



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 1

WEDNESDAY 21 FEBRUARY 1990

1 OPENING OF THE SESSION

The House met at 12.00 noon, pursuant to a Proclamation of His Excellency the Governor, dated 14 February 1990.

Mr Speaker took the Chair.

Mr Speaker offered the Prayer.

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

PROCLAMATION

NEW SOUTH WALES
TO WIT
(L.S.)
D. J. MARTIN,
Governor.

By His Excellency Rear Admiral Sir DAVID
JAMES MARTIN, Knight Commander of the
Most Distinguished Order of Saint Michael
and Saint George, 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 now stand adjourned to Wednesday, the 21st day of February, 1990: Now I, in pursuance of the power and authority vested in me by the Constitution Act, 1902, hereby prorogue the said Legislative Council and Legislative Assembly to Wednesday, the 21st day of February, 1990; and I proclaim that the said Legislative Council and Legislative Assembly shall assemble for the despatch of business on that day, at 12.00 noon, 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 fourteenth day of February, 1990.

By His Excellency's Command,
NICK GREINER.

GOD SAVE THE QUEEN!

2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR

The Usher of the Black Rod, being admitted, delivered the following message:

Mr Speaker—

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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The House went, and being returned—

3 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

8 December 1989

Mine Subsidence Compensation (Amendment) Bill
Murray Valley Citrus Marketing Bill
Traffic (Road Safety) Amendment Bill
Valuation of Land (Subdivision) Amendment Bill.

12 December 1989

Landlord and Tenant (Rental Bonds) Amendment Bill
Local Government (Rating) Further Amendment Bill
Parliamentary Contributory Superannuation (Amendment) Bill
Parliamentary Remuneration Bill
Tow Truck Bill.

14 December 1989

Community Welfare (Amendment) Bill
Courts Legislation (Procedure) Amendment Bill
Criminal Procedure (Fines) Amendment Bill
Fair Trading (Amendment) Bill
Federation of New South Wales Police-Citizens Youth Clubs
(Reconstitution) Bill
Fisheries and Oyster Farms (Advisory Council) Amendment Bill
Police Regulation (Imposition of Charges) Bill
Public Authorities (Financial Arrangements) Further Amendment Bill
Universities Legislation (Investment) Amendment Bill
Treasury Corporation (Amendment) Bill
Real Property (Boundary Determinations) Amendment Bill
State Emergency and Rescue Management Bill
State Emergency Service Bill
States and Northern Territory Grants (Rural Adjustment) Agreement
Ratification Bill
Stewards' Foundation of Christian Brethren Bill
Stock Diseases (Offences) Amendment Bill
Stock Medicines Bill
Pesticides and Allied Chemicals (Amendment) Bill
Stock Foods and Medicines (Amendment) Bill

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Strata Titles (Leasehold) (Registration of Plans) Amendment Bill
Strata Titles (Registration of Plans) Amendment Bill
Trustee Companies (Further Amendment) Bill
Warehousemen's Liens (Amendment) Bill.

19 December 1989

Family Provision (Foreign Land) Amendment Bill
Fire Brigades Bill
Community Service Orders (Amendment) Bill
Employee's Liability (Indemnification of Employer) Amendment Bill
Evidence (Religious Confessions) Amendment Bill
Jurisdiction of Courts (Foreign Land) Bill
Law Reform (Vicarious Liability) Amendment Bill
Periodic Detention of Prisoners (Amendment) Bill.

21 December 1989

Catchment Management Bill
Coal Mines Regulation (Amendment) Bill
Community Land Development Bill
Community Land Management Bill
Strata Titles (Community Land) Management Bill
Miscellaneous Acts (Community Land) Amendment Bill
Coroners (Miscellaneous Amendments) Bill
Crimes (Amendment) Bill
Inclosed Lands Protection (Amendment) Bill
Crimes (Life Sentences) Amendment Bill
Prisons (Serious Offenders Review Board) Amendment Bill
Sentencing (Life Sentences) Amendment Bill
Dairy Industry (Amendment) Bill
Entertainment Industry Bill
Factories, Shops and Industries (Amendment) Bill
Fine Enforcement Legislation (Amendment) Bill
Food Bill
Friendly Societies Bill
Health Administration (Quality Assurance Committees) Amendment Bill
Local Government (Work on Private Land) Amendment Bill
Motor Vehicles Taxation (Amendment) Bill
Ozone Protection Bill
Parliamentary Committees Enabling Bill
Pay-roll Tax (Amendment) Bill
Land Tax Management (Amendment) Bill
Permanent Building Societies (Amendment) Bill
Pharmacy (Amendment) Bill

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Pipelines (Amendment) Bill
 Protected Estates (Amendment) Bill
 Public Health (Proclaimed Diseases) Amendment Bill
 Public Finance and Audit (Amendment) Bill
 Public Trustee (Further Amendment) Bill
 Registration of Interests in Goods (Amendment) Bill
 Rural Lands Protection Bill
 Soil Conservation (Amendment) Bill
 Stamp Duties (Further Amendment) Bill
 State Bank (Corporatisation) Bill
 Statute Law (Miscellaneous Provisions) Bill (No. 3)
 Superannuation Administration (Amendment) Bill
 Public Sector Executives Superannuation (Amendment) Bill
 Miscellaneous Acts (Public Sector Executives Superannuation) Further
 Amendment Bill
 Trade Measurement Bill
 Trade Measurement Administration Bill
 Telecommunications (Interception) (New South Wales) Amendment Bill
 Victims Compensation (Amendment) Bill
 Wheat Marketing Bill
 Workers Compensation (Amendment) Bill.

4 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

8 December 1989 a.m.

Crimes (Life Sentences) Amendment Bill
 Prisons (Serious Offenders Review Board) Amendment Bill
 Sentencing (Life Sentences) Amendment Bill.

8 December 1989

Crimes (Amendment) Bill
 Inclosed Lands Protection (Amendment) Bill
 Factories, Shops and Industries (Amendment) Bill
 Superannuation Administration (Amendment) Bill
 Public Sector Executives Superannuation (Amendment) Bill
 Miscellaneous Acts (Public Sector Executives Superannuation) Further
 Amendment Bill.

5 VACANT SEAT ELECTORAL DISTRICT OF GRANVILLE

Mr Speaker informed the House that on 17 February 1990 he had received a letter from Laurie Donald Thomas Ferguson, resigning his seat as member for the electoral district of Granville, to seek election to the House of Representatives of the Parliament of the Commonwealth of Australia and requesting, in accordance with section 79(8) of the Parliamentary Electorates and Elections Act 1912, that the issue of the writ be delayed until after the result of the Commonwealth election has been officially declared.

Ordered, on the motion of Mr Dowd, That the seat of Laurie Donald Thomas Ferguson, member for the electoral district of Granville, has become, and is now vacant, by reason of the resignation therefrom by the said Laurie Donald Thomas Ferguson.

6 VACANT SEAT ELECTORAL DISTRICT OF HEFFRON

Mr Speaker informed the House that on 17 February 1990 he had received a letter from the Honourable Laurence John Brereton, resigning his seat as member for the electoral district of Heffron, to seek election to the House of Representatives of the Parliament of the Commonwealth of Australia and requesting, in accordance with section 79(8) of the Parliamentary Electorates and Elections Act 1912, that the issue of the writ be delayed until after the result of the Commonwealth election has been officially declared.

Ordered, on the motion of Mr Dowd, That the seat of the Honourable Laurence John Brereton, member for the electoral district of Heffron, has become, and is now vacant, by reason of the resignation therefrom by the said the Honourable Laurence John Brereton.

7 VACANT SEAT ELECTORAL DISTRICT OF SMITHFIELD

Mr Speaker informed the House that on 17 February 1990 he had received a letter from the Honourable Janice Ann Crosio, resigning her seat as member for the electoral district of Smithfield, to seek election to the House of Representatives of the Parliament of the Commonwealth of Australia and requesting, in accordance with section 79(8) of the Parliamentary Electorates and Elections Act 1912, that the issue of the writ be delayed until after the result of the Commonwealth election has been officially declared.

Ordered, on the motion of Mr Dowd, That the seat of the Honourable Janice Ann Crosio, member for the electoral district of Smithfield, has become, and is now vacant, by reason of the resignation therefrom by the said the Honourable Janice Ann Crosio.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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8 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.10 p.m., until tomorrow 10.30 a.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
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PROCEEDINGS

No. 2

THURSDAY 22 FEBRUARY 1990

1 DEATH OF THE RIGHT HONOURABLE SIR EDWARD ALOYSIUS
McTIERNAN, K.B.E., P.C., A FORMER MINISTER OF THE CROWN

Mr Greiner moved—

(1) That this House desires to place on record its sense of the loss the State has sustained by the death of the Right Honourable Sir Edward Aloysius McTiernan, K.B.E., P.C., a former Minister of the Crown.

(2) That Mr Speaker convey to Lady McTiernan and family the deep sympathy of members of the Legislative Assembly in the loss sustained.

And the motion having been seconded by Mr Carr and supported by Mr Dowd and Mr Whelan.

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

2 SESSIONAL ORDERS

Mr Dowd moved, by leave, That the Sessional Orders adopted by this House on 17 August 1988, be adopted, as follows:

INTRODUCTION OF PUBLIC BILLS

That during the present session, unless otherwise ordered—

(1) A public bill (unless sent from the Legislative Council) shall be initiated by notice of motion for leave to bring in the bill. The question that leave be given shall be decided without debate or amendment. On the presentation of a bill it shall be read a first time without any question being put.

(2) After the first reading the bill shall be printed. The second reading of the bill may be moved forthwith or made an order of the day for a later time or future day. Immediately following the mover's second reading speech, the debate thereon shall be adjourned until a future day which shall be at least five clear days ahead, provided that the resumption of the debate on a bill originating in the Legislative Council shall be set down as an order of the day for tomorrow.

Provided that if a minister declares a bill to be an urgent bill and copies have been made available to members, the question "That the bill be considered an urgent bill" shall be put forthwith, no debate or amendment being allowed. On such question being agreed to, the second reading debate may be proceeded with forthwith or at any time during any sitting of the House.

(3) A minister may, during or after his second reading speech, table for incorporation in Hansard additional detailed or explanatory information to assist members in their understanding of the bill.

(4) Except as provided in this resolution, the procedure on bills shall be in accordance with the Standing Orders.

DIVISIONS AND QUORUMS

That during the present session, unless otherwise ordered—

(1) Standing Orders Nos 41, 44, 207 and 322 be amended by leaving out the words "two minutes" wherever occurring and inserting the words "four minutes", instead.

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(2) When the House or the Committee has carried the question, "That the question be now put", the Speaker or the Chairman of Committees, as the case may be, may order the doors to be locked immediately after the division bell has been rung in respect of a division on any question that is consequential on the closure motion.

(3) When successive divisions are taken and—

(a) there is no intervening debate after the first division, or

(b) any intervening debate after the first division is of a limited nature and the Speaker or the Chairman of Committees, as the case may be, considers that sufficient time has elapsed after the division bell has been rung—

the Speaker or the Chairman may order the doors to be locked and the vote taken.

(4) Notwithstanding anything contained in the Standing Orders and, except as provided by Standing Order 42, when a quorum has once been formed during a sitting, and attention is again drawn by any member to the fact that a quorum is not present, it shall be in the discretion of the Speaker or the Chairman of Committees, as the case may be, to proceed with the business or to count the House or Committee.

PRIVATE MEMBERS' STATEMENTS

That during the present session, unless otherwise ordered—

(1) At 5.30 p.m. on each sitting day except Thursday, and at 4.15 p.m. on Thursdays on which Government Business takes precedence of General Business at that sitting, the business then before the House shall be interrupted and the Speaker shall propose the question "That private members' statements be noted", upon which question any member may address the House.

(2) Debate upon the question "That private members' statements be noted" shall not exceed forty minutes, with five private members being permitted to speak to such motion for no more than five minutes each and replies by ministers being limited to three minutes for each matter:

(3) If at the time of interruption—

(a) a division is in progress, the division shall be completed and the result announced;

(b) the question under Standing Order 175 "That the question be now put" having been agreed to, the business then under discussion may not be interrupted until after any right of reply has been exercised and the original question put;

(c) the question under Standing Order 175B "That the question be now put" having been agreed to, the provisions of such Standing Order shall apply;

(d) the House is in Committee, the Chairman of Committees shall leave the Chair and report progress, without question put, and proceedings shall resume at the point of interruption after the conclusion of private members' statements.

(4) The provisions of Standing Orders 44, 142, 175 and 181 shall not apply to such question.

DAYS AND HOURS OF SITTING

That during the present session, unless otherwise ordered, Standing Order 40A be amended to read—

40A. Unless otherwise ordered, the House shall meet for the despatch of business at 2.15 o'clock, p.m. on Tuesday and Wednesday and at 10.30 o'clock, a.m. on Thursday in each week.

ADJOURNMENT OF THE HOUSE

That during the present Session, unless otherwise ordered, Standing Order 48 be amended to read

48. Except in the cases provided in Standing Orders 23, 40A, 42, 44 and 49, when the Speaker adjourns the House without putting a question, or as ordered by the House, the House can only be adjourned by its own resolution on the motion of a minister. Such question shall be decided without amendment or debate.

NOTICE OF MOTIONS TO BE GIVEN IN WRITING

That during the present session, unless otherwise ordered, Standing Order 100 be amended to read—

100. A member, on giving notice of a motion, shall read it aloud, and deliver to one of the Clerks at the Table a copy of such notice, fairly written, signed by himself, and showing the day proposed for bringing on such motion.

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Provided that it shall be sufficient for a minister giving a notice of motion for the introduction of a public bill to read aloud the short title of that bill.

TIME LIMIT OF SPEECHES

That during the present session, unless otherwise ordered, Standing Order 142A be amended to read—

142A. Except where a time limit is otherwise provided in these Standing Orders, the maximum period for which a member may speak on any subject shall not exceed the period specified opposite to that subject in the following schedule:—

Address in Reply

Premier and Party Leaders—unspecified
Mover—30 minutes
Any other member—30 minutes
Reply—30 minutes

Adjournment—Special

Mover—30 minutes
Member 1st speaking
thereafter—30 minutes
Any other member—10 minutes
Reply—10 minutes

Censure or want of confidence

Mover—unspecified
Member 1st speaking
thereafter—unspecified
Any other member—20 minutes*
Reply—20 minutes*

Substantive Motion

Mover—30 minutes*
Member 1st speaking
thereafter—30 minutes*
Any other member—20 minutes*
Reply—20 minutes*

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

Mover—30 minutes
Member 1st speaking
thereafter—30 minutes
Any other member—15 minutes
Reply—15 minutes

Bills

Second Reading:

(i) Introduced by a Minister

Mover—unspecified
Leader of the Opposition or
one member deputed by him,
1st speaking thereafter—unspecified
Any other member—20 minutes*
Reply—unspecified

(ii) Introduced by a Private Member

Mover—45 minutes
Premier or one minister
deputed by him—unspecified
Leader of the Opposition or one
member deputed by him—unspecified
Any other member—20 minutes*
Reply—20 minutes*

Suspension of Standing Orders

During Question Time:

Mover—10 minutes
Member next speaking—10 minutes

Outside Question Time:

Mover—10 minutes
Member 1st speaking
thereafter—10 minutes
Any other member—5 minutes
Reply—5 minutes

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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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—Unspecified number of periods
member deputed by him 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

* On question put and determined without amendment or debate, a member may be allowed, on request by him, to continue his speech for a further period not exceeding ten minutes.

PERSONAL EXPLANATION: DEBATES OF SAME SESSION NOT TO
BE ALLUDED TO

That during the present session, unless otherwise ordered, Standing Orders 137 and 143 be amended to read—

137. Having obtained leave from the Speaker, a member may explain matters of a personal nature although there be no question before the House; but such matters may not be debated.

143. No member shall allude to any debate of the same Session, upon a question or bill not being then under discussion, except as provided for in Standing Order 137.

ALTERNATIVE FORM OF AMENDMENT

That during the present session, unless otherwise ordered—

The Speaker or Chairman of Committees may put a question "That the amendment be agreed to" in place of the question or questions stated in Standing Orders 192, 193 and 194.

DIVISIONS—RECORDING OF PAIRS

That during the present session, unless otherwise ordered, Standing Order 208 be amended by the addition of paragraph (e) to read—

208. (e) Members pairing on any division shall be recorded by the Tellers, and the names of all members so paired shall be recorded upon the Tellers' lists and printed in the Votes and Proceedings and Hansard.

COGNATE BILLS

That during the present session, unless otherwise ordered, Standing Order 248A be amended to read—

248A. (1) Whenever a member shall have intimated verbally to the House and handed in writing to the Clerk that bills specified by the member are cognate bills:

(a) such bills may be introduced upon one motion for leave and presented and read a first time together;

(b) one motion may be moved and one question put in regard to, respectively, the second reading, the Committee's report stage and the third reading of such bills together;

(c) such bills may be considered in one Committee of the Whole.

