 parliamentary members, being the persons who are for the time being the members of the Committee on the Independent Commission Against Corruption and who are also members of the Legislative Assembly; and
- (b) 3 community members, being persons who are appointed by at least 4 of the parliamentary members from applicants following public advertisement.

(2) A person cannot be appointed as a community member if the person is a member of either House of Parliament or a member of a party registered under Part 4A of the Parliamentary Electorates and Elections Act 1912.

(3) Community members may, but need not, be appointed for a specific term, but in any case may be discharged from office at any time by at least 4 of the parliamentary members.

Vacancies

72G. (1) A member of the Standing Ethics Committee ceases to hold office:

- (a) when the Legislative Assembly is dissolved or expires by the effluxion of time; or
- (b) if the member becomes a Minister of the Crown or a Parliamentary Secretary; or
- (c) if, being a parliamentary member, the member ceases to be a member of Joint Committee; or
- (d) if, being a community member, the member becomes a member of the Legislative Council or Legislative Assembly; or
- (e) if, being a community member, the member becomes a member of a party registered under Part 4A of the Parliamentary Electorates and Elections Act 1912; or
- (f) if, being a community member appointed for specific term, the term expires; or
- (g) if, being a community member, the member is discharged from office by at least 4 of the parliamentary members.

(2) At least 4 of the parliamentary members may appoint a person who is or has been an applicant following public advertisement (being a person who is eligible for appointment in terms of section 72F) to fill a vacancy among the community members.

Chairman and Vice-Chairman

72H. (1) There are to be a Chairman and a Vice-Chairman of the Standing Ethics Committee, who are to be elected from the parliamentary members by at least 4 of the parliamentary members.

(2) A member of the Standing Ethics Committee ceases to hold office as Chairman or Vice-Chairman of the Committee if:

- (a) the member ceases to be a member of the Committee; or
- (b) the member resigns the office by instrument in writing presented to a meeting of the Committee; or

- (c) the member is discharged from office by at least 4 of the parliamentary members.

(3) At any time when the Chairman is absent from New South Wales or is, for any reason, unable to perform the duties of Chairman or there is a vacancy in that office, the Vice-Chairman may exercise the functions of the Chairman under this Division.

Procedure generally

72I. (1) The procedure for the calling of meetings of the Standing Ethics Committee and for the conduct of business at those meetings is, subject to this Division, to be as determined by the Committee.

(2) The Clerk of the Legislative Assembly is to call the first meeting of the Standing Ethics Committee in each Parliament in such manner as the Clerk thinks fit.

(3) At a meeting of the Standing Ethics Committee:

- (a) except in the cases mentioned in paragraph (b) - 5 members constitute a quorum, of whom 4 must be parliamentary members and one must be a community member; or
- (b) in cases where this Division confers functions on at least 4 of the parliamentary members of the Standing Ethics Committee without the involvement of community members - 4 parliamentary members constitute a quorum.

(4) The Chairman or, in the absence of the Chairman, the Vice-Chairman or, in the absence of both the Chairman and the Vice-Chairman, a parliamentary member of the Standing Ethics Committee elected to chair the meeting by the parliamentary members present is to preside at a meeting of the Committee.

(5) The Vice-Chairman or other parliamentary member presiding at a meeting of the Standing Ethics Committee has, in relation to the meeting, all the functions of the Chairman.

(6) The Chairman, Vice-Chairman or other parliamentary member presiding at a meeting of the Standing Ethics Committee has a deliberative vote and, in the event of an equality of votes, also has a casting vote.

(7) A question arising at a meeting of the Standing Ethics Committee is to be determined by a majority of the votes of the members present and voting.

(8) The Standing Ethics Committee may sit and transact business despite any prorogation of the Houses of Parliament or any adjournment of either House of Parliament.

(9) The Standing Ethics Committee may sit and transact business on a sitting day of a House of Parliament during the time of sitting.

Status of committee

72J. (1) The Standing Ethics Committee may request the attendance of persons before it and may request the production of papers and records to it.

(2) The Defamation Act 1974 and the Parliamentary Papers (Supplementary Provisions) Act 1975 apply to the Standing Ethics Committee as if it were a joint committee of both Houses of Parliament.