(2) Should cognate bills be amended in the Legislative Council the consideration of such amendments may be in one Committee of the Whole.

NEW CLAUSES AND SCHEDULES

That during the present session, unless otherwise ordered, Standing Order 268 be amended to read—

268. New clauses and schedules shall be considered in the numerical order in which they are proposed to be inserted in the bill.

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PREPARATION OF BILLS FOR ASSENT

That during the present session, unless otherwise ordered, Standing Order 306 (1) and (2) be amended to read—

306. (1) Every bill originating in this House—

(a) which shall finally pass both Houses, or

(b) which, in accordance with the provisions of section 5A or section 5B of the Constitution Act 1902, is presented for the signification of The Sovereign's pleasure thereon, shall be fair printed and be presented by the Speaker to the Governor.

Before being so presented a bill shall be certified in accordance with this Standing Order.

(2) Where a bill has finally passed both Houses, the Chairman of Committees, the Acting-Chairman of Committees or a Temporary Chairman of Committees shall certify in writing that he has examined such fair print and found it to correspond in all respects with the bill as finally passed by both Houses, and at the top of the first page of such fair print the Clerk of the Assembly shall certify that it has finally passed both Houses.

SUSPENSION OF STANDING ORDERS

That during the present session, unless otherwise ordered, Standing Order 395 be amended to read—

395. Any Standing Order, Sessional Order or Order of the House may be suspended, on motion with or without notice.

When such motion is moved during Question Time, it shall be decided without debate, except a statement by the mover and a statement by a minister. When such motion is moved by a minister during Question Time, the Leader of the Opposition shall be permitted to make a statement. At any other time such motion may only be moved by a minister.

The Speaker shall be entitled to put the question when debate on any such motion shall have exceeded thirty minutes.

Question put and passed.

3 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Miss Fraser and Mr J. H. Murray—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie Regions.

Mr Small—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr D. L. Page—from certain citizens requesting support for the closure of all brothels in New South Wales.

Ms Allan—from certain citizens requesting the establishment of a public inquiry into an integrated transport system for Sydney.

Mr Primrose—from certain citizens opposing the closure of Menagle Park Railway Station.

Mr Murray—from certain citizens requesting that action be taken to prevent siltation at Black Ned's Bay, Swansea.

Mr Murray—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Webster—from certain citizens requesting that the railway line between Cowra and Blayney remain open.

Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Ms Nori and Mr Page—from certain citizens opposing recent policy changes by the Department of Housing.

Mr Armstrong—from certain citizens requesting the retention of the Lachlan Division Headquarters of the State Emergency Services at Forbes.

Mr Cleary—from certain citizens opposing the proposed closure and/or relocation of Prince Henry Hospital.

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Mr Beckroge—from certain citizens requesting adequate railway crossings in the Broken Hill Region.

Mr Hatton—from certain citizens requesting the installation of a pedestrian crossing at the intersection of Greenwell Point Road and McKay Street, East Nowra.

Miss Fraser—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Ms Nori—from certain citizens opposing the proposed development of a gaol at the site of the former Government Printing Office.

Mr Murray—from certain citizens requesting harsher penalties for serious criminal offences.

Mr Souris—from certain citizens requesting the continuation of exemptions from TAFE charges.

Mr Cruickshank, Mr D. L. Page and Miss Machin—from certain citizens opposing the proposed TAFE restructuring.

Mr Fahey—from certain citizens opposing the proposed development of highway service centres near Marulan.

Mr Rumble—from certain citizens requesting harsher penalties for child sex offenders.

Ms Nori—from certain citizens requesting the re-opening of the Glebe Homoeopathic Hospital.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Report under section 32 of the Police Regulation (Allegations of Misconduct) Act 1978, concerning the failure to obtain evidence adequate for the successful prosecution of a Police Officer charged with assault and occasioning actual bodily harm, dated 24 January 1990.

Business Franchise Licences (Petroleum Products) Act 1987—Business Franchise Licences (Petroleum Products) Regulation 1987—amendment of clause 2, substituted part 2. (Gazette 109/1989.)

Business Franchise Licences (Tobacco) Act 1987—Business Franchise Licences (Tobacco) Regulation 1987—amendment of clause 2, substituted part 2. (Gazette 109/1989.)

Referred to the Printing Committee.

(2) Mr Baird laid upon the Table—

State Roads Act 1986—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act, 1912, for road purposes at—

Alectown. (Gazette 116/1989.)

Bathurst. (Gazette 119/1989.)

Belford. (Gazette 121/1989.)

Cooranbong. (Gazette 121/1989.)

Dundas. (Gazette 119/1989.)

Faulconbridge. (Gazette 18/1990.)

Gunning. (Gazette 18/1990.)

Kellys Creek. (Gazette 14/1990.)

Killawarra. (Gazette 119/1989.)

Kooragang Island. (Gazette 124/1989.)

Lane Cove West. (Gazette 124/1989.)

Maitland. (Gazette 119/1989.)

Mortons Creek. (Gazette 18/1990.)

Naremburn. (Gazette 124/1989.)

Oak Flats. (Gazette 18/1990.)

Port Macquarie. (Gazette 119/1989.)

Swansea. (Gazette 119/1989.)

Traffic Act 1909—Motor Traffic Regulations 1935—regulation 10A, 10B, part 11A, amendment of regulations 13, 124, 129, schedules A, K, L, omission of regulations 132A, 132B, 132C, schedule I. (Gazettes 121, 126/1989(2).)

Transport Administration Act 1988—

(a) Transport Administration (Dangerous Goods—SRA) Regulation 1989—clauses 1 to 5. (Gazette 14/1990.)

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(b) Transport Administration (Penalty Notices) Regulation 1989—amendment of clause 4. (Gazette 14/1990.)

(c) notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for railway purposes at—

Central. (Gazette 11/1990.)

Circular Quay. (Gazette 11/1990.)

Douglas Park. (Gazette 11/1990.)

Gerogery. (Gazette 117/1989.)

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Report of Peel-Cunningham County Council for the year ended 30 June 1989.

Electricity Commission Act 1950—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for the purposes of transmission lines between Mount Piper and Marulan. (Gazette 119/1989 (12).)

Gas Act 1986—Gas and Electricity (Gas) Regulations 1936—regulation 47A. (Gazette 117/1989.)

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—

(a) Alamy Creek Reserve By-law 1989—clauses 1 to 17. (Gazette 14/1990.)

(b) Field of Mars Independent (Congregational) Cemetery By-law 1989—clauses 1 to 37, schedule 1. (Gazette 14/1990.)

Forestry Act 1916—Forestry Regulation 1983—substituted schedule 1. (Gazette 124/1989.)

Hay Irrigation Act 1902—

- (a) Hay Irrigation By-laws 1926—amendment of regulations 1 to 7, 7A, 8, 8A to 8E, 9 to 17. (Gazette 109/1989.)
- (b) Hay Irrigation Regulations 1926—amendment of regulation 28, schedule A, substituted regulation 1. (Gazettes 109/1989.)

Irrigation Act 1912—repeal of the regulations. (Gazette 109/1989.)

Wentworth Irrigation Act 1890—amendment of regulation 36, schedule A. (Gazettes 72/1989, 109/1989.)

Referred to the Printing Committee.

(5) Mr Hay laid upon the Table—

Local Government Act 1919—amendment of ordinance 54. (Gazette 21/1990.)

Referred to the Printing Committee.

(6) Mr Yabsley laid upon the Table—

Prisons Act 1952—Prisons (General) Regulation 1989—amendment of clauses 8, 12, 15, 17, 18. (Gazette 7/1990.)

Referred to the Printing Committee.

6 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Report of the Regulation Review Committee as to the operations of the Regulation Review Committee dated January 1990.

Referred to the Printing Committee.

7 REPORTS RECEIVED BY THE CLERK

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

18 January 1990

Report of the Darling Harbour Authority for the year ended 30 June 1989.

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23 January 1990

Report of the Land Titles Office for the year ended 30 June 1989.

24 January 1990

Report of the Government Insurance Office for the year ended 30 June 1989.

Report of the New South Wales State Conservatorium of Music for the year ended 30 June 1989.

30 January 1990

Report of the Processing Tomato Marketing Committee for the year ended 31 May 1989.

Report of the M.I.A. Citrus Fruit Marketing Committee for the year ended 30 June 1989.

19 February 1990

Report of the Barley Marketing Board for the year ended 30 June 1989.

Report of the Egg Corporation for the period 1 July 1988 to 12 August 1989.

Report of the Murray Valley (N.S.W.) Citrus Marketing Board for the year ended 30 June 1989.

Report of the Newcastle International Sports Centre Trust for the year ended 30 June 1989.

Report of the Poultry Farmer Licensing Committee for the year ended 30 June 1989.

Report of the Rice Marketing Board for the year ended 30 June 1989.

Report of the Rural Assistance Board for the year ended 30 June 1989.

8 PUBLIC ACCOUNTS COMMITTEE

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

Report of the Public Accounts Committee on the Darling Harbour Authority, dated December 1989.

Minutes of Evidence of the Public Accounts Committee on Payments to Visiting Medical Officers, dated June 1989.

9 INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker, pursuant to section 74 of the Independent Commission Against Corruption Act 1988, announced receipt of the following papers—

Report of the Independent Commission Against Corruption on Investigation relating to the raid on Frank Hakim's Office, dated December 1989.

Report of the Independent Commission Against Corruption on Investigation into the Silverwater Filling Operation, dated February 1990.

Ordered to be printed.

10 QUESTIONS

11 SUSPENSION OF STANDING ORDERS

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Premier for his maladministration of the New South Wales bid for the Motorcycle Grand Prix.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 February 1990

Ayes 40

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A.S.Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Hatton
Mr Hunter
Mr Irwin

Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Mills
Mr H. F. Moore
Ms Moore
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose

Ms Read
Dr Refshaug
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Noes 60

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr Welsh
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Ycomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Pair

Mrs Cohen

Mr Moss

And so it passed in the negative.

12 QUESTIONS (continuation of entry No. 10).

13 APPOINTMENT OF TEMPORARY CHAIRMEN OF COMMITTEES

Mr Speaker, pursuant to Standing Order 28A, nominated—

John David Booth
Frederick Douglas Claude Caterson
Mervyn Leslie Hunter
John Henry Murray
Roger Corfield Anson Wotton

to act as Temporary Chairmen of Committees during the present session.

14 LAW OF EVIDENCE BILL

Mr Greiner presented a bill, intituled "A bill to amend the law of evidence" and moved, pro forma, That this bill be now read a first time.

Question put and passed.

Bill read a first time.

15 THE GOVERNOR'S OPENING SPEECH

Mr Speaker reported that the House had yesterday attended the Governor in the Legislative Council Chamber, when His Excellency had been pleased to deliver an Opening Speech to both Houses of Parliament. Mr Speaker laid upon the Table a copy of the Speech 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 the Government's legislative and financial proposals for the Third Session of the 49th Parliament of New South Wales.

Following the strong growth of recent years, the outlook for the New South Wales economy is now more subdued. This reflects the expected slowing of the rate of growth of activity in the national economy.

The impact of the slowing of growth will not be evenly spread across all industries. The outlook for some key industries, such as coal, is favourable.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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The more subdued economic outlook will pose a significant challenge to the Government's budgetary strategy of achieving an overall budget surplus as the economic slowdown produces lower revenue. Every effort will be made to control the budget position by responsible expenditure control policies.

The continuing sizeable deficit in Australia's current account reminds us that the need for long term policies for economic adjustment remains as pressing as ever. Both Federal and State Governments have a role to play here.

For its part, the New South Wales Government is actively pursuing a program of microeconomic reform. Over time, this program will greatly improve the efficiency of the economy, benefitting both industry and consumers, although the restructuring in areas such as Government Trading Enterprises has required sacrifices in the short term.

An integral part of the Government's microeconomic reform program is the review and corporatisation of Government Trading Enterprises, the objective being to improve their economic efficiency and provide a more focused commercial orientation.

A program of review is underway and proposals to corporatise further enterprises will be submitted for Parliament's consideration.

My Government is committed to a program of renewal of the State's infrastructure to provide high quality services in locations convenient to the population. A major part of the program is the redevelopment of hospitals and relocation of facilities to the West and South-West where the bulk of the population lives. Similar strategies are being pursued in education and the courts.

The Government is committed to presenting to New South Wales taxpayers improved information on the State's finances.

In the financial management area, the introduction of a consolidated statement provides, for the first time in Australia, a comprehensive picture of a State's finances in terms of source and application of cash funds, income and expenditure, and the balance sheet of assets and liabilities.

With the introduction of accrual accounting for the inner-budget sector over the next five years, New South Wales will have a fully accountable public sector.

To fulfill a long-standing commitment, the Government will be introducing electoral reform during this session.

My Government is committed to the restoration of public confidence in the administration of justice in the State and improving the security of the citizens of New South Wales.

In particular, the Government is focusing its efforts on combatting drug trafficking and drug related crime, is increasing the visual presence of police in the community, and developing innovative policing programs and strategies aimed at resolving local crime problems. There has been an increase in the number of arrests for possession and supply of illegal drugs.

As a further initiative in the Government's war against the illegal drug trade, legislation will be introduced to establish a civil scheme to recover assets from people involved in serious drug crime. Confiscated assets will be available to assist the victims of crime and to boost the law enforcement effort.

The Government's commitment to the Neighbourhood Watch Program has been renewed, resulting in closer relations between police and citizens.

The Government is committed to an efficient and modern Police Service. To this end, a new Police Service Act will be introduced to replace the current Act, which dates back to 1899.

This will provide a modern legislative framework for the police and will include provisions for the establishment of a Senior Police Executive Service.

The community is entitled to expect that the perpetrators of serious crimes receive sentences befitting those crimes. The Government's Truth in Sentencing reforms are now in place and will ensure that prisoners serve the term of the sentence imposed on them by the courts.

At the same time, my Government recognises the need for other options, such as community service and periodic detention, to be available to the Courts when sentencing minor offenders and will be seeking to expand the availability of these sentencing alternatives.

The Government has under consideration proposals which will place an obligation on the parents of juveniles involved in criminal offences to accept some measure of responsibility for the actions of their children.

The Government's concern at the long-standing problem of prison overcrowding has led to the largest capital works program for prisons in New South Wales in recent years. Gaols are to be established at South Windsor, Lithgow and Junee, using innovative construction methods to reduce costs.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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With the introduction of the Truth in Sentencing legislation, prisoners are becoming far more accountable for their actions. Clear incentives now exist for those progressing within the system and tougher sanctions for those who refuse to co-operate.

The Government also recognises the need to reassure the people of New South Wales, that court sentences are carried out. The Government's anti-escape policy has significantly reduced the number of escapes.

My Government recognises that the delays in the Court system are unacceptable and is determined to effect improvements by a variety of means, including a series of reforms to both the Criminal and Civil Justice Systems aimed at amending procedures in both of these areas.

Proposals under consideration include the reform of the committal system, the expanded use of alternative dispute resolution procedures, the abolition of jury trials in civil cases and the continued implementation of case flow management principles in the Courts.

New and updated court buildings are an important initiative of this Government.

Major works in progress include the amalgamation of the Sydney District criminal courts in the one building in the city and development of a new Campbelltown Court House.

Metropolitan Local Courts are to be upgraded and consolidated. Major complexes exist at Sutherland and Parramatta, and these will be complemented by a new court complex at Burwood.

In country areas, existing court facilities at Wyong and Byron Bay are being upgraded.

Improving the New South Wales health system continues to be a top priority for my Government. The 1989/90 record health budget of \$4.1 billion represents a 9.3% increase over the previous year.

This will result in a more equitable and more efficient health system, with a range of new and expanded services.

A ten year resources plan has been developed to redress the inadequate provision of health services in areas of high population growth such as Western Sydney and the North Coast.

A record Capital Works Program will see a major reconstruction of health facilities across the State, especially in the areas of expanding population, to provide better, more appropriately located facilities, rather than expanding bed capacity.

Staffing the public hospital system will receive particular attention. To ensure adequate medical staff, a number of cadetship and training programs have been established. Also, an agreement has been reached with the appropriate professional bodies to grant temporary registration for overseas medical graduates to work in rural New South Wales.

The Government has commenced a program to attract and retain nurses in the public system by improving their training opportunities and awarding nurses professional pay rates.

The Government has succeeded in reducing waiting lists for elective surgery, and the hospital system is operating at greatly enhanced efficiency.

The program to upgrade neo-natal services is continuing. The Government is implementing the target set by the Shearman Report on Maternity Services by funding a total of sixty level three ventilator cots by 1991. This will mean a further six cots will be funded over the next two years.

An ambitious program has been developed which will see the expenditure of up to \$150 million over five years to rebuild the State's mental health system.

A new Mental Health Bill and an updated Public Health Act are also proposed.

My Government is committed to excellence and equity in education and seeks to create an education and training culture in New South Wales with the vision, skills and values needed to meet the challenges of the twenty first century.

Comprehensive reviews of the State education systems have been completed and the process of devolution and self-management for schools commenced.

Major improvements to the management of school education and TAFE have been made and more are planned.

Important improvements to our schools will be introduced with the Education Reform Bill. These will ensure a more balanced, rigorous and quality curriculum, the testing of students' basic skills and fairer registration procedures for schools. These initiatives will complement the reforms already introduced into our schools.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 February 1990

As part of the Government's commitment to improve the quality of school education, it is examining current arrangements for the pre-service training and continuing professional development of teachers in co-operation with departments, unions, higher education institutions and the Commonwealth government.

The Government recognises there is a clear need to improve teacher morale and salaries. It is committed to introducing industrial changes to reward excellence in teaching and to increase the pay and status of teachers generally.

The community must also have confidence in the physical security of schools. An additional eighty schools have been connected to the electronic security system. The construction of a new school security base station will commence in Blacktown this year to allow the extension of electronic surveillance to all high risk schools by 1992.

The New South Wales Department of Technical and Further Education is to be established as a statutory authority—TAFECOM. This year TAFE has received a 12% funding increase to bring its budget to nearly \$700 million together with a 30% increase to \$125.5 million in capital works funding.

Modern technology is being introduced and overdue maintenance work accelerated. New colleges are planned at Loftus, Maclean, Young and Moruya.

The Government will continue to give priority to vocational courses such as Computing, Business Studies, Tourism and Hospitality.

The Education and Training Foundation, established last year, has already funded seventy three innovative training ventures in partnership with industry, higher education and TAFE, resulting in over \$30 million in additional investment in skilling and reskilling programs.

My Government is honouring its commitments to accelerate the rehabilitation and upgrading of the State's road network and to allocate all State fuel taxes to road programs. A record \$1.524 billion has been allocated to roads this year, an increase of 19% over last year's allocation. In addition, the private sector is investing in major tollway construction and the proposed city-west tunnel.

A comprehensive State-wide road network strategy will be developed by the Roads and Traffic Authority.

In the public transport area, the Government's management reform initiatives are producing early results.

The State Transit Authority has improved its financial operations and is on target to break even within three years.

A high speed catamaran ferry will be launched in March as the first replacement for the Manly hydrofoil service. It will offer much greater reliability and comfort to passengers on this premium tourist run.

Work on improving the State Rail Authority's operations and efficiency continues. To bring metropolitan CityRail services up to world standards of quality and efficiency, the Government will spend \$2 billion on capital works. Replacement of out-of-date signalling equipment, rebuilding of timber bridges and upgrading of stations and carriages are major priorities.

State Rail's freight operations are being revitalised and the consequential improved performance is expected to produce an operating surplus by 1993, thereby increasing rail's capacity to compete with the road freight industry and reducing the cost to the taxpayer. Country passenger services are being rationalised and upgraded to offer faster, more competitive and modern XPT services to customers whilst reining in the cost to the taxpayer.

In all, over \$500 million has been earmarked for investment in State Rail's Freight and Country Passenger Division.

There is a need to re-examine the planning of all forms of transport in the Sydney Region. One of the Government's top priorities is to undertake a study which will result in the development of a co-ordinated transport plan for the Region.

My Government will continue its commitment to the protection of the natural environment of this State.

A Statewide Open Space Strategy has recently been introduced to ensure that local and regional environmental plans clearly identify land with open space significance and introduce appropriate measures to protect this land.

In particular, a Metropolitan Open Space Strategy for the Greater Sydney Area will be put in place for the first time.

The Strategy will identify open space priorities for metropolitan Sydney to guide specific local and regional planning initiatives.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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An Open Space and Heritage Fund is also to be established. This fund will comprise special levies on the returns to the Consolidated Fund from surplus Government property sales and will be used to acquire and protect sites with outstanding open space or heritage significance.

The coastal areas represent one of the most environmentally sensitive and scenically important natural features of the State.

However, these areas are coming under increasing pressure from both rapid population growth and proposals for tourist development.

The Government's policies to maintain the intrinsic values of the coastline will be clearly set out in the Coastal Management Policy shortly to be released. This will break new ground in establishing the criteria to be adopted by State and local government when considering development proposals.

In addition, a coastline hazard management manual is being prepared for the guidance of local councils and other organisations.

The Coastal Crown Lands Policy will maximise public access and use of coastal crown lands and retain them in public ownership for overall community benefit.

The Government has embarked on a major program to clean up the beaches and waterways within the Sydney, Illawarra and Blue Mountains areas under the control of the Sydney Water Board. The Government is committed to achieving secondary treated standard for the effluent from the Sydney Water Board's ocean outfalls.

Staffing and funding of the State Pollution Control Commission continues to increase as part of the process of creating a real Environment Protection Authority for this State.

The Government is strongly committed to a co-operative and bipartisan approach to major national and global environmental problems such as the depletion of the ozone layer and planning for the consequences of the greenhouse effect.

A detailed strategy in relation to the greenhouse effect will be released shortly.

An independent public inquiry has been initiated into Local Government rating and the results will be considered in conjunction with the current review of the Local Government Act.

Proposals are being considered for the establishment of a Local Government Commission to advise Government on policy and management issues in Local Government.

A Code of Conduct for elected local government representatives and employees will be introduced to ensure that acceptable standards of probity are maintained.

Legislation will be introduced during the current session to provide stricter controls on the fencing of swimming pools.

The Government recognises the significant contribution of the rural sector to the State's economy. It has introduced a number of initiatives to assist in maintaining the viability of this sector in the long term.

My Government is determined to reverse the impacts of land degradation which is seen as Australia's most critical environmental issue.

Large parts of New South Wales, especially in the Irrigation Areas and Districts, are affected by waterlogging and salinity.

A proposed Drainage Policy will provide New South Wales with a framework and integrated program to address these major land degradation issues. This policy will be developed in consultation with irrigators and landholders.

As well as degrading the land, soil salinity has the potential to seriously threaten agricultural production. This Government has initiated a Salt Action Strategy as a fully integrated and comprehensive approach to the management of salinity levels within the land and water resources of the State.

My Government also recognises that it is essential for an adequate tree cover to be restored to much of rural New South Wales. There are a number of community groups making valuable contributions towards this end. Significant programs are also conducted through several government agencies and a Tree Forum, established by the government, is ensuring that this work is properly co-ordinated.

In the State's Irrigation Areas and Districts, the Government will introduce simplified licensing procedures in keeping with its commitment to a commercially oriented irrigation water pricing policy.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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Major changes in the method of operation of irrigation projects in the south of the State will occur as deregulation of water entitlements takes effect. The Government is giving consideration to granting operational autonomy of the extensive irrigation infrastructure, as part of the move towards involving irrigators in the management of these projects.

Legislation will be introduced to reduce controls over the transfer of water entitlements in Irrigation Areas and to streamline other procedures to create new opportunities for irrigation development and economic prosperity.

Chaffey Dam on the Peel River is to have its spillway capacity increased to cope with new estimates of extreme flooding. At the same time, the dam will be enlarged to provide water supplies for the future growth of Tamworth.

The Forestry Commission has initiated a broad review of its hardwood plantation policy and will provide the Government with a range of options for pursuing a more positive plantation program with emphasis on timber supply strategy and broader economic considerations.

Under the Premier's Environmental Roundtable, a working group, with representatives from conservation groups and the timber industry, has been established to investigate sharefarming schemes and report on their feasibility in New South Wales.

The Forestry Commission will continue its program for establishing new *Pinus radiata* plantations, planting some 4,500 hectares of new plantation in 1990 and a further 1,500 hectares of replanting following final harvest.

The Electricity Commission has emerged as a leaner, more efficient and commercially oriented organisation. Its improved financial performance has been characterised by reduced and stabilised debt levels, a positive return to the State on investment in the electricity industry and lower real prices for consumers.

During this year, work will recommence on Mount Piper Power Station, ensuring continuing reliability of New South Wales' electricity supply. The first unit is planned to be in service for the winter of 1993.

The Government is assisting industries associated with the mining of coal and metal bearing minerals to meet the predicted increased demand for exports. A number of new coal mines are proposed for the Hunter Valley.

Legislation to simplify and streamline mining administration will also be introduced.

It is proposed to introduce a new Gas Act following the report to government of the Gas Inquiry.

Redevelopment of the Geological and Mining Museum is well advanced, and it will re-open to the public about October 1990.

The Government is enhancing the marketing of New South Wales primary produce overseas, especially into Asia, through initiatives such as the "Agsell" unit.

Additional trade links have been established with Japan, Taiwan, Korea and Singapore and it is anticipated that further opportunities for New South Wales products will be identified this year.

Action by the Government to deregulate the egg industry and rationalise the dairy industry has resulted in a significant reduction in the price of eggs and milk.

Over the past two years, my Government has significantly boosted its land, housing and home lending programs to provide assistance to record numbers of homeseekers and rental applicants.

In a three pronged approach to the housing crisis, my Government has targetted public housing assistance to those who genuinely cannot afford home ownership or private rental.

Homebuyers are benefitting from the Government's Home Fund Scheme which provides home loans and mortgage relief to assist families in acquiring and retaining their homes. Assistance is also given to households renting privately.

Special assistance is being provided to aged pensioners, by deferred repayment loans for maintenance and up-grading of their homes.

Residential land supply programs are being maintained at high levels despite the current downturn in demand.

A marked reduction in the number of families waiting for public housing has been achieved and a further 13,500 tenants will be offered public housing this year.

Provision of new public rental stock by means of direct construction and the two privately funded Rental Property Trusts are strong features of my Government's commitment to assist needy applicants.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 February 1990

The highly successful Housing Advisory Nights program will be continued and expanded to assist city and country homeseekers, including public tenants, to better understand their home purchase options.

It is proposed to introduce legislation to replace the Council of Auctioneers and Agents by establishment of the Real Estate Services Council as a policy advisory body with wider industry and consumer representation.

The Tenancy Commissioner is investigating the status of boarders and lodgers in New South Wales and will report on the need for specific rights and obligations for owners, operators and occupants of managed residentials.

Proposals are also well advanced for a Code of Practice to establish rights and obligations for permanent residents and owners of caravan and relocatable home parks.

My Government continues its commitment to reform aimed at supporting and strengthening families.

A review has been initiated into the nature and appropriateness of a range of services funded under the Community Services Grants Program to ensure that distribution of funding reflects community needs, addresses Government priorities, is equitable and represents efficient use of funds.

The Government is also developing a range of improved services in areas of high community need. These include homelessness, including the plight of the young homeless, early childhood services and community based services for the frail aged, younger persons with a disability, their families and their carers.

Substantial amounts have been allocated to the Supported Accommodation Assistance Program, the Home and Community Care Program and the innovative child care program, which includes a joint venture with industry to provide child care in the workplace.

The Government is responding to the changing age profile of the population of New South Wales and has initiated a major review of the policies and programs affecting older people.

The Ethnic Affairs Commission has been re-structured to focus resources in key areas including education, employment, welfare and community relations.

Amending legislation will be introduced to overcome the deficiencies of the New South Wales Aboriginal Land Rights Act. The amendments will aim to accommodate the wishes of New South Wales Aborigines while attempting to achieve the Government's objectives of aboriginal socio-economic advancement and greater accountability in the use of public funds.

My Government is concerned to facilitate opportunities for business investment in the State, with increased emphasis on balanced development which will relieve the pressure on an overcrowded Sydney while promoting the growth of business and communities in country areas.

There is a clear need for increased regional development, and the Government will establish during this year the Regional Business Development Scheme to assist selected businesses wishing to establish in country areas. This scheme will augment those initiatives identified in the Regional Development and Decentralisation Discussion Paper released last year.

Fifteen industry sectors having the greatest potential for further economic development in the State have been identified by the Government following advice by independent experts and consultation with industry. Work is progressing on developing strategies for action to ensure maximum growth in these industry sectors.

Specifically in country areas, value added industries associated with primary production have great potential in promoting the balanced economic development of New South Wales. The Government will be accelerating this process by fostering investment in these areas.

The major infrastructure needs of the State greatly exceed the Government's capacity to supply them in the immediate future. My Government is therefore encouraging increased private sector participation in the provision of infrastructure.

My Government believes that thriving business and industrial sectors are vital to the economic future of this State and that there are a number of business activities which are better undertaken by private enterprise than the public sector.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 February 1990

The Government will continue to ensure that unnecessary regulation does not constrain business development or impose undue costs upon business and consumers. During 1990, the Government will abolish whole classes of licences and regulations for businesses such as food stores and service stations. A New South Wales Master Business Licence will be introduced to further reduce regulation and simplify the licensing procedures of business and industry.

There will be a review of all legislation affecting business and consumers in this State to ensure that the opportunities for business expansion are maximised and that, in that process, the rights of consumers are fully protected.

The Government favours the development of co-regulation in certain industries rather than direct Government regulation and is working with industry groups to develop, where practicable, codes of practice for operations in their particular industry.

With a view to introducing reforms to the State's credit laws, the Government is consulting with business and consumer groups. The new legislation will represent a balance between the rights and obligations of the parties to credit contracts as well as simplifying and modernising existing legislation.

A new Co-operation Act is to be introduced to provide for the flexible and efficient operation of co-operatives.

The Government is committed to modernising industrial relations in New South Wales by shifting the focus of decision making to the enterprise level.

Legislation will soon be introduced which will enable those employers and their employees who wish to do so, to negotiate the conditions of employment and remuneration outside the award system, subject to safeguards of minimum standards and oversight of the agreements by a new Industrial Relations Commission.

Long overdue improvements to the industrial tribunal structures and operations will also be introduced and the regulation of both unions and employer associations will be modernised, making them accountable to their members.

Together, these changes will promote long-term economic efficiency and growth.

In the area of workers compensation, the Government is satisfied with early reports on the performance of the WorkCover Scheme following amendments in 1989, and will continue to actively monitor the scheme and make adjustments where necessary. In particular, the Government is concerned to contain costs to employers.

WorkCover's performance will also be enhanced through planned improvements in accident prevention strategies and the application of rehabilitation guidelines to small businesses.

There is a need to significantly upgrade the State's sporting facilities to provide better conditions for our athletes and to enable the staging of more international sports events in New South Wales.

The Government has initiated a development program, the cornerstone of which will be international standard aquatic and athletics centres. In addition, an international standard rowing course is being constructed at Penrith Lakes.

Funding has been increased for leading sportsmen and women from New South Wales to give them the opportunity to develop fully their talents and succeed at national and international levels.

Funds will be provided towards the establishment of State-level sporting facilities in major regional centres of the State.

HONOURABLE MEMBERS OF THE PARLIAMENT OF NEW SOUTH WALES,

It has given me great pleasure to present to you, for the first time, my Government's proposals for this session of Parliament.

I now leave you to the important task entrusted to you by the people of New South Wales.

Mr Booth moved, and Mr Cochran seconded the motion, 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:

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 February 1990

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.

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 tomorrow.

16 ADJOURNMENT

Mr Yabsley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.14 p.m., until Tuesday 27 February 1990, at 2.15 p.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 3

TUESDAY 27 FEBRUARY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Face, Mr Hunter, Mr Mills and Mr Price—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

- 2 Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Mr Cruickshank and Mr Peacocke—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Cruickshank—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Peacocke—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Downy—from certain citizens requesting the highest priority for work on the North-South Motorway at Heathcote.

Mr Morris—from certain citizens requesting that librarian staffing levels in primary and secondary schools be restored to the 1988 level.

Mr Cruickshank—from certain citizens opposing the dismissal of the Hillston District Hospital Board.

Mr Hunter—from certain citizens requesting increased staffing of ambulances in the Hunter Region.

Mr Moore—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 14 December 1989.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 18 December 1989.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 18 December 1989.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 31 January 1990.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 February 1990

Public Authorities (Financial Arrangements) Act 1987—Public Authorities (Financial Arrangements) (Lands Administration Ministerial Corporation) Regulation 1990—clauses 1 to 3. (Gazette 124/1989.)

Referred to the Printing Committee.

(2) Mr Armstrong laid upon the Table—

Cattle Compensation Act 1951—Cattle Compensation Regulations—amendment of regulation 7. (Gazette 117/1989.)

Stock (Artificial Breeding) Act 1985—Stock (Artificial Breeding) Regulation 1989—clauses 1 to 24, schedules 1 to 4. (Gazette 114/1989.)

Referred to the Printing Committee.

(3) Mr Schipp laid upon the Table—

Building Services Corporation Act 1989—Building Services Corporation Regulation 1990—clauses 1 to 46, schedules 1 to 4. (Gazette 124/1989.)

Landlord and Tenant (Amendment) Act 1948—Landlord and Tenant (Amendment) Act Regulations—substituted regulation 19. (Gazette 121/1989.)

Referred to the Printing Committee.

(4) Mr Peacocke laid upon the Table—

Report of the Science and Technology Council for the year ended 30 June 1989.

Fair Trading Act 1987—Fair Trading (Product Information Standard-Footwear) Regulation 1989—clauses 1 to 8. (Gazette 7/1990.)