(3) The Parliamentary Evidence Act 1901 does not apply to the Standing Ethics Committee.

Validity of certain acts or proceedings

72K. Any act or proceeding of the Standing Ethics Committee is, even though at the time when the act or proceeding was done, taken or commenced there was:

- (a) a vacancy in the office of a member of the Committee; or
- (b) any defect in the appointment, or any disqualification, of a member of the Committee,

as valid as if the vacancy, defect or disqualification did not exist and the Committee were fully and properly constituted.

And the Assembly requests the concurrence of the Legislative Council in its amendments upon the Council amendment No. 2 in the Bill.

Legislative Assembly
2 December 1994

K.R. ROZZOLI
Speaker

28 COMMUNITY PROTECTION BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Hartcher, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Hartcher, read a third time.

29 PAPERS

Mr Hartcher tabled (by leave)—

Government Gazette No. 160, dated 30 November 1994, Special Supplement Forestry Act, 1916 - Revocations of dedications.

National Parks and Wildlife Act 1974—Proclamations reserving certain lands as part of—

Glenrock State Recreation Area. (Gazette No. 156, 25 November 1994, page 6974.)

Mimosa Rocks National Park. (Gazette No. 156, 25 November 1994, page 6973.)

30 STATE DEBT CONTROL (BALANCED BUDGETS) BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Collins, "That" this bill be now read a second time.

Upon which Dr Macdonald had moved, That the question be amended by leaving out all the words after the word "That" with a view to inserting instead the words "the bill be referred to the Public Accounts Committee for consideration, full public consultation and report to the House on 1 February 1995.

Question again proposed—That the amendment be agreed to.

Dr Macdonald (by leave) withdrew his amendment.

Debate continued.

Mr Bowman moved, That the motion be amended to delete all the words after "That" with a view to inserting instead: "the bill be referred to a Select Committee of the Legislative Assembly with the following terms of reference—

- (1) (a) to investigate:
 - (i) the likely effectiveness of the proposals contained in the State Debt Control (Balanced Budgets) Bill, 1994 to achieve fiscal responsibility and accountability;
 - (ii) the potential for the defined purposes of the Bill to be avoided or evaded by State Governments;
 - (iii) the likely delays, costs and benefits of involving the Courts in resolving financial, economic and political decisions normally made by the executive government or parliament;
 - (iv) whether the proposed issuing of certificates by the Secretary of Treasury, as contained in the Bill, undermines, or has potential to undermine, the principle of Ministerial accountability under the Westminster system of government as it operates in New South Wales;
 - (v) whether the proposed Bill, acknowledged to be based on US precedents, is fundamentally inconsistent with a parliamentary system in which the executive government is directly responsible to the parliament; and
 - (vi) any other matters considered by the Committee to be relevant to determining whether the bill is in the public interest.
- (b) to make recommendations as to whether the proposed bill should be proceeded with.
- (2) That, notwithstanding anything contained in the Standing Orders, the committee consist of nine members, namely:
 - (a) five members supporting the Government nominated by the Premier; and
 - (b) four other members nominated by the Leader of the Opposition.
- (3) That the nominations for membership be made by 2 December, 1994.
- (4) That at any meeting of the committee five members shall constitute a quorum.
- (5) The chairperson be a member of the Government.
- (6) That the committee have leave to sit during the sittings or any adjournment of the House; to adjourn from place to place; to have power to take evidence and send for

persons and papers and in particular to seek advice from such persons as Professors of Accounting or Public Finance at universities within New South Wales, leading financial and economic journalists, leading economists, business and trade union representatives; and to report by 20 January 1995.

- (7) That should the House stand adjourned and the committee agree to any report before the House resumes sitting:
- (a) the committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the Legislative Assembly;
 - (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
 - (c) the documents shall be laid upon the Table of the House at its next sitting.

Ordered, That Mr Bowman be allowed to continue his speech for a further period of 5 minutes.

Question proposed—That the amendment be agreed to.

And Mr Neilly speaking—

It being 5.50 p.m. debate interrupted for private members' statements.

31 SUSPENSION OF STANDING ORDERS—PRIVATE MEMBERS' STATEMENTS

Mr West moved (by leave), That Standing and Sessional Orders be suspended to prevent Private Members' Statements being taken at this sitting.

Question put and passed.

32 STATE DEBT CONTROL (BALANCED BUDGETS) BILL

The Order of the Day was read for the resumption of the interrupted debate, on the motion of Mr Collins, "That" this bill be now read a second time.

Upon which Mr Bowman had moved, That the motion be amended to delete all the words after "That" with a view to inserting instead: "the bill be referred to a Select Committee of the Legislative Assembly with the following terms of reference—

- (1) (a) to investigate:
 - (i) the likely effectiveness of the proposals contained in the State Debt Control (Balanced Budgets) Bill, 1994 to achieve fiscal responsibility and accountability;
 - (ii) the potential for the defined purposes of the Bill to be avoided or evaded by State Governments;
 - (iii) the likely delays, costs and benefits of involving the Courts in resolving financial, economic and political decisions normally made by the executive government or parliament;
 - (iv) whether the proposed issuing of certificates by the Secretary of Treasury, as contained in the Bill, undermines, or has potential to undermine, the principle of Ministerial accountability under the Westminster system of government as it operates in New South Wales;
 - (v) whether the proposed Bill, acknowledged to be based on US precedents, is fundamentally inconsistent with a parliamentary system in which the executive government is directly responsible to the parliament; and
 - (vi) any other matters considered by the Committee to be relevant to determining whether the bill is in the public interest.
- (b) to make recommendations as to whether the proposed bill should be proceeded with.
- (2) That, notwithstanding anything contained in the Standing Orders, the committee consist of nine members, namely:
 - (a) five members supporting the Government nominated by the Premier; and
 - (b) four other members nominated by the Leader of the Opposition.
- (3) That the nominations for membership be made by December 2, 1994.
- (4) That at any meeting of the committee five members shall constitute a quorum.
- (5) The chairperson be a member of the Government.
- (6) That the committee have leave to sit during the sittings or any adjournment of the House; to adjourn from place to place; to have power to take evidence and send for persons and papers and in particular to seek advice from such persons as Professors of Accounting or Public Finance at universities within New South Wales, leading financial and economic journalists, leading economists, business and trade union representatives; and to report by the 20 January 1995.

- (7) That should the House stand adjourned and the committee agree to any report before the House resumes sitting:
- (a) the committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the Legislative Assembly;
 - (b) the documents shall be printed and published and the Clerk shall forthwith take such action as is necessary to give effect to the order of the House; and
 - (c) the documents shall be laid upon the Table of the House at its next sitting.

Question again proposed and debate resumed.

Ordered, That Mr Neilly be allowed to continue his speech for a further period of 5 minutes.

Question put.

The House divided.

Ayes 35

Ms Allan	Mrs Lo Po'	Dr Refshaug
Mr Amery	Mr McBride	Mr Rogan
Mr Anderson	Dr Macdonald	Mr Rumble
Mr Aquilina	Mr Martin	Mr Shedden
Mr A. S. Aquilina	Ms Meagher	Mr Thompson
Mr Bowman	Mr Mills	Mr Whelan
Mr Crittenden	Mr Moss	Mr Yeadon
Mr Gibson	Mr J. H. Murray	
Mr Hatton	Mr Nagle	
Mr Iemma	Mr Neilly	Tellers
Mr Knight	Ms Nori	
Mr Knowles	Mr Page	Mr Beckroge
Mr Langton	Mr Price	Mr Davoren

Noes 34

Mr Armstrong	Mr Longley	Mr Souris
Mr Blackmore	Mr Merton	Mr Tink
Mr Chappell	Ms Moore	Mr Turner
Mrs Chikarovski	Mr Morris	Mr West
Mrs Cohen	Mr Murray	Mr Windsor
Mr Collins	Mr O'Doherty	Mr Zammit
Mr Cruickshank	Mr Peacocke	
Mr Debnam	Mr Petch	
Mr Downy	Mr Phillips	
Mr Hartcher	Mr Photios	Tellers
Mr Humpherson	Mr Schipp	
Dr Kernohan	Mrs Skinner	Mr Cochran
Mr Kinross	Mr Small	Mr Kerr