Growth Centres (Development Corporations) Act 1974—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for the purposes of a growth centre at Campbelltown. (Gazette 124/1989.)

Motor Vehicle Repairs Act 1980—Motor Vehicle Repairs Regulation 1982—amendment of clause 4. (Gazette 124/1989.)

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Electricity Act 1945—Electrical Articles Regulation 1985—amendment of schedule 1. (Gazette 21/1990.)

Referred to the Printing Committee.

(6) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—Gazette notices (5) setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazettes 109/1989, 14/1990 (3), 18/1990.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Mr Aquilina moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion,

That this House condemns the Government for specific policies which have:

- (a) dramatically increased the number of composite classes in primary schools; and
- (b) left many high schools short of at least one teacher.

Disorder: By direction of Mr Speaker, the honourable member for Blacktown, Mr Aquilina, was removed from the Chamber by the Serjeant-at-Arms.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 February 1990

Ayes 45

Ms Allan
Mr Amery
Mr Anderson
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin

Mr Keegan
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page

Mr Price
Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Noes 56

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Schipp
Mr Schultz

Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Pair

Mr Roberts

Mr Moss

And so it passed in the negative.

6 QUESTIONS (continuation of entry No. 4).

Disorder: By direction of Mr Speaker, the honourable member for Seven Hills, Mr Christie, was removed from the Chamber by the Serjeant-at-Arms.

7 WITHDRAWAL OF NOTICE OF MOTION

Mr Greiner withdrew Notice of Motion No. 1 of Government Business.

8 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the adjourned debate on the Address in Reply being postponed until after consideration of the Constitution (Legislative Council) Amendment Bill, notice of which was given on Thursday 22 February 1990 and the Constitution (Legislative Assembly) 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.

9 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the adjourned debate on the Address in Reply being postponed until after consideration of Business of the House—Notice of Motion No. 1.

Question put and passed.

10 CONSTITUTION (LEGISLATIVE ASSEMBLY) AMENDMENT BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to reduce the number of politicians in the Legislative Assembly from 109 to 99, and to require any future change in that number of politicians to be approved by the people at a referendum.

Question put and passed.

Bill presented and read a first time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 February 1990

Mr Greiner moved, That this bill be now read a second time.

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

11 CONSTITUTION (LEGISLATIVE COUNCIL) AMENDMENT BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to reduce the number of politicians in the Legislative Council from 45 to 40, and to reduce their maximum term of office from 12 to 8 years.

Question put and passed.

Bill presented and read a first time.

Mr Greiner moved, That this bill be now read a second time.

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

12 SESQUICENTENARY OF PARLIAMENTARY LIBRARY

Mr Dowd moved, pursuant to notice, That this House congratulates the Parliamentary Library on its 150th anniversary, records its appreciation of the service rendered to the Parliament by the officers of the Parliamentary Library since 1840 and welcomes the efforts of the Parliamentary Library to develop services and resources to meet the future needs of the Legislature.

Debate ensued.

Question put and passed.

13 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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.

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 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 THE GOVERNOR'S OPENING SPEECH

Resumption of the interrupted debate on the motion of Mr Booth, That the Address in Reply to the Governor's Opening Speech be now adopted by this House.

Mr Griffiths moved, That this debate be now adjourned.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 February 1990

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

16 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.55 p.m., until tomorrow, at 2.15 p.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 4

WEDNESDAY 28 FEBRUARY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Price—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Unsworth—from certain citizens opposing the proposed closure of Kyeemagh Infants School.

Mr Hatton—from certain citizens opposing the proposed TAFE restructuring.

Mr Page—from certain citizens opposing recent policy changes by the Department of Housing.

Mr Page—from certain citizens opposing the proposed closure of local offices of the Department of Housing.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

2 PAPERS

(1) Mr Dowd laid upon the Table—

Compensation Court Act 1984—Compensation Court Rules—Rule 29AD, amendment of Rule 2. (Gazette 11/1990.)

Crimes Act 1900—Crimes (Apprehended Violence) Regulation 1990—clauses 1 to 4, schedule 1. (Gazette 24/1990.)

District Court Act 1973—District Court Rules 1973—part 6, amendment of parts 1, 29, 31A, 51A, substituted part 51A. (Gazettes 124/1989, 24/1990 (2).)

Dust Diseases Tribunal Act 1989—Dust Diseases Tribunal Rules—rules 1 to 3. (Gazette 24/1990.)

Jury Act 1977—

(a) amendment of schedules 2. (Gazette 121/1989.)

(b) Jury Regulation 1977—amendment of schedule. (Gazette 124/1989.)

Justices Act 1902—

(a) Justices Act (General) Regulations—substituted schedule 2. (Gazette 124/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 February 1990

(b) Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazette 14/1990.)

(c) Justices (Warrants of Commitment) Regulation 1986—clause 4, substituted clauses 1, 3. (Gazette 21/1990.)

Land and Environment Court Act 1979—

(a) Land and Environment Court (Fees) Regulation—substituted schedule 1. (Gazette 124/1989.)

(b) Land and Environment Court Rules—amendment 5. (Gazette 124/1989.)

Legal Profession Act 1987—Legal Profession (Scales of Fees) Transitional Regulation 1989—clauses 1 to 3. (Gazette 7/1990.)

Local Courts (Civil Claims) Act 1970—Local Courts (Civil Claims) Rules 1988—amendment of rule 2. (Gazette 124/1989.)

Registration of Births, Deaths and Marriages Act 1973—Registration of Births, Deaths and Marriages Regulations 1973—substituted schedule. (Gazette 124/1989.)

Sheriff Act 1900—scale of fees to be chargeable in the Sheriff's Office. (Gazette 124/1989.)

Supreme Court Act 1970—

(a) Supreme Court (Fees and Percentages) Regulations—substituted schedule. (Gazette 124/1989.)

(b) Supreme Court Rules—amendments 233, 234, 235. (Gazettes 121/1989 (2), 124/1989.)

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Hunter Water Board Act 1988—Hunter Water Board (Special Areas) Regulation 1989—clauses 1 to 34, schedules 1, 2. (Gazette 114/1989.)

National Parks and Wildlife Act 1974—

(a) Fauna Protection Regulations 1949—regulations 13A, 13B, 13C, omitted regulation 13. (Gazette 124/1989.)

(b) Proclamations reserving certain lands as part of—

Blue Mountains National Park. (Gazette 121/1989.)

Burrundong State Recreation Area. (Gazette 7/1990.)

Deua National Park. (Gazette 119/1989.)

Glenrock State Recreation Area. (Gazette 114/1989.)

Ku-ring-gai Chase National Park. (Gazette 114/1989.)

Lake Glenbawn State Recreation Area. (Gazette 114/1989.)

Montague Island Nature Reserve. (Gazette 14/1990.)

Morton National Park. (Gazette 11/1990.)

Munmorah State Recreation Area. (Gazette 117/1989.)

Nymboida National Park. (Gazette 11/1990.)

Royal National Park. (Gazette 121/1989.)

Wadbilliga National Park. (Gazette 117/1989.)

Wamberal Lagoon Nature Reserve. (Gazette 119/1989.)

Water Board Act 1987—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for sewerage purposes at—

Blaxland. (Gazette 100/1989.)

Hazelbrook. (Gazette 92/1989.)

Leura. (Gazette 100/1989.)

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Albury-Wodonga Development Act 1974—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for development purposes at Goulburn. (Gazette 11/1990.)

Co-operation Act 1923—Co-operatives Regulations 1961—amendment of regulation 34. (Gazette 14/1990.)

Credit Union Act 1969—Credit Union Regulations 1969—amendment of regulation 28. (Gazette 14/1990.)

Fair Trading Act 1987—Education Export (Industry) Code of Practice Regulation 1990—clauses 1 to 3, schedule 1. (Gazette 14/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 February 1990

Friendly Societies Act 1912—Friendly Societies Regulations 1935—amendment of regulation 29. (Gazette 14/1990.)

Permanent Building Societies Act 1967—Permanent Building Societies Regulations 1967—amendment of regulation 41A. (Gazette 14/1990.)

Registration of Interest in Goods Act 1986—Registration of Interests in Goods Regulation 1986—clause 3A, amendment of clause 3, amendment of clauses 5 to 7, substituted clause 10. (Gazette 14/1990.)

Referred to the Printing Committee.

(4) Mr Yabsley laid upon the Table—

Community Service Orders Act 1979—Community Service Orders Regulation 1988—amendment of clause 5. (Gazette 24/1990.)

Referred to the Printing Committee.

3 QUESTIONS

4 SUSPENSION OF STANDING ORDERS

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Deputy Premier for interfering with the proper tendering procedures in respect of the Walsh Bay Redevelopment.

Question put.

The House divided.

Ayes 42

Ms Allan
Mr Antery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter

Mr Irwin
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori

Mr Page
Mr Price
Mr Primrose
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Noes 58

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Ms Read
Mr Rixon
Mr Schipp
Mr Schultz

Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr Welsh
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Pair

Mr Murray

Mr Moss

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 February 1990

5 QUESTIONS (continuation of entry No. 3)

Disorder: By direction of Mr Speaker, the honourable member for Peats, Mr Doyle, was removed from the Chamber by the Serjeant-at-Arms.

6 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the debate on the Address in Reply being postponed to allow the Superannuation Administration (Amendment) Bill being brought in and passed through all stages in one day.

Question put and passed.

7 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the debate on the Address in Reply being postponed until after consideration of Business of the House, Notice of Motion No. 1.

Question put and passed.

8 CENTENARY OF THE DEPARTMENT OF AGRICULTURE AND FISHERIES

Mr Armstrong moved, pursuant to notice, That this House congratulates the New South Wales Department of Agriculture and Fisheries for one hundred years of service to the people of New South Wales.

Debate ensued.

Question put and passed.

9 SUPERANNUATION ADMINISTRATION (AMENDMENT) BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Superannuation Administration Act 1987 in respect of the membership of the State Authorities Superannuation Board.

Question put and passed.

Bill presented and read a first time.

Mr Fahey 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 Fahey, read a third time.

10 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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.

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 THE GOVERNOR'S OPENING SPEECH

Resumption of the interrupted debate on the motion of Mr Booth, That the Address in Reply to the Governor's Opening Speech be now adopted by this House.

Mr A. S. Aquilina 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 Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.04 p.m., until tomorrow, at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 5

THURSDAY 1 MARCH 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Face, Mr Hunter, Mr Mills and Mr Price—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Unsworth—from certain citizens opposing the proposed closure of Kyeemagh Infants School.

Mr Smith—from certain citizens opposing the proposed TAFE restructuring.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

2 PAPERS

(1) Mr Dowd laid upon the Table—

Report of the Community Justice Centres for the year ended 30 June 1989.

Report of the Protective Commissioner for the year ended 30 June 1989.

Report of the Security (Protection) Industry Act for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

Report of the Australian College of Theology for 1988.

Report of the Australian College of Theology for 1989.

Report of the Catholic College of Education, Sydney, for 1988.

Technical and Further Education Act 1974—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for the purpose of a technical college at Tamworth. (Gazette 102/1989.)

University and University Colleges Act 1900—amendments of, and additions to, the by-laws of the University of Sydney. (Gazette 119/1989.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 March 1990

3 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST
CORRUPTION

Mr Kerr brought up a Report on witnesses prepared by the Commissioner of the Independent Commission Against Corruption for the Committee on the Independent Commission Against Corruption.

Ordered to be Printed.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Mr Langton moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion,

That this House condemns the Minister for Transport for the maladministration of his portfolio in respect of:

- (1) The use of consultants by the State Rail Authority, and
- (2) The misuse of SRA funds by senior management.

Mr Speaker having already warned the member for Kogarah not to raise substantive matter directed him to resume his seat.

Disorder: By direction of Mr Speaker, the honourable member for Londonderry, Mr Gibson, was removed from the Chamber by the Serjeant-at-Arms.

Disorder: By direction of Mr Speaker, the honourable member for Kogarah, Mr Langton, was removed from the Chamber by the Serjeant-at-Arms.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 March 1990

The House divided.

Ayes 42

Ms Allan	Mr Irwin	Mr Primrose
Mr Amery	Mr Keegan	Ms Read
Mr Anderson	Mr Knight	Dr Refshauge
Mr Aquilina	Mr Knowles	Mr Rogan
Mr A. S. Aquilina	Mr Lovelee	Mr Rumble
Mr Arkell	Mr McManus	Mr Shedden
Mr Carr	Mr Markham	Mr Unsworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Welsh
Mr Doyle	Ms Moore	Mr Whelan
Mr Face	Mr J. H. Murray	
Miss Fraser	Mr Nagle	Tellers
Mr Harrison	Mr Newman	
Mr Hatton	Mr Page	Mr Beckkroge
Mr Hunter	Mr Price	Mr Christie

Noes 55

Mr Andrews	Mr Hay	Mr Singleton
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Catterson	Mr Merton	Mr Webster
Mr Causley	Dr Metherell	Mr West
Mr Chappell	Mr Moore	Mr White
Mrs Cohen	Mr Morris	Mr Wotton
Mr Collins	Mr Murray	Mr Yabsley
Mr Cruickshank	Mr D. L. Page	Mr Yeomans
Mr Dowd	Mr Park	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Petch	
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Mr Rixon	
Mr Griffiths	Mr Schipp	Mr Beck
Mr Hartcher	Mr Schultz	Mr Phillips

Pairs

Mr Cochran	Mr Martin
Mr Roberts	Mr Moss
Mr Turner	Ms Nori

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 March 1990

7 SUSPENSION OF STANDING ORDERS

Dr Refshauge moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Minister for Health for his failure to take positive action to ensure the proper operation of Prince Henry Hospital.

Question put.

The House divided.

Ayes 35

Ms Allan	Mr Knight	Dr Refshauge
Mr Amery	Mr Knowles	Mr Rogan
Mr Anderson	Mr Lovelee	Mr Rumble
Mr Aquilina	Mr McManus	Mr Shedden
Mr A. S. Aquilina	Mr Markham	Mr Unsworth
Mr Carr	Mr Mills	Mr Walsh
Mr Cleary	Mr H. F. Moore	Mr Whelan
Mr Davoren	Mr J. H. Murray	
Mr Doyle	Mr Nagle	
Mr Face	Mr Newman	Tellers
Mr Harrison	Mr Page	
Mr Hunter	Mr Price	Mr Beckroge
Mr Irwin	Mr Primrose	Mr Christie

Noes 62

Mr Andrews	Mr Hatton	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr Booth	Miss Machin	Mr Souris
Mr Caterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Webster
Mr Chappell	Dr Metherell	Mr Welsh
Mrs Cohen	Mr Moore	Mr West
Mr Collins	Ms Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Wotton
Mr Dowd	Mr Murray	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Miss Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Pairs

Mr Cochran	Mr Martin
Mr Roberts	Mr Moss
Mr Turner	Ms Nori

And so it passed in the negative.

8 SUSPENSION OF STANDING ORDERS—HOWLEY PARK RESERVE
AND GLADESVILLE HOSPITAL OVAL

Mr Hay moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of General Business Notice of Motion No. 2 standing in the name of the honourable member for Drummoyne.

Question put.

The House divided.

Ayes 54

Mr Andrews	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr Booth	Miss Machin	Mr Smith
Mr Caterson	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Webster
Mrs Cohen	Mr Moore	Mr West
Mr Collins	Mr Morris	Mr White
Mr Cruickshank	Mr Murray	Mr Wotton
Mr Dowd	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Park	Mr Yeomans
Mr Fahey	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Schipp	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 March 1990

Noes 42

Ms Allan	Mr Irwin	Mr Primrose
Mr Amery	Mr Keegan	Ms Read
Mr Anderson	Mr Knight	Dr Refshauge
Mr Aquilina	Mr Knowles	Mr Rogan
Mr A. S. Aquilina	Mr Lovelee	Mr Rumble
Mr Arkell	Mr McManus	Mr Shedden
Mr Carr	Mr Markham	Mr Unsworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Welsh
Mr Doyle	Ms Moore	Mr Whelan
Mr Face	Mr J. H. Murray	
Miss Fraser	Mr Nagle	Tellers
Mr Harrison	Mr Newman	
Mr Hatton	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

Pairs

Mr Cochran	Mr Martin
Mr Roberts	Mr Moss
Mr Turner	Ms Nori

And so it was resolved in the affirmative.

Mr J. H. Murray moved, pursuant to notice, That this House condemns the Government over its decisions relating to the proposed sale and disposal of Crown Lands and public reserves at Howley Park Reserve and the Gladesville Hospital sports oval.

Ordered, That the honourable member for Drummoyne, Mr J. H. Murray, be allowed to continue his speech for a further period of ten minutes.

Debate ensued.

Ordered, That the honourable member for Clarence, Mr Causley, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Drummoyne, Mr J. H. Murray, be allowed to continue his reply for a further period of ten minutes.

Question put.

The House divided.

Ayes 37

Ms Allan	Mr Knight	Dr Refshauge
Mr Amery	Mr Knowles	Mr Rogan
Mr Anderson	Mr Lovelee	Mr Rumble
Mr Aquilina	Mr McManus	Mr Shedden
Mr A. S. Aquilina	Mr Markham	Mr Unsworth
Mr Arkell	Mr Mills	Mr Walsh
Mr Carr	Ms Moore	Mr Whelan
Mr Cleary	Mr J. H. Murray	
Mr Davoren	Mr Nagle	
Mr Doyle	Mr Newman	
Mr Face	Mr Page	Tellers
Miss Fraser	Mr Price	
Mr Harrison	Mr Primrose	Mr Beckroge
Mr Irwin	Ms Read	Mr Christie

Noes 49

Mr Andrews	Miss Machin	Mr Smith
Mr Armstrong	Mr Matheson	Mr Souris
Mr Berry	Mr Merton	Mr Tink
Mr Books	Dr Metherell	Mr Webster
Mr Caterson	Mr Moore	Mr Welsh
Mr Causley	Mr Morris	Mr West
Mr Chappell	Mr Murray	Mr White
Mrs Cohen	Mr D. L. Page	Mr Wotton
Mr Collins	Mr Park	Mr Yabsley
Mr Downy	Mr Petch	Mr Yeomans
Mr Fahey	Mr Photios	Mr Zammit
Mr Glachan	Mr Pickard	
Mr Graham	Mr Rixon	
Mr Griffiths	Mr Schipp	
Mr Hartcher	Mr Schultz	Tellers
Mr Hay	Mr Singleton	
Mr Jeffery	Mr Small	Mr Beck
Mr Kerr	Mr Smiles	Mr Phillips

Pairs

Mr Cochran	Mr Hunter
Mr Greiner	Mr Martin
Mr Roberts	Mr Moss
Mr Turner	Ms Nori

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 March 1990

9 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 1 March 1990, returning the Superannuation Administration (Amendment) Bill, without amendment.

10 SPECIAL ADJOURNMENT

Mr Moore moved, That this House at its rising this day do adjourn until Tuesday 20 March 1990, at 2.15 p.m.

Debate ensued.

Question put and passed.

11 PRINTING COMMITTEE

Mr Small brought up Report No. 1 of the Printing Committee.

12 MINISTERIAL STATEMENT—TEACHER SALARIES

Dr Metherell made a Ministerial Statement concerning the salaries of New South Wales Government schoolteachers.

Mr Beckroge moved, That the Minister be not further heard.

Question put.

The House divided.

Ayes 32

Ms Allan	Mr Knight	Mr Rogan
Mr Amery	Mr Lovelee	Mr Rumble
Mr Anderson	Mr McManus	Mr Shedden
Mr Aquilina	Mr Markham	Mr Unsworth
Mr A. S. Aquilina	Mr Mills	Mr Walsh
Mr Carr	Mr J. H. Murray	Mr Whelan
Mr Cleary	Mr Nagle	
Mr Davoren	Mr Newman	
Mr Doyle	Mr Page	Tellers
Mr Face	Mr Price	
Mr Harrison	Mr Primrose	Mr Christie
Mr Irwin	Dr Refshauge	Mr Knowles

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 March 1990

Noes 56

Mr Andrews	Mr Jeffery	Mr Singleton
Mr Arkell	Mr Kerr	Mr Small
Mr Armstrong	Mr Longley	Mr Smiles
Mr Baird	Miss Machin	Mr Smith
Mr Berry	Mr Matheson	Mr Souris
Mr Books	Mr Merton	Mr Tink
Mr Caterson	Dr Metherell	Mr Webster
Mr Causley	Mr Moore	Mr Welsh
Mr Chappell	Ms Moore	Mr West
Mrs Cohen	Mr Morris	Mr White
Mr Collins	Mr Murray	Mr Wotton
Mr Cruickshank	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Park	Mr Yeomans
Mr Fahey	Mr Petch	Mr Zammit
Miss Fraser	Mr Photios	
Mr Glachan	Mr Pickard	
Mr Graham	Ms Read	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Pairs

Mr Cochran	Mr Hunter
Mr Greiner	Mr Martin
Mr Roberts	Mr Moss
Mr Turner	Ms Nori

And so it passed in the negative.

Mr Carr also addressed the House.

13 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 March 1990

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.

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Petch 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 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.21 p.m., until Tuesday 20 March 1990, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 6

TUESDAY 20 MARCH 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Face, Mr Hunter, Mr Langton, Mr Mills and Mr Price—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Unsworth—from certain citizens opposing the proposed closure of Kyeemagh Infants School.

Mr D. L. Page—from certain citizens opposing the proposed TAFE restructuring.

Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Roberts—from certain citizens opposing the proposed closure of public schools in the Hunter region.

Mr Martin—from certain citizens requesting the appointment of a permanent resident police officer at Stockton.

Mr Martin—from certain citizens requesting the reservation of Crown Land at Lemon Tree Passage for the study and preservation of native flora and fauna.

Mr Roberts—from certain citizens requesting the connection of a sewer to Millfield.

2 PAPERS

(1) Mr Greiner laid upon the Table—

Report on the Implementation of Proposals of the New South Wales Commission of Audit prepared by the Office of Public Management, dated February 1990.

Constitution Act 1902—Governor's Salary Regulation 1990—clauses 1, 2.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

National Parks and Wildlife Act 1974—

(a) Proclamations reserving certain lands as part of—

Bournda State Recreation Area. (Gazette 24/1990.)

Budderoo National Park. (Gazette 29/1990.)

Comerong Island Nature Reserve. (Gazette 29/1990.)

Hexham Swamp Nature Reserve. (Gazette 29/1990.)

Kings Plains National Park. (Gazette 35/1990.)

Limeburners Creek Nature Reserve. (Gazette 35/1990.)

Nalbaugh National Park. (Gazette 35/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

- (b) Proposed revocation of dedication of part of Bournda State Recreation Area. (Gazette 35/1990.)

Water Board Act 1987—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for sewerage purposes at—

Kiama. (Gazette 24/1990.)
Blaxland. (Gazette 24/1990.)

Referred to the Printing Committee.

- (3) Mr Baird laid upon the Table—

Pilotage Act 1971—Pilotage and Rates Regulations—N.S.W.—regulations 40A, 42A, 42B, amendment of regulations 2, 15, 21, 39, 44, substituted regulations 14, 38, 40, 42, part 6, schedules 6, 7, 8, omission of regulation 16, schedule 3. (Gazette 35/1990.)

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements under the Act for railway purposes at Adamstown. (Gazette 31/1990.)

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for road purposes at—

Caves Beach. (Gazette 24/1990.)
Cobar. (Gazette 24/1990(6).)
Homebush. (Gazette 31/1990.)
Narrabri. (Gazette 24/1990.)
Paddys River. (Gazette 24/1990.)
Wang Wauk. (Gazette 24/1990.)

Traffic Act 1909—Motor Traffic Regulations 1935—regulation 124A, amendment of regulation 124, schedule K, substituted regulation 130B, schedule N. (Gazettes 29/1990, 31/1990.)

Referred to the Printing Committee.

(4) Mr Peacocke laid upon the Table—

Albury-Wodonga Development Act 1974—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for growth purposes at Albury. (Gazette 29/1990.)

Fair Trading Act 1987—order under section 31. (Gazette 29/1990.)

Friendly Societies Act 1912—Friendly Societies Regulations 1935—regulation 39. (Gazette 29/1990.)

Growth Centres (Development Corporations) Act 1974—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for growth purposes at Camden. (Gazette 31/1990.)

Permanent Building Societies Act 1967—Permanent Building Societies Regulations 1967—regulation 65. (Gazette 29/1990.)

Registration of Interests in Goods Act 1986—Registration of Interests in Goods Regulation 1986—part 5. (Gazette 31/1990.)

Referred to the Printing Committee.

(5) Dr Metherell laid upon the Table—

Report of the Acupuncture Colleges (Australia) for the year ended 31 January 1990.

University of New England Act 1989—amendments of, and additions to, the by-laws of the University of New England. (Gazette 29/1990.)

University of Sydney Act 1989—amendments of, and additions to, the by-laws of the University of Sydney. (Gazette 21/1990.)

Referred to the Printing Committee.

(6) Mr Pickard laid upon the Table—

Report of the Joint Coal Board for the year ended 30 June 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

(7) Mr Fahey laid upon the Table—

Green Paper on Transforming Industrial Relations in New South Wales:

Volume 1, dated February 1989.

Volume 2, dated January 1990.

Referred to the Printing Committee.

MINISTERIAL STATEMENT—GREEN PAPER ON INDUSTRIAL
RELATIONS

Mr Fahey made a ministerial statement concerning the Green Paper on Transforming Industrial Relations in New South Wales.

Mr Carr also addressed the House.

(8) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—

(a) Central Tablelands Heritage Lands By-law 1990—clauses 1 to 24.
(Gazette 21/1990.)

(b) Frenchs Forest General Cemetery By-law 1988—amendment of clauses
16, 28, 30, 33, 34. (Gazette 21/1990.)

Murray-Darling Basin Act 1983—River Murray Traffic Regulation
1990—clauses 1 to 17, schedule 1. (Gazette 31/1990.)

Referred to the Printing Committee.

3 QUESTIONS

4 SUSPENSION OF STANDING ORDERS—STATE BANK

Mr Greiner moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of a motion concerning the State Bank.

Disorder: By direction of Mr Speaker, the honourable member for Marrickville, Dr Refshauge, was removed from the Chamber by the Serjeant-at-Arms.

Disorder: By direction of Mr Speaker, the honourable member for Ashfield, Mr Whelan, was removed from the Chamber by the Serjeant-at-Arms.

Mr Beckroge moved, That the honourable member for Ku-ring-gai, Mr Greiner, be not further heard.

Question put.

The House divided.

Ayes 34

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Langton	Mr Rogan
Mr Anderson	Mr McManus	Mr Rumble
Mr Aquilina	Mr Markham	Mr Shedden
Mr A. S. Aquilina	Mr Martin	Mr Unsworth
Mr Carr	Mr Mills	Mr Walsh
Mr Cleary	Mr H. F. Moore	
Mr Doyle	Mr J. H. Murray	
Mr Face	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

Noes 62

Mr Andrews	Mr Hatton	Mr Roberts
Mr Arkell	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smith
Mr Booth	Miss Machin	Mr Souris
Mr Caterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Dr Metherell	Mr Webster
Mrs Cohen	Mr Moore	Mr West
Mr Collins	Ms Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Wotton
Mr Dowd	Mr Murray	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Miss Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Photios	
Mr Greiner	Mr Pickard	Mr Beck
Mr Griffiths	Ms Read	Mr Phillips
Mr Hartcher	Mr Rixon	

And so it passed in the negative.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

The House divided.

Ayes 62

Mr Andrews	Mr Hatton	Mr Roberts
Mr Arkell	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smith
Mr Booth	Miss Machin	Mr Souris
Mr Caterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Dr Metherell	Mr Webster
Mrs Cohen	Mr Moore	Mr West
Mr Collins	Ms Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Wotton
Mr Dowd	Mr Murray	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Miss Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Noes 34

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Langton	Mr Rogan
Mr Anderson	Mr McManus	Mr Rumble
Mr Aquilina	Mr Markham	Mr Shedden
Mr A. S. Aquilina	Mr Martin	Mr Unsworth
Mr Carr	Mr Mills	Mr Walsh
Mr Cleary	Mr H. F. Moore	
Mr Doyle	Mr J. H. Murray	
Mr Face	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

And so it was resolved in the affirmative.

Mr Greiner moved, "That this House condemns the Prime Minister, the Federal Treasurer and the N.S.W. Opposition Leader, for attacks on the State Bank of New South Wales, thus undermining public confidence in the bank.

And" that this House, in applauding the State Bank management for its performance, states its full confidence in the bank.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

Mr Carr moved, That the Question be amended by leaving out the following words—

"That this House condemns the Prime Minister, the Federal Treasurer and the N.S.W. Opposition Leader, for attacks on the State Bank of New South Wales, thus undermining public confidence in the bank.

And".

Question proposed—That the words proposed to be left out stand part of the question.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 56

Mr Andrews	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Moore	Mr West
Mrs Cohen	Mr Morris	Mr White
Mr Collins	Mr Murray	Mr Wotton
Mr Cruickshank	Mr D. L. Page	Mr Yabsley
Mr Dowd	Mr Park	Mr Yeomans
Mr Downy	Mr Peacocke	Mr Zammit
Mr Fahey	Mr Petch	
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Mr Rixon	
Mr Griffiths	Mr Roberts	Mr Beck
Mr Hartcher	Mr Schipp	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

Noes 40

Ms Allan	Mr Keegan	Mr Primrose
Mr Amery	Mr Knight	Ms Read
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Shedden
Mr Arkell	Mr Martin	Mr Unsworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Welsh
Mr Pace	Ms Moore	
Miss Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

And so it was resolved in the affirmative.

Question put—That the words proposed to be left out stand part of the question.

The House divided.

Ayes 56

Mr Andrews	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Moore	Mr West
Mrs Cohen	Mr Morris	Mr White
Mr Collins	Mr Murray	Mr Wotton
Mr Cruickshank	Mr D. L. Page	Mr Yabsley
Mr Dowd	Mr Park	Mr Yeomans
Mr Downy	Mr Peacocke	Mr Zammit
Mr Fahey	Mr Petch	
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Mr Rixon	
Mr Griffiths	Mr Roberts	Mr Beck
Mr Hartcher	Mr Schipp	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

Noes 40

Ms Allan	Mr Keegan	Mr Primrose
Mr Amery	Mr Knight	Ms Read
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Shedden
Mr Arkell	Mr Martin	Mr Unsworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Welsh
Mr Face	Ms Moore	
Miss Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

And so it was resolved in the affirmative.

Original Question again proposed.

Debate continued.

Question put.

The House divided.

Ayes 55

Mr Andrews	Mr Hay	Mr Singleton
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Kerr	Mr Smith
Mr Berry	Mr Longley	Mr Souris
Mr Books	Miss Machin	Mr Tink
Mr Booth	Mr Matheson	Mr Turner
Mr Caterson	Mr Merton	Mr Webster
Mr Causley	Mr Moore	Mr West
Mr Chappell	Mr Morris	Mr White
Mrs Cohen	Mr Murray	Mr Wotton
Mr Collins	Mr D. L. Page	Mr Yabsley
Mr Cruickshank	Mr Park	Mr Yeomans
Mr Dowd	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	
Mr Glachan	Mr Pickard	
Mr Graham	Mr Rixon	Tellers
Mr Greiner	Mr Roberts	
Mr Griffiths	Mr Schipp	Mr Beck
Mr Hartcher	Mr Schultz	Mr Phillips

Noes 40

Ms Allan	Mr Irwin	Mr Primrose
Mr Amery	Mr Keegan	Ms Read
Mr Anderson	Mr Knight	Mr Rogan
Mr Aquilina	Mr Langton	Mr Rumble
Mr A. S. Aquilina	Mr McManus	Mr Shedden
Mr Árkell	Mr Markham	Mr Unsworth
Mr Carr	Mr Martin	Mr Walsh
Mr Cleary	Mr Mills	Mr Welsh
Mr Doyle	Mr H. F. Moore	
Mr Face	Ms Moore	
Miss Fraser	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hatton	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr J. H. Murray

And so it was resolved in the affirmative.

5 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND

Ordered, on the motion of Mr Dowd, by leave, That in accordance with section 14(1)(B) of the Parliamentary Contributory Superannuation Act 1971, Paul Francis Patrick Whelan be and is hereby appointed a trustee of the Parliamentary Contributory Superannuation Fund in place of the Honourable Laurence John Brereton.

6 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the debate on the Address in Reply being postponed until after consideration of Government Business—Orders of the Day Nos 1 and 2.

7 CONSTITUTION (LEGISLATIVE ASSEMBLY) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

Debate interrupted.

It being 5.30 p.m., private members' statements proceeded with.

8 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

9 CONSTITUTION (LEGISLATIVE ASSEMBLY) AMENDMENT BILL

Resumption of the interrupted debate, on the motion of Mr Greiner, That this bill be now read a second time.

Question put.

The House divided.

Ayes 57

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Miss Fraser
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hatton

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Singleton
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

Noes 35

Ms Allan	Mr Langton	Ms Read
Mr Amery	Mr McManus	Mr Rogan
Mr Anderson	Mr Markham	Mr Rumble
Mr Aquilina	Mr Martin	Mr Shedden
Mr Carr	Mr Mills	Mr Unsworth
Mr Cleary	Mr H. F. Moore	Mr Walsh
Mr Doyle	Ms Moore	Mr Welsh
Mr Face	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hunter	Ms Nori	
Mr Irwin	Mr Page	Mr Beckroge
Mr Knight	Mr Price	Mr Christie

Pair

Mr Greiner

Mr Moss

And so it was resolved in the affirmative.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Moore, on behalf of Mr Greiner, read a third time.