VOTES AND PROCEEDINGS OF THE NEW SOUTH WALES LEGISLATIVE ASSEMBLY
2 December 1994

Pairs

Mr Carr	Mr Baird
Mr Clough	Mr Beck
Mr Doyle	Mr Causley
Mr Face	Mr Fahey
Mr Gaudry	Mr Fraser
Mrs Grusovin	Mr Glachan
Mr Harrison	Mr Hazzard
Ms Harrison	Mr Jeffery
Mr Hunter	Ms Machin
Mr Irwin	Mr D. L. Page
Mr McManus	Mr Richardson
Mr Markham	Mr Rixon
Mr Scully	Mr Schultz
Mr Sullivan	Mr Smith

Question passed.

Question—That the motion, as amended, be agreed to—put and passed

33 MESSAGE FROM LEGISLATIVE COUNCIL—RELEASE OF IN-CAMERA EVIDENCE

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that, having had under consideration the Assembly's Message of 1 December 1994 regarding the Release of In-Camera Evidence, it has this day agreed to the following resolution:

- (1) That this House authorises the release to the Royal Commission into the New South Wales Police Service of all evidence taken *in camera* by the Joint Select Committee Upon Police Administration.
- (2) That the evidence be released on condition, agreed to in writing to the Presiding Officers, that it be treated as highly confidential and is not to be published and it only be received for intelligence and investigative purposes, including derivative use.
- (3) That the Clerk have leave to produce any documents or records of the House as may be requested by the Royal Commission.
- (4) That leave be given to Members of the House to attend, if they think fit, as witnesses before the Royal Commission.

Legislative Council
2 December 1994

M.F. WILLIS
President

34 PROTECTED DISCLOSURES BILL

Mr West moved, That the following message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council's message dated 23 November 1994 requesting the concurrence of the Legislative Assembly with certain amendments to the Protected Disclosures Bill as set forth in the Schedule to that Message, acquaints the Legislative Council as follows—

Amendment Nos 1 to 6. The Legislative Assembly disagrees with the proposed amendments because:

It is the view of the Legislative Assembly that provision should be made for disclosure to Members of Parliament and journalists. The Legislative Council amendments would have removed those provisions from the Bill.

It is the view of the Legislative Assembly that, subject to the conditions set out in the Bill, a mechanism should be provided for "last resort" disclosures to be made to Members of Parliament and journalists.

And the Assembly requests the concurrence of the Legislative Council in its disagreement upon the Council amendments in the Bill.

Legislative Assembly
2 December 1994

K.R. ROZZOLI
Speaker

35 MESSAGE FROM LEGISLATIVE COUNCIL—ABORIGINAL RECONCILIATION

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that having had under consideration the Assembly's Message of 2 December 1994 concerning Aboriginal Reconciliation, it has this day agreed to the following resolution:

That this House:

- (1) Notes that in 1991 the Parliament of the Commonwealth of Australia unanimously enacted the Council for Aboriginal Reconciliation Act 1991 to promote a process of reconciliation between the indigenous and wider Australian communities.
- (2) Supports the concept of constructive reconciliation between indigenous and wider Australian communities.
- (3) In acknowledgment of this support, adopts, as a vision shared by this House, the vision of the Council for Aboriginal Reconciliation, namely,

"A united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage, and provides justice and equity for all"

Legislative Council
2 December 1994

M.F. WILLIS
President

36 PROTECTED DISCLOSURES BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that having had under consideration the Assembly's Message of 2 December 1994 it has this day resolved to not insist on its amendments Nos 1 to 6 disagreed to by the Assembly in the Protected Disclosures Bill.

Legislative Council
2 December 1994

M.F. WILLIS
President

37 SUSPENSION OF SESSIONAL ORDERS—EXTENSION OF SITTING

Mr West moved (by leave), That Sessional Orders be suspended to allow the House to sit beyond 7.00 p.m. at this sitting.

Question put and passed.

38 MESSAGE FROM THE LEGISLATIVE COUNCIL—ROYAL COMMISSION INTO THE NEW SOUTH WALES POLICE SERVICE

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that, having had under consideration the Assembly's Message of 1 December 1994 regarding the Royal Commission into the New South Wales Police Service and paedophiles, it has this day agreed to the following resolution:

(1) That the Resolution adopted by this House on 10 March 1994, relating to the reference to the Independent Commission Against Corruption concerning the New South Wales Police Service and paedophiles, be rescinded.