10 CONSTITUTION (LEGISLATIVE COUNCIL) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

Ayes 60

Mr Andrews	Mr Jeffery	Mr Schipp
Mr Armstrong	Mr Keegan	Mr Schultz
Mr Baird	Mr Kerr	Mr Singleton
Mr Berry	Mr Longley	Mr Small
Mr Books	Miss Machin	Mr Smith
Mr Caterson	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Turner
Mrs Cohen	Mr Moore	Mr Webster
Mr Collins	Ms Moore	Mr Welsh
Mr Cruickshank	Mr Morris	Mr West
Mr Dowd	Mr Murray	Mr White
Mr Downy	Mr D. L. Page	Mr Wotton
Mr Fahey	Mr Park	Mr Yabsley
Miss Fraser	Mr Peacocke	Mr Yeomans
Mr Glachan	Mr Petch	Mr Zammit
Mr Graham	Mr Photios	
Mr Griffiths	Mr Pickard	Tellers
Mr Hartcher	Ms Read	
Mr Hatton	Mr Rixon	Mr Beck
Mr Hay	Mr Roberts	Mr Phillips

Noes 32

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Langton	Mr Rogan
Mr Anderson	Mr McManus	Mr Rumble
Mr Aquilina	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Doyle	Mr Mills	Mr Walsh
Mr Face	Mr H. F. Moore	
Mr Gibson	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie

Pair

Mr Greiner

Mr Moss

And so it was resolved in the affirmative.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Moore, on behalf of Mr Greiner, read a third time.

11 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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.

And the question being again proposed—

The House resumed the said adjourned debate.

Mr H. F. Moore moved, That this debate be now adjourned.

Question put and voices given—Mr Booth, Acting Speaker, stated his opinion that the Ayes had it.

Whereupon division called for, and Mr Booth, Acting Speaker declared the determination of the House to be in the affirmative, as there were only five Members (Miss Fraser, Mr Keegan, Ms Moore, Ms Read and Mr Welsh) in the minority who had challenged his decision.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 March 1990

12 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.07 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 7

WEDNESDAY 21 MARCH 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation---

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Face and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Ms Moore—from certain citizens requesting the retention and improvement of bus services in Surry Hills.

Ms Moore—from certain citizens requesting that steps be taken for the regulation of accommodation for backpackers.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Amery—from certain citizens requesting safety measures and protection of local residents during construction of the Philip Parkway.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Armstrong laid upon the Table—

Fisheries and Oyster Farms Act 1935—

(a) Fisheries and Oyster Farms (General) Regulation 1989—amendment of clause 32, schedule 1. (Gazette 29/1990.)

(b) Fisheries and Oyster Farms (Nets and Other Fishing Gear) Regulation 1989—amendment of clauses 23, 24, 53. (Gazette 29/1990.)

Dairy Industry Act 1979—

(a) amendment of schedule 1 of the Act. (Gazette 31/1990.)

(b) Dairy Industry (Pricing) Regulation 1984—amendment of clauses 4, 6, 7. (Gazette 31/1990.)

Referred to the Printing Committee.

(2) Mr West laid upon the Table—

Report of the Racecourse Development Committee for the year ended 30 June 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 March 1990

(3) Mr Hay laid upon the Table—

Environmental Planning and Assessment Act 1979—

- (a) Environmental Planning and Assessment Regulation 1980—amendment of schedule 3. (Gazette 119/1989.)
- (b) Notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for development purposes at—

Castlecrag. (Gazette 14/1990.)

Ryde. (Gazette 14/1990.)

Referred to the Printing Committee.

(4) Mr Yabsley laid upon the Table—

Community Service Orders Act 1979—Community Service Orders Regulation 1988—amendment of schedule 1, substituted part 3. (Gazette 21/1990.)

Referred to the Printing Committee.

(5) Mr Webster laid upon the Table—

Report of the Grain Handling Authority for the year ended 30 September 1989.

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of a motion to censure the Minister for Local Government and the Minister for Planning.

Motion, by leave, withdrawn.

6 QUESTIONS (continuation of entry No. 4).

Papers: Mr Greiner laid upon the Table—

File note concerning the Harrington Street submissions and Develco, dated 4 May 1987.

File note concerning Peter Fitzgerald and the Sydney Cove Redevelopment Authority, dated 5 May 1987.

Ministerial memorandum concerning the appointment of Peter Fitzgerald to the Sydney Cove Redevelopment Authority, dated 27 May 1987.

Referred to the Printing Committee.

7 SUSPENSION OF STANDING ORDERS—VOTE OF CENSURE—
MINISTER FOR LOCAL GOVERNMENT AND MINISTER FOR
PLANNING

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Leader of the Opposition moving a motion to censure the Minister for Local Government and the Minister for Planning.

Mr Carr moved, That this House "censures the Minister for Local Government and Minister for Planning for misleading the House in an answer he gave to the Leader of the Opposition in this House on November 14, 1989, relating to a Commission of Inquiry into certain land in Nymboida Shire and calls on the Premier to remove him from office."

Mr Hay moved, That the motion be amended by deleting all those words after "That this House" and inserting instead "condemns the Leader of the Opposition for his deliberate misrepresentation of the facts surrounding coastal development generally and, in particular, Hacienda Motor Inns."

Debate ensued.

Mr Phillips moved, That the question be now put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 March 1990

The House divided.

Ayes 54

Mr Andrews	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Moore	Mr West
Mrs Cohen	Mr Morris	Mr White
Mr Collins	Mr Murray	Mr Wotton
Mr Cruickshank	Mr D. L. Page	Mr Yabstey
Mr Dowd	Mr Park	Mr Yeomans
Mr Downy	Mr Peacocke	Mr Zammit
Mr Fahey	Mr Petch	
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Rixon	
Mr Griffiths	Mr Roberts	Mr Beck
Mr Hartcher	Mr Schipp	Mr Phillips

Noes 41

Ms Allan	Mr Keegan	Ms Read
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Shedden
Mr Arkell	Mr Mills	Mr Unsworth
Mr Cleary	Mr H. F. Moore	Mr Walsh
Mr Doyle	Ms Moore	Mr Welsh
Mr Pace	Mr J. H. Murray	Mr Whelan
Miss Fraser	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hatton	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie
Mr Irwin	Mr Primrose	

Pair

Mr Greiner

Mr Moss

And so it was resolved in the affirmative.

Question put—That the amendment be agreed to.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 March 1990

The House divided.

Ayes 54

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Singleton
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 41

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Cleary
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin

Mr Keegan
Mr Knight
Mr Langton
Mr McManus
Mr Markham
Mr Mills
Mr H. F. Moore
Ms Moore
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Pair

Mr Greiner

Mr Moss

And so it was resolved in the affirmative.

Question proposed—That the motion, as amended, be agreed to.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 March 1990

Debate continued.

Papers: Mr Murray laid upon the Table—

A letter from John Poynton, Solicitor and Barrister, concerning Hacienda Motor Inns.

A letter from S.T.R. Finance Development Corporation Limited concerning mortgage funds provided to Hacienda Motor Inns.

Referred to the Printing Committee.

Ordered, That the honourable member for Barwon, Mr Murray, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Maroubra, Mr Carr, be allowed to continue his reply for a further period of ten minutes.

Question put.

The House divided.

Ayes 52

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Rixon
Mr Roberts
Mr Schipp
Mr Schultz

Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 42

Ms Allan	Mr Irwin	Mr Primrose
Mr Amery	Mr Keegan	Ms Read
Mr Anderson	Mr Knight	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mr McManus	Mr Rumble
Mr Arkell	Mr Markham	Mr Shedden
Mr Carr	Mr Mills	Mr Unsworth
Mr Cleary	Mr H. F. Moore	Mr Walsh
Mr Doyle	Ms Moore	Mr Welsh
Mr Face	Mr J. H. Murray	Mr Whelan
Miss Fraser	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hatton	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

Pair

Mr Greiner

Mr Moss

And so it was resolved in the affirmative.

8 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 March 1990

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.

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

9 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

10 THE GOVERNOR'S OPENING SPEECH

Resumption of the interrupted debate on the motion of Mr Booth, That the Address in Reply to the Governor's Opening Speech be now adopted by this House.

Mr Beckroge moved, That the honourable member for Blue Mountains, Mr Morris, be not further heard.

Question put.

The House divided.

Ayes 32

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Doyle
Mr Face
Mr Gibson
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight
Mr Langton

Mr McManus
Mr Markham
Mr Mills
Mr H. F. Moore
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose
Dr Refshaug

Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Noes 56

Mr Andrews	Mr Hatton	Mr Roberts
Mr Arkell	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Mr Longley	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Mr Moore	Mr Welsh
Mr Chappell	Ms Moore	Mr West
Mrs Cohen	Mr Morris	Mr White
Mr Collins	Mr Murray	Mr Yabsley
Mr Cruickshank	Mr D. L. Page	Mr Yeomans
Mr Dowd	Mr Park	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Petch	
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Pickard	
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Pair

Mr Greiner

Mr Moss

And so it passed in the negative.

Mr Markham 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.

11 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 March 1990

Ayes 55

Mr Andrews	Mr Hatton	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Keegan	Mr Smith
Mr Berry	Mr Kerr	Mr Souris
Mr Books	Mr Longley	Mr Tink
Mr Booth	Mr Matheson	Mr Turner
Mr Caterson	Mr Merton	Mr Welsh
Mr Causley	Mr Moore	Mr West
Mr Chappell	Ms Moore	Mr White
Mrs Cohen	Mr Morris	Mr Yabsley
Mr Collins	Mr Murray	Mr Yeomans
Mr Cruickshank	Mr D. L. Page	Mr Zammit
Mr Dowd	Mr Park	
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Petch	
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Pickard	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

Noes 32

Mr Amery	Mr McManus	Dr Refshauge
Mr Anderson	Mr Markham	Mr Rogan
Mr Aquilina	Mr Mills	Mr Rumble
Mr A. S. Aquilina	Mr H. F. Moore	Mr Shedden
Mr Doyle	Mr J. H. Murray	Mr Walsh
Mr Face	Mr Nagle	Mr Whelan
Mr Gibson	Mr Newman	
Mr Harrison	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	
Mr Knight	Mr Primrose	Mr Beckroge
Mr Langton	Ms Read	Mr Christie

Pair

Mr Greiner

Mr Moss

And so it was resolved in the affirmative.

The House adjourned accordingly at 11.04 p.m., until tomorrow at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 8

THURSDAY 22 MARCH 1990

1 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 quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Arkell—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Arkell—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr McManus—from certain citizens opposing cuts to Pensioner Concessions.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr West laid upon the Table—

Lotto Act 1979—Lotto Regulation 1989—substituted clause 2. (Gazette 124/1989.)

State Lotteries Act 1930—

(a) State Lotteries (General) Regulation 1989—substituted clause 20. (Gazette 124/1989.)

(b) State Lotteries (Instant Lotteries) Regulation 1983—substituted clause 11. (Gazette 124/1989.)

Referred to the Printing Committee.

(2) Mr Pickard laid upon the Table—

Mines Rescue Act 1925—Mines Rescue Regulations 1925—regulation 54GG, schedule 11. (Gazette 31/1989.)

Referred to the Printing Committee.

4 SUSPENSION OF STANDING ORDERS—MEMBER FOR AUBURN

Mr Armstrong moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House calls on the member for Auburn to explain his apparent conflict of duty and interest in claiming grossly excessive fees for appearing before the Egg Carriers Arbitration Panel whilst a member of this House.

Debate ensued.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 March 1990

Mr Armstrong moved, That this House calls on the member for Auburn to explain his apparent conflict of duty and interest in claiming grossly excessive fees for appearing before the Egg Carriers Arbitration Panel whilst a member of this House.

Paper: Mr Armstrong laid upon the Table—

Statement of costs of Mr Peter Nagle from Teakle, Ormsby and Associates, dated 20 March 1990.

Referred to the Printing Committee.

Question put.

The House divided.

Ayes 55

Mr Andrews	Mr Keegan	Mr Schultz
Mr Armstrong	Mr Kerr	Mr Singleton
Mr Baird	Mr Longley	Mr Small
Mr Books	Miss Machin	Mr Smith
Mr Booth	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Webster
Mrs Cohen	Mr Moore	Mr West
Mr Collins	Mr Morris	Mr White
Mr Cruickshank	Mr Murray	Mr Wotton
Mr Dowd	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Park	Mr Yeomans
Mr Fahey	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Photics	
Mr Greiner	Mr Pickard	
Mr Griffiths	Ms Read	Tellers
Mr Hartcher	Mr Rixon	
Mr Hay	Mr Roberts	Mr Beck
Mr Jeffery	Mr Schipp	Mr Phillips

Noes 40

Ms Allan	Mr Irwin	Mr Primrose
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Shedden
Mr Arkell	Mr Martin	Mr Unsworth
Mr Carr	Mr Mills	Mr Walsh
Mr Cleary	Mr H. F. Moore	Mr Whelan
Mr Doyle	Ms Moore	
Mr Face	Mr J. H. Murray	
Miss Fraser	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hatton	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

And so it was resolved in the affirmative.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Premier for his continuing refusal to dismiss the Deputy Premier for breaches of the Code of Conduct for Ministers of the Crown.

Disorder: Mr Speaker named the honourable member for Ashfield, Mr Whelan, as guilty of persistently and wilfully disregarding the authority of the Chair.

Mr Dowd moved, That the honourable member for Ashfield, Mr Whelan, be suspended from the service of the House.

And the honourable member for Ashfield having been heard in explanation of his conduct—

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 March 1990

Ayes 60

Mr Andrews	Mr Hatton	Mr Rixon
Mr Arkell	Mr Hay	Mr Roberts
Mr Armstrong	Mr Jeffery	Mr Schipp
Mr Baird	Mr Keegan	Mr Schultz
Mr Books	Mr Kerr	Mr Singleton
Mr Booth	Mr Longley	Mr Small
Mr Caterson	Miss Machin	Mr Smith
Mr Causley	Mr Matheson	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Cohen	Dr Metherell	Mr Webster
Mr Collins	Mr Moore	Mr West
Mr Cruickshank	Ms Moore	Mr White
Mr Dowd	Mr Morris	Mr Wotton
Mr Downy	Mr Murray	Mr Yabsley
Mr Fahey	Mr D. L. Page	Mr Yeomans
Miss Fraser	Mr Park	Mr Zammit
Mr Glachan	Mr Peacocke	
Mr Graham	Mr Petch	Tellers
Mr Greiner	Mr Photios	
Mr Griffiths	Mr Pickard	Mr Beck
Mr Hartcher	Ms Read	Mr Phillips

Noes 35

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr McManus	Mr Rogan
Mr Aquilina	Mr Markham	Mr Rumble
Mr A. S. Aquilina	Mr Martin	Mr Shedden
Mr Carr	Mr Mills	Mr Unsworth
Mr Cleary	Mr H. F. Moore	Mr Walsh
Mr Doyle	Mr J. H. Murray	
Mr Face	Mr Nagle	Tellers
Mr Gibson	Mr Newman	
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hunter	Mr Page	Mr Christie
Mr Irwin	Mr Price	

And so it was resolved in the affirmative.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 March 1990

Ayes 37

Ms Allan	Mr Knight	Ms Read
Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr McManus	Mr Rogan
Mr Aquilina	Mr Markham	Mr Rumble
Mr A. S. Aquilina	Mr Martin	Mr Shedden
Mr Carr	Mr Mills	Mr Unsworth
Mr Cleary	Mr H. F. Moore	Mr Walsh
Mr Doyle	Ms Moore	
Mr Face	Mr J. H. Murray	
Miss Fraser	Mr Newman	
Mr Gibson	Ms Nori	Tellers
Mr Harrison	Mr Page	
Mr Hunter	Mr Price	Mr Beckroge
Mr Irwin	Mr Primrose	Mr Christie

Noes 57

Mr Andrews	Mr Hatton	Mr Roberts
Mr Arkell	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr Booth	Mr Longley	Mr Smith
Mr Caterson	Miss Machin	Mr Souris
Mr Causley	Mr Matheson	Mr Tink
Mr Chappell	Mr Merton	Mr Webster
Mrs Cohen	Dr Metherell	Mr West
Mr Collins	Mr Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Wotton
Mr Dowd	Mr Murray	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Mr Glachan	Mr Peacocke	
Mr Graham	Mr Petch	Tellers
Mr Greiner	Mr Photios	
Mr Griffiths	Mr Pickard	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

And so it passed in the negative.

7 QUESTIONS (continuation of entry No. 5).

8 MINISTERIAL STATEMENT—LINKED POKER MACHINES

Mr West made a ministerial statement concerning linked poker machines by registered clubs.

Paper:

Report of the Task Force to the Chief Secretary on proposals for the implementation of inter-club linked poker machines.

Referred to the Printing Committee.

SPEAKER'S RULING—MINISTERIAL STATEMENTS: REPLY BY THE DEPUTY LEADER OF THE OPPOSITION IN THE ABSENCE OF THE LEADER OF THE OPPOSITION

Mr Speaker, having stated that in many instances the convention that the Deputy Leader of the Opposition could reply to a Ministerial Statement only if the Leader of the Opposition were absent from the building was unduly restrictive, ruled that the Deputy Leader of the Opposition could reply to a Ministerial Statement when there was a legitimate reason for the Leader of the Opposition not being in the Chamber but in the building.