(2) That the Legislative Council agrees to paragraph 2 (a), (b) and (c) in the Legislative Assembly's Message of 1 December 1994 with the following amendment:

After "paedophiles" wherever occurring, insert "and pederasts"

in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
2 December 1994

MARLENE GOLDSMITH
Deputy President

Ordered by Mr Speaker, That the Legislative Council Message be taken into consideration forthwith.

Mr West moved, That the amendment in the Legislative Council Message be agreed to.

Question put and passed.

Mr West moved, That the following Message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly has this day agreed to the amendment made by the Legislative Council in the Legislative Assembly's Message of 1 December 1994, regarding the Royal Commission into the New South Wales Police Service and paedophiles.

Legislative Assembly
2 December 1994

K.R. ROZZOLI
Speaker

39 CHILDREN (PARENTAL RESPONSIBILITY) BILL
SUMMARY OFFENCES AND OTHER LEGISLATION (GRAFFITI) AMENDMENT
BILL

Mr Speaker reported the following messages from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day agreed to the "Children (Parental Responsibility) Bill" returns the Bill to the Legislative Assembly without amendment.

Legislative Council
2 December 1994

M.F. WILLIS
President

Mr SPEAKER

The Legislative Council has this day agreed to the "Summary Offences and Other Legislation (Graffiti) Amendment Bill" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
2 December 1994

M.F. WILLIS
President

SUMMARY OFFENCES AND OTHER LEGISLATION (GRAFFITI)
AMENDMENT BILL

Schedule of the amendment referred to in the Legislative Council's Message of 2 December 1994.

JOHN EVANS
Clerk of the Parliaments

Page 3, Schedule 1. After line 12, insert:

- (2) Instead of imposing a fine on the person or sentencing the person to imprisonment, the court:
- (a) may make an order under section 4 of the Community Service Orders Act 1979 requiring the person to perform community service work, being an order containing a recommendation of the kind referred to in section 4 (1A) of that Act; or
 - (b) may make an order under section 5 of the Children (Community Service Orders) Act 1987 requiring the person to perform community service work, being an order containing a recommendation of the kind referred to in section 5 (1A) of that Act, as the case requires.
- (3) A court that convicts a person of an offence under this section must not sentence the person to imprisonment unless the person has previously been convicted of an offence under this section or section 10B on so many occasions that the court is satisfied that the person is a serious and persistent offender and is likely to commit such an offence again.

Examined
DUNCAN GAY
Chairman of Committees

Ordered by Mr Speaker, That the amendments made by the Legislative Council in the Summary Offences and Other Legislation (Graffiti) Amendment Bill be taken into consideration forthwith.

Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the amendment made by the Legislative Council in the Summary Offences and Other Legislation (Graffiti) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendment.

Report adopted.

40 WATER BOARD (CORPORATISATION) BILL

The Order of the Day was read for the resumption of the adjourned debate, on the motion of Mr Souris, That this bill be now read a second time.

Question again proposed and debate resumed.

Question put and passed.

PAPER: Mr Souris tabled (by leave) the draft Operating Licence for Sydney Water Corporation Limited.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Souris, the Report was adopted.

Ordered by Mr Speaker That the third reading stand an Order of the Day for a later hour of the day.

41 RESIDENTIAL TENANCIES (CARAVAN PARKS AND MANUFACTURED HOME ESTATES) AMENDMENT BILL

The Order of the Day was read.

Mr Chappell moved, on behalf of Mr Souris, That this bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Chappell, the Report was adopted.

Mr Speaker having consented to the third reading being taken forthwith.

Bill, on motion of Mr Chappell, read a third time.

Mr Chappell moved, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly has this day agreed to the Bill intituled "An Act to amend the Residential Tenancies Act 1987 with respect to agreements for the installation and use of caravans and manufactured homes in caravan parks and manufactured home estates; and for other purposes" with the amendments indicated by the accompanying Schedule, in which amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly
2 December 1994

K.R. ROZZOLI
Speaker

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MANUFACTURED HOME
ESTATES) AMENDMENT BILL

Schedule of the amendments referred to in the Legislative
Assembly's Message of 2 December 1994

RUSSELL D. GROVE
Clerk of the Legislative Assembly

-
- No. 1 Page 7, Schedule 1, line 18. After "reserve", insert "entered into after the commencement of this Schedule".
- No. 2 Page 11, Schedule 1, line 16. After "reserve", insert "the subject of a residential site agreement entered into after the commencement of this Schedule".
- No. 3 Page 11, Schedule 1, line 30. After "reserve", insert "the subject of a residential site agreement entered into after the commencement of this Schedule".
- No. 4 Page 12, Schedule 1, lines 5-21. Omit all words on those lines, insert instead:
- (6) Compensation is not payable in respect of a residential site agreement for a residential site situated within a Crown reserve (being an agreement entered into after the commencement of this Schedule) if:
 - (a) the tenant is informed (when the agreement is entered into) that there is no right of compensation in the event that the agreement is terminated under this clause; and
 - (b) the purpose for which the agreement is terminated is for the residential site to be used for a public purpose other than that of a residential site.
- No. 5 Page 13, Schedule 1, line 15. After "the landlord would", insert "and the tenant would not".

- No. 6 Page 13, Schedule 1, line 37. After "some other residential park", insert "within a reasonable distance".
- No. 7 Page 15, Schedule 1, line 21. Omit "100 kilometres", insert instead "300 kilometres".

Examined
JOHN TURNER
Chairman of Committees

42 WATER BOARD (CORPORATISATION) BILL

The Order of the Day was read.

Mr West moved, on behalf of Mr Souris, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

43 SUSPENSION OF STANDING ORDERS—GENERAL BUSINESS ORDER OF THE DAY
(FOR BILLS) NO. 23—LEAVE NOT GRANTED

Mr West moved, That Standing and Sessional Orders be suspended to allow the consideration forthwith of the Queanbeyan Showground (Variation of Purposes) Bill as Government Business.

Leave not granted.

44 SUSPENSION OF STANDING ORDERS—GENERAL BUSINESS ORDER OF THE DAY
(FOR BILLS) NO. 23—LEAVE NOT GRANTED

Mr Cochran moved, That Standing and Sessional Orders be suspended to allow the consideration forthwith of General Business Order of the Day (for Bills) No. 23 (Queanbeyan Showground (Variation of Purposes) Bill).

Leave not granted.

45 RETURN TO ORDER FOR PAPERS—THIRD RUNWAY

Mr West tabled, pursuant to Standing Order 54, papers from the former Sydney Olympics Organising Committee requested in the resolution of this House dated 30 November 1994, concerning the third runway.

46 RETURN TO ORDER FOR PAPERS—LEAD

Mr West tabled, pursuant to Standing Order 54, papers requested in the resolution of this House dated 1 December 1994, concerning lead.

47 SPECIAL ADJOURNMENT

Mr West moved, That this House at its rising this day do adjourn until Tuesday 7 February 1994, at 2.15 p.m.

Debate ensued.

The House continued to sit after midnight—

SATURDAY 3 DECEMBER 1994 a.m.

Question put and passed.

48 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.33 a.m., until Tuesday 7 February 1994, at 2.15 p.m.

RUSSELL D. GROVE
Clerk of the Legislative Assembly

K. R. ROZZOLI
Speaker



PROCLAMATION

NEW SOUTH WALES

TO WIT

By His Excellency Rear Admiral PETER
ROSS SINCLAIR, Companion of the Order
of Australia, Governor of the State of New
South Wales in the Commonwealth of
Australia.

(L.S.) P.R. SINCLAIR, Governor.

WHEREAS the Legislative Council and the Legislative Assembly now stand adjourned to 7 February 1995: NOW I, in pursuance of the power and authority vested in me by the Constitution Act 1902, do today prorogue the said Legislative Council to Tuesday, 18 April 1995 and prorogue the said Legislative Assembly to Friday, 3 March 1995.

GIVEN under my Hand and Seal, at Sydney, this 7th day of December, 1994.

By His Excellency's Command,
JOHN J. FAHEY, M.P.,
Premier.

GOD SAVE THE QUEEN!