Dr Refshauge also addressed the House.

9 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended to enable consideration of notices under Standing Order 49 at 2.15 p.m.

10 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the debate on the Address in Reply being postponed until after the—

Mental Health Bill

Mental Health (Criminal Procedure) Bill

Miscellaneous Acts (Mental Health) Repeal and Amendment Bill

have been brought in and proceeded with up to and including the Minister's second reading speech.

11 ADJOURNMENT UNDER STANDING ORDER 49—TOXIC WASTE DISPOSAL

Mr Speaker stated that he had received from the honourable member for Londonderry, Mr Gibson, a notice that he desired to move an adjournment of the House to discuss the reported contamination of the environment from the liquid waste disposal depot at Castlereagh.

Mr Gibson moved, That this House do now adjourn.

And the motion for the adjournment of the House being supported by five other honourable members.

Debate ensued.

Question put and negatived.

12 MENTAL HEALTH BILL
MENTAL HEALTH (CRIMINAL PROCEDURE) BILL
MISCELLANEOUS ACTS (MENTAL HEALTH) REPEAL AND
AMENDMENT 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 make provision with respect to the care, treatment and control of mentally ill and mentally disordered persons and other matters relating to mental health; and for other purposes.
- (ii) A bill for an Act with respect to criminal proceedings involving persons affected by mental illness and other mental conditions.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 March 1990

- (iii) A bill for an Act to repeal and amend certain Acts in connection with the enactment of the Mental Health Act 1990 and the Mental Health (Criminal Procedure) Act 1990.

Question put and passed.

Bills presented and read a first time.

Mr Collins 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.

13 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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.

And the question being again proposed—

The House resumed the said adjourned debate.

Mr D. L. 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.

14 PRINTING COMMITTEE

Mr Small brought up Report No. 2 of the Printing Committee.

15 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.49 p.m., until Tuesday 27 March 1990 at 2.15 p.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 9

TUESDAY 27 MARCH 1990

1 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message dated 23 March 1990 from His Excellency the Governor assenting to the Superannuation Administration (Amendment) Bill.

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Hunter—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Beckroge—from certain citizens requesting that fees for TAFE courses be abolished.

Mr Webster—from certain citizens requesting the revision of education policies.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Collins laid upon the Table—

Chiropodists Registration Act 1962—Chiropodists Registration Regulations—amendment of regulations 14, 15, 17, 20, 22. (Gazette 29/1990.)

Chiropractic Act 1978—Chiropractic Regulation 1979—amendment of clauses 7, 8. (Gazettes 114/1989, 124/1989.)

Dental Technicians Registration Act 1975—Dental Technicians Registration Regulation 1976—amendment of clause 11. (Gazette 124/1989.)

Dentists Act 1934—Dentists Regulations—amendment of regulations 30, 36. (Gazette 124/1989.)

Nurses Registration Act 1953—Nurses Registration Regulations—amendment of regulation 33. (Gazette 121/1989.)

Optical Dispensers Act 1963—Optical Dispensers Regulations—amendment of regulations 7, 8, 9B, 10, 12. (Gazette 124/1989.)

Physiotherapists Registration Act 1945—Physiotherapists Registration Regulation 1990—clauses 1 to 19, schedules 1 to 5. (Gazette 14/1990.)

Poisons Act 1966—

(a) Proclamations amending the Poisons List. (Gazette 124/1989.)

(b) Poisons Regulations—amendment of regulations 22, 24, 27, 33, 62, 64, substituted regulation 8. (Gazettes 114/1989, 7/1990.)

Private Health Establishments Act 1982—

(a) Private Health Establishments (Day Procedure Centres) Regulation 1989—amendment of clauses 7, 9, 10, 13. (Gazette 124/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 March 1990

(b) Private Health Establishments (Private Hospitals and Nursing Homes) Regulation 1988—amendment of clauses 7, 9, 10, 13. (Gazette 124/1989.)

Public Health Act 1902—Public Health (Funeral Industries) Regulation 1987—amendment of clause 33. (Gazette 7/1990.)

Pure Food Act 1908—Food Standards Code (Adoption) Regulation 1989—amendment of schedule 1. (Gazette 124/1989.)

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Report of the National Crime Authority for the year ended 30 June 1989.

District Court Act 1973—District Court Rules 1973—forms 59A to 59C. (Gazette 35/1990.)

Justices Act 1902—Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazette 29/1990.)

Legal Profession Act 1987—Barristers and Solicitors Admission Rules 1989—amendment of rules 59, 105, 123, substituted rule 53. (Gazette 29/1990.)

Police Regulation Act 1899—Police Rules 1977—substituted rule 82. (Gazette 18/1990.)

Supreme Court Act—Supreme Court Rules—amendments 236, 237. (Gazette 29/1990.)

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Co-operation Act 1923—Co-operatives Regulations 1961—amendment of regulation 34. (Gazette 35/1990.)

Credit Union Act 1969—Credit Union Regulations 1969—substituted regulation 28. (Gazette 35/1990.)

Friendly Societies Act 1912—Friendly Societies Regulations 1935—substituted regulation 29. (Gazette 35/1990.)

Permanent Building Societies Act 1967—Permanent Building Societies Regulations 1967—amendment of regulation 41A. (Gazette 35/1990.)

Referred to the Printing Committee.

(4) Mr. Pickard laid upon the Table—

Mine Subsidence Compensation Act 1961—Mine Subsidence Compensation Regulations—regulation 2A, schedule 4, omission of regulation 2AB. (Gazette 35/1990.)

Mining Act 1973—Geological and Mining Museum Regulation 1990—clauses 1 to 24. (Gazette 35/1990.)

Referred to the Printing Committee.

5 SUSPENSION OF STANDING ORDERS—VOTE OF CENSURE—
LEADER OF THE OPPOSITION AND MEMBER FOR KOGARAH

Mr Greiner moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion being moved by the Minister for Transport, namely,

That this House censures the Leader of the Opposition and the Member for Kogarah for their unwarranted personal attacks on the Chief Executive of the State Rail Authority, Mr Ross Sayers, and calls on them to apologise.

Papers: Mr Greiner laid upon the Table—

Letter from the Director-General of the Premier's Department concerning the report of the Auditor General into certain allegations made against the State Rail Authority.

Report of the Auditor General into certain allegations made against the State Rail Authority.

Referred to the Printing Committee.

Mr Unsworth moved, That the question be now put.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 March 1990

The House divided.

Ayes 37

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Mr Gibson
Mr Harrison
Mr Hunter
Mr Irwin

Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page

Mr Price
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh

Tellers

Mr Beckroge
Mr Christie

Noes 63

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Miss Fraser
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths

Mr Hartcher
Mr Hatton
Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Ms Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Ms Read

Mr Roberts
Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr Welsh
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Ycomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

And so it passed in the negative.

Ordered, on the motion of Mr Dowd, That so much of the Standing and Sessional Orders be suspended as would preclude the Premier being permitted to extend his speech for a further period of ten minutes.

Question—That Standing Orders be suspended—put and passed.

Mr Baird moved, That this House censures the Leader of the Opposition and the Member for Kogarah for their unwarranted personal attacks on the Chief of the State Rail Authority, Mr Ross Sayers, and calls on them to apologise.

Disorder: By direction of Mr Speaker, the honourable member for Wallsend, Mr Mills, was removed from the Chamber by the Serjeant-at-Arms.

Disorder: By direction of Mr Speaker, the honourable member for Liverpool, Mr Anderson, was removed from the Chamber by the Serjeant-at-Arms.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 55

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Roberts
Mr Schipp
Mr Schultz

Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 March 1990

Noes 41

Ms Allan
Mr Amery
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter

Mr Irwin
Mr Keegan
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori

Mr Page
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh

Tellers

Mr Beckroge
Mr Christie

Pair

Mr Books

Mr Price

And so it was resolved in the affirmative.

Original question put.

The House divided.

Ayes 54

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths

Mr Hartcher
Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Roberts
Mr Schipp

Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 34

Ms Allan	Mr Knowles	Dr Refshauge
Mr Amery	Mr Langton	Mr Rogan
Mr Aquilina	Mr Lovelee	Mr Rumble
Mr A. S. Aquilina	Mr McManus	Mr Shedden
Mr Carr	Mr Markham	Mr Unsworth
Mr Cleary	Mr Martin	Mr Walsh
Mr Davoren	Mr H. F. Moore	
Mr Doyte	Mr Moss	
Mr Face	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers
Mr Harrison	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie

Pair

Mr Books

Mr Price

And so it was resolved in the affirmative.

6 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing and Sessional Orders be suspended as would preclude postponement of private members' statements until 7.30 p.m. at this sitting.

7 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the debate on the Address in Reply being postponed until after the Bishop Tyrrell Trust (Amendment) Bill is brought in and proceeded with up to and including the Minister's second reading speech.

8 QUESTIONS

Disorder: By direction of Mr Speaker, the honourable member for Fairfield, Mr Irwin, was removed from the Chamber by the Serjeant-at-Arms.

It being 7.30 p.m., private members' statements proceeded with.

9 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

10 BISHOP TYRRELL TRUST (AMENDMENT) BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Bishop Tyrrell Trust (Amendment) Act 1939 to remove the bar to sale of the leases extended by that Act; 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 Amery) and the resumption of the adjourned debate made an Order of the Day for a future day.

11 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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.

And the question being again proposed—

The House resumed the said adjourned debate.

Ms Read 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.

12 SPEAKER'S RULING—NOTICE OF MOTION RULED OUT OF ORDER

Mr Speaker ruled out of order the notice of motion given this day by the honourable member for Drummoyne under Standing Order 187(1), as the first part of the notice dealt with matters substantially the same as a motion debated by the House on Thursday 1 March 1990, and the second part of the notice could not stand alone.

13 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.20 p.m., until tomorrow at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 10

WEDNESDAY 28 MARCH 1990

1 SPEAKER'S RULING—DISORDER AND SUSPENSION—MEMBER
FOR ASHFIELD

Mr Speaker stated that on Thursday, 22 March, 1990, the House had resolved that the honourable member for Ashfield, Mr Whelan, be suspended from the service of the House.

As it was the first occasion this session that the honourable member had been suspended from the service of the House, his suspension had been for two sitting days, that is, until the rising of the House yesterday.

On Friday, 23 March, 1990, the honourable member had contacted the Deputy Clerk to advise that the Committee on the Independent Commission Against Corruption (of which he was a member) was meeting the following Monday.

The honourable member had then requested that he be allowed to enter the Parliamentary building to undertake research in the Parliamentary Library and to attend the meeting.

The honourable member was advised that, in accordance with Standing Order 393 and the longstanding practice of the Legislative Assembly, he had been excluded from the entire Parliamentary building until the adjournment of the House at the sitting of Tuesday, 27 March, 1990: that is, for two sitting days and all intervening days, and as a result, he could not attend the scheduled meeting of the Committee at Parliament House.

The honourable member was also advised of the Speaker's view that the Speaker had no discretion in this regard: as the servant of the House, however, the Speaker would act according to any alternate direction of the House. The honourable member was further advised that it was the prerogative of the House to amend any Standing Order it deemed inappropriate.

The honourable member was further advised that the Chairman of the Committee on the Independent Commission Against Corruption had reconvened the meeting to the Goodsell Building, having regard to the importance of the honourable member's function as a member of that Committee and the fact that the Committee had been appointed pursuant to statute.

Moreover, the honourable member was informed that if he wished to have access to any of his files at Parliament House, the Speaker had authorised any person bearing the honourable member's written authorisation both to be escorted to that member's room to obtain files and to use the facilities of the Parliamentary Library for research relating to the honourable member's membership of the Committee.

Last Monday the honourable member had again contacted the Deputy Clerk, seeking permission to enter the Parliamentary building for an interview. It was once more explained that this was not possible.

The Speaker stated that he had been informed that the honourable member for Ashfield, despite being fully aware of his obligations in this matter, had been observed yesterday within the Parliamentary precincts, an action which the honourable member knew to be in direct contravention of the order of the House.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 March 1990

Mr Speaker, in reminding the House of the provisions of Standing Order 387—that if any Member had persistently and wilfully refused to conform to the Standing Orders or any one or more of them, he may be named by the Speaker—stated that as the honourable member's action constituted a clear breach of the resolution of the House and the standing order which had taken effect upon its carriage, he had no alternative but to name the honourable member under the provisions of the standing order.

Mr Dowd moved, That the honourable member for Ashfield, Mr Whelan, be suspended from the service of the House.

And the honourable member for Ashfield having been heard in explanation of his conduct—

Question put.

The House divided.

Ayes 62

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Arkell	Mr Hatton	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Keegan	Mr Smiles
Mr Books	Mr Kerr	Mr Smith
Mr Booth	Mr Longley	Mr Souris
Mr Caterson	Miss Machin	Mr Tink
Mr Causley	Mr Matheson	Mr Turner
Mr Chappell	Mr Merton	Mr Webster
Mr Cochran	Dr Metherell	Mr Welsh
Mrs Cohen	Mr Moore	Mr West
Mr Collins	Ms Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Yabsley
Mr Dowd	Mr Murray	Mr Yeomans
Mr Downy	Mr D. L. Page	Mr Zammit
Mr Fahey	Mr Park	
Miss Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Photios	
Mr Greiner	Mr Pickard	Mr Beck
Mr Griffiths	Ms Read	Mr Phillips

Noes 38

Ms Allan	Mr Knight	Mr Page
Mr Amery	Mr Knowles	Mr Price
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mr Lovelec	Mr Rogan
Mr A. S. Aquilina	Mr McManus	Mr Rumble
Mr Carr	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Whelan
Mr Doyle	Mr H. F. Moore	
Mr Face	Mr Moss	
Mr Gibson	Mr J. H. Murray	Tellers
Mr Harrison	Mr Nagle	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Irwin	Ms Nori	Mr Christie

And so it was resolved in the affirmative.

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Harrison—from certain citizens opposing the proposed transfer of Adult and Community Education to TAFECOM.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting the retention and improvement of bus services in Surry Hills.

Ms Moore—from certain citizens requesting that steps be taken for the regulation of accommodation for backpackers.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 March 1990

Mr Whelan—from certain citizens opposing the proposed closure of Yeō Park Infants School.

Mr Unsworth—from certain citizens opposing the proposed closure of Kyeemagh Infants School.

Miss Machin—from certain citizens requesting the division of the Hastings municipality into two local government areas.

Mr Hatton—from certain citizens requesting that the overcrowding of school buses in the South Coast area be reduced.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report to Parliament under section 27 of the Ombudsman Act 1974 concerning the failure of Ryde Municipal Council to implement the Ombudsman's recommendations that it adopt a policy of notifying owners of adjoining properties of building applications and that it adopt rigorous inspection procedures for works in progress to assess compliance with conditions attached to Council approvals and section 31(1) concerning amendments recommended to the Local Government Act to require Councils to notify owners of adjoining properties of building application and to consider the objections of properly interested persons before determining building applications, dated 19 March 1990.

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Agreement between the Commonwealth of Australia and the States and Territories in relation to housing (1989/90—1998/99).

Referred to the Printing Committee.

(3) Mr Baird laid upon the Table—

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act, 1912, for road purposes at—

Central Darling. (Gazette 33/1990.)

Dareton. (Gazette 33/1990.)

Glenewan. (Gazette 33/1990.)

Holroyd, Wentworthville and Prospect. (Gazette 37/1990.)

Killawarra. (Gazette 33/1990.)

Redfern. (Gazette 33/1990.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of schedules F, K. (Gazettes 35/1990, 37/1990.)

Transport Licensing Act 1931—Transport Licensing Regulations 1931—regulations 11, 56A, 58, 100A, amendment of regulations 33, 57, 88A, 99, 100, 101, 108, substituted regulation 76, omission of regulation 61, 103. (Gazette 35/1990.)

Referred to the Printing Committee.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the debate on the Address in Reply being postponed until after the—

Totalizator (Amendment) Bill

Totalizator (Off-course Betting) Bill

Real Property (Oyster Leases) Amendment Bill

Fisheries and Oyster Farms (Oyster Leases) Amendment Bill

have been brought in and proceeded with up to and including the Minister's second reading speech.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 March 1990

7 SUSPENSION OF STANDING ORDERS—PREMIER—HOWLEY PARK

Ordered, on the motion of Mr Greiner, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the motion condemning the Premier for restricting debate on certain Crown Land at Howley Park, notice of which was given by the honourable member for Drummoyne this day for tomorrow.

Mr J. H. Murray moved, That this House condemns the Premier for restricting debate on handing over \$1.2 million worth of Crown Land at Howley Park, on the foreshore of Sydney Harbour, to a private developer by threatening legal action against the member for Drummoyne.

Ordered, That the honourable member for Drummoyne, Mr J. H. Murray, be allowed to continue his speech for a further period of ten minutes.

Debate ensued.

Question put.

The House divided.

Ayes 41

Mr Amery
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyte
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori

Mr Page
Mr Price
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Welsh

Tellers

Mr Beckroge
Mr Christie

Noes 56

Mr Andrews	Mr Hatton	Mr Schultz
Mr Armstrong	Mr Hay	Mr Small
Mr Baird	Mr Jeffery	Mr Smiles
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Mr Longley	Mr Souris
Mr Booth	Miss Machin	Mr Tink
Mr Caterson	Mr Matheson	Mr Turner
Mr Causley	Mr Merton	Mr Webster
Mr Chappell	Dr Metherell	Mr West
Mr Cochran	Mr Moore	Mr White
Mrs Cohen	Mr Morris	Mr Wotton
Mr Collins	Mr Murray	Mr Yabsley
Mr Cruickshank	Mr D. L. Page	Mr Yeomans
Mr Dowd	Mr Park	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Petch	
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Pickard	
Mr Griffiths	Mr Roberts	Mr Beck
Mr Hartcher	Mr Schipp	Mr Phillips

Pair

Mr Greiner

Ms Allan

And so it passed in the negative.

8 TOTALIZATOR (AMENDMENT) BILL
TOTALIZATOR (OFF-COURSE BETTING) BILL

Mr West moved, pursuant to notice, That leave be given to bring in the following cognate bills:

(i) A bill for an Act to amend the Totalizator Act 1916 with respect to superfecta totalizators; and for other purposes.

(ii) A bill for an Act to amend the Totalizator (Off-course Betting) Act 1964 with respect to superfecta totalizators, and totalizator betting outside New South Wales 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 Cleary) and the resumption of the adjourned debate made an Order of the Day for a future day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 March 1990

9 REAL PROPERTY (OYSTER LEASES) AMENDMENT BILL
FISHERIES AND OYSTER FARMS (OYSTER LEASES) AMENDMENT
BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in the following cognate bills:

(i) A bill for an Act to amend the Real Property Act 1900 to enable lands comprised in oyster leases to be brought under the provisions of that Act; and for other purposes.

(ii) A bill for an Act to amend the Fisheries and Oyster Farms Act 1935 with respect to mortgages and other dealings with oyster leases.

Question put and passed.

Bills presented and read a first time.

Mr Causley moved, That these bills be now read a second time.

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

10 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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.

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 THE GOVERNOR'S OPENING SPEECH

Resumption of the interrupted debate on the motion of Mr Booth, That the Address in Reply to the Governor's Opening Speech be now adopted by this House.

Mr Arkell 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 March 1990

13 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.28 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 11

THURSDAY 29 MARCH 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting the retention and improvement of bus services in Surry Hills.

Ms Moore—from certain citizens requesting that steps be taken for the regulation of accommodation for backpackers.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Unsworth—from certain citizens opposing the proposed closure of Kyeemagh Infants School.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

2 NOTICES OF MOTIONS

3 QUESTIONS

4 PUBLIC ACCOUNTS COMMITTEE

Mr Smiles, by leave, brought up certain minutes of evidence taken before the Public Accounts Committee during the inquiry into the New South Wales Auditor-General's Office, dated 5 December 1989.

Referred to the Printing Committee.

5 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the debate on the Address in Reply being postponed until after the Education Reform Bill has been brought in and proceeded with up to and including the Minister's second reading speech.

6 EDUCATION REFORM BILL

Dr Metherell moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the law relating to the education of school children; to repeal the Education and Public Instruction Act 1987; and for other purposes.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 March 1990

Question put and passed.

Bill presented and read a first time.

Dr Metherell moved, That this bill be now read a second time.

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

7 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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.

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Irwin 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 PRINTING COMMITTEE

Mr Small brought up Report No. 3 of the Printing Committee.

9 ADJOURNMENT

Mr Webster moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.48 p.m., until Tuesday 3 April 1990, at 2.15 p.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 12

TUESDAY 3 APRIL 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting the retention and improvement of bus services in Surry Hills.

Ms Moore—from certain citizens requesting that steps be taken for the regulation of accommodation for backpackers.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr H. F. Moore—from certain citizens opposing the siting of a periodic detention centre at Ourimbah.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

Mr Christie—from certain citizens requesting the replacement of all PCB operated equipment at Grantham High School.

Mr Jeffery—from certain citizens opposing the proposed entry fee to the Arakoon State Recreation Area.

Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Mr Beckroge—from certain citizens requesting that fees for TAFE courses be abolished.

2 NOTICES OF MOTIONS

3 PAPERS

Mr Baird laid upon the Table—

Maritime Services Act 1935—Ports Boundaries Regulation 1978—
amendment of schedule 1. (Gazette 39/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 April 1990

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for road purposes at—

Bega. (Gazette 41/1990.)

Ingalara. (Gazette 41/1990.)

Mr Causley laid upon the Table—

Real Property Act 1900—Real Property Act Regulations 1970—amendment of schedule 3. (Gazette 41/1990.)

Strata Titles (Leasehold) Act 1986—Strata Titles (Leasehold) Regulation 1989—amendment of clauses 6, 7, schedule 1, substituted clause 10. (Gazette 41/1990.)

Strata Titles Act 1973—Strata Titles Act Regulations 1974—amendment of regulations 7, 8, 11, schedule 1. (Gazette 41/1990.)

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Dr Refshauge moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Attorney General for his mismanagement of the so-called "Mr Bubbles" case and calls on the Premier to order a Royal Commission into all aspects of the matter and child sexual assault generally.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 April 1990

Ayes 40

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Shedden
Mr Carr	Mr Martin	Mr Unsworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Welsh
Mr Doyle	Mr Moss	
Mr Pace	Mr J. H. Murray	
Miss Fraser	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

Noes 61

Mr Arkell	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr Booth	Miss Machin	Mr Smith
Mr Caterson	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Turner
Mr Cochran	Mr Moore	Mr Webster
Mrs Cohen	Ms Moore	Mr West
Mr Collins	Mr Morris	Mr White
Mr Cruickshank	Mr Murray	Mr Wotton
Mr Dowd	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Park	Mr Yeomans
Mr Fahey	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	
Mr Greiner	Mr Pickard	
Mr Griffiths	Ms Read	Tellers
Mr Hartcher	Mr Rixon	
Mr Hatton	Mr Roberts	Mr Beck
Mr Hay	Mr Schipp	Mr Phillips

And so it passed in the negative.

DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the gallery of a delegation from the Republic of Singapore led by Mr Tan Soo Khoon, Speaker of the Singapore Parliament.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 April 1990

6 QUESTIONS (continuation of entry No. 4)

7 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Order of the Day for the resumption of the debate on the Address in Reply being postponed until after the—

Liquor (Amendment) Bill

Registered Clubs (Amendment) Bill

Local Government (Liquor) Amendment Bill

have been brought in and proceeded with up to and including the Minister's second reading speech.

8 LIQUOR (AMENDMENT) BILL
REGISTERED CLUBS (AMENDMENT) BILL
LOCAL GOVERNMENT (LIQUOR) AMENDMENT BILL

Mr West 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 provide for the appointment and functions of a Director of Liquor and Gaming; to confer and impose certain functions on the Commissioner of Police instead of licensing inspectors; to eliminate the duplication of certain functions under that Act and the Local Government Act 1919; and for other purposes.
- (ii) A bill for an Act to amend the Registered Clubs Act 1976 to confer and impose certain functions on the Commissioner of Police instead of licensing inspectors; to eliminate the duplication of certain functions under that Act and the Local Government Act 1919; and for other purposes.
- (iii) A bill for an Act to amend the Local Government Act 1919, as a consequence of the enactment of the Liquor (Amendment) Act 1990 and the Registered Clubs (Amendment) Act 1990.

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 Face) and the resumption of the debate made an Order of the Day for a future day.

9 PRIVILEGE—STRANGERS IN AREAS ADJOINING THE CHAMBER

The Honourable Member for Lane Cove, Mr Dowd, having earlier this day drawn the attention of the House to his having received, while addressing the House, a communication concerning the motion before the House from a stranger standing in the doorway of the Chamber, drew the attention of the House to his subsequent accosting by the stranger, both in an area of the precincts reserved for members and in his office, while the stranger was in the charge of a member of the other place. Mr Dowd stated that the actions of the member of the other place constituted a breach of the privileges of this House.

Mr Speaker stated that the Attorney General had established to his satisfaction a prima facie case of breach of privilege—

Whereupon Mr Dowd moved, That members of the other place be precluded from bringing strangers into the areas adjoining the Chamber except for the purpose of conducting such strangers to the areas set aside for the public.

Debate ensued.

Mr Hatton (speaking) moved (by leave), That this debate be now adjourned and the resumption of the debate made an Order of the Day for tomorrow.

10 THE GOVERNOR'S OPENING SPEECH

The Order of the Day having been read for the resumption of the adjourned debate on the motion of Mr Booth, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Rear Admiral Sir DAVID JAMES MARTIN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer 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
3 April 1990

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.

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 THE GOVERNOR'S OPENING SPEECH

Resumption of the interrupted debate on the motion of Mr Booth, That the Address in Reply to the Governor's Opening Speech be now adopted by this House.

Question put and passed.

Mr Caterson, Acting Speaker, informed the House that Mr Speaker had ascertained it to be the pleasure of His Excellency the Governor to receive the Address in Reply to his Excellency's Opening Speech at 4 p.m., on Wednesday 4 April 1990, at Government House.

13 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.10 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY

R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 13

WEDNESDAY 4 APRIL 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Hunter—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Unsworth—from certain citizens opposing the proposed closure of Kyeemagh Infants School.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr H. F. Moore—from certain citizens opposing the siting of a periodic detention centre at Ourimbah.

Mr Glachan—from certain citizens opposing the passage of the Education Reform Bill.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting the retention and improvement of bus services in Surry Hills.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Freedom of Information Act 1989—Freedom of Information (General) Regulation 1989—clauses 1 to 9, schedules 1 to 5. (Gazette 81/1989.)

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

Technical and Further Education Act 1974—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for the purpose of technical colleges at—

Kurri Kurri. (Gazette 29/1990.)

Loftus. (Gazette 29/1990.)

Referred to the Printing Committee.

4 QUESTIONS

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
4 April 1990

5 PLACING OF BUSINESS—POSTPONEMENT

Order of the Day No. 1 of Business of the House postponed, on the motion of Mr Dowd, until tomorrow.

6 USURY, BILLS OF LADING, AND WRITTEN MEMORANDA (REPEAL) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to repeal the Usury, Bills of Lading, and Written Memoranda Act 1902 and to re-enact certain of its provisions in the Sale of Goods Act 1923 and the Law Reform (Miscellaneous Provisions) Act 1965.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill 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.

7 CRIMES (CHILD VICTIM EVIDENCE) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 with respect to the giving of evidence in criminal proceedings by child victims of sexual assaults and other offences; and to make a consequential amendment to the Crimes (Personal and Family Violence) Amendment Act 1987.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill 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.

Mr Speaker left the Chair at 3.31 p.m. until the ringing of one long bell.

Mr Speaker resumed the Chair at 3.35 p.m.

8 ADDRESS IN REPLY TO THE GOVERNOR'S OPENING SPEECH

The Assembly proceeded to Government House, there to present to the Governor their Address in Reply to the Speech which His Excellency had been pleased to make to both Houses of the Parliament on opening the Session.

And being returned—

Mr Speaker reported that the Assembly had presented to the Governor their Address in Reply to His Excellency's Opening Speech, and that His Excellency had been pleased to give thereto the following answer:

Government House,
Sydney 2000
4 April 1990

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.

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.

The Honourable the Speaker and Members
of the Legislative Assembly of New South Wales.

D. J. MARTIN,
Governor.

9 JUSTICES (PROSTITUTION FINE ENFORCEMENT) AMENDMENT
BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Justices Act 1902 with respect to the enforcement of the payment of fines for prostitution offences.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
4 April 1990

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

10 CRIMES LEGISLATION (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 and the Children (Criminal Proceedings) Act 1987 with respect to the sentencing of persons who plead guilty.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill 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.

11 REAL ESTATE SERVICES COUNCIL BILL

Mr Schipp moved, pursuant to notice, That leave be given to bring in a bill for an Act to constitute the Real Estate Services Council; to define its functions; to amend certain Acts consequentially; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Schipp moved, That this bill be now read a second time.

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

12 EDUCATION REFORM BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Dr Metherell, That this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 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 EDUCATION REFORM BILL

Resumption of the interrupted debate, on the motion of Dr Metherell, That this bill be now read a second time.

Debate adjourned (Mr Roberts) and the resumption of the adjourned debate made an Order of the Day for tomorrow.

15 MENTAL HEALTH BILL

MENTAL HEALTH (CRIMINAL PROCEDURE) BILL
MISCELLANEOUS ACTS (MENTAL HEALTH) REPEAL AND
AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Collins, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Miranda, Mr Phillips, be allowed to continue his speech for a further period of ten minutes.

Question put and passed.

Bills read a second time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
4 April 1990

Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit again tomorrow.

16 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.29 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 14

THURSDAY 5 APRIL 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr H. F. Moore—from certain citizens opposing the siting of a periodic detention centre at Ourimbah.

Mr Amery—from certain citizens requesting that consideration be given to the safety and protection of local residents during construction of the Philip Parkway.

Mr Amery—from certain citizens requesting the provision of a pedestrian crossing at the intersection of Belmore Avenue and Kurrajong Avenue, Mount Druitt.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education Colleges and public schools be maintained.

Ms Nori—from certain citizens requesting the closure of Derwent Lane for the protection of students at Glebe Public School.

Ms Allan, Mr Carr, Mr Doyle, Mr Markham and Dr Refshauge—from certain citizens requesting the introduction of legislation to protect the environment and reduce ocean sewerage disposal.

2 PAPERS

(1) Mr Armstrong laid upon the Table—

Report of the Director of Marketing for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Advice from H. F. Purnell, A.M., Q.C., in the matter of an inquiry into the investigation by the New South Wales Police Force of the circumstances surrounding the shooting of Detective Senior Constable M. P. Drury on 6 June 1984.

MINISTERIAL STATEMENT—DRURY SHOOTING

Mr Dowd made a ministerial statement concerning the report of the investigation into the shooting of Detective Senior Constable M. P. Drury on 6 June 1984.

Mr Carr also addressed the House.

Report of the Law Reform Commission of New South Wales for the year ended 30 June 1988.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 April 1990

Report of the Law Reform Commission of New South Wales for the year ended 30 June 1989.

Bail Act 1978—Bail Regulation 1979—clause 25, amendment of schedule 1, substituted clause 16. (Gazette 41/1990.)

Children (Criminal Proceedings) Act 1987—Children (Criminal Proceedings) Regulation 1988—amendment of clause 9. (Gazette 39/1990.)

Dust Diseases Tribunal Act 1989—Dust Diseases Tribunal Rules—rule 4. (Gazette 39/1990.)

Supreme Court Act 1970—Supreme Court Rules—amendments 238, 239. (Gazettes 39/1990, 44/1990.)

Referred to the Printing Committee.

(3) Mr Moore laid upon the Table—

Children (Care and Protection) Act 1987—Children (Care and Protection—General) Regulation 1988—amendment of clause 8A. (Gazette 11/1990.)

Children (Community Service Orders) Act 1987—Children (Community Service Orders) Regulation 1988—amendment of schedule 1, substituted clauses 15, 16, omission of clauses 17, 18. (Gazette 21/1990.)

Referred to the Printing Committee.

(4) Mr Fahey laid upon the Table—

Dangerous Goods Act 1975—Dangerous Goods Regulation 1978—amendment of clauses 4, 90, 176, 179, 237, 244, 249, 255, substituted clause 240. (Gazette 31/1990.)

Local Government and Other Authorities (Superannuation) Act 1927—Local Government and Other Authorities (Superannuation) Regulation 1978—clause 20. (Gazette 98/1989.)

Public Sector Executives Superannuation Act 1989—Public Sector Executives Superannuation Regulation 1989—clauses 1 to 8. (Gazette 98/1989.)

State Authorities Non-contributory Superannuation Act 1987—State Authorities Non-contributory Superannuation Regulation 1988—clause 4A. (Gazette 98/1989.)

State Authorities Superannuation Act 1987—

- (a) State Authorities Superannuation Regulation 1988—clause 5A. (Gazette 98/1989.)
- (b) State Authorities Superannuation (Transport Officers' Gratuity Scheme Transfer) Regulation 1989—clauses 1 to 9. (Gazette 99/1989.)

Superannuation Act 1916—Superannuation Regulations—regulation 18F. (Gazette 98/1989.)

Workers Compensation Act 1987—Workers Compensation (General) Regulation 1987—amendment of clauses 9A, 9B. (Gazette 39/1990.)

Referred to the Printing Committee.

- (5) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—

- (a) Schedule of Crown Lands intended to be dedicated, or added to existing dedications, for public purposes in accordance with section 24 of the Act. (Gazette 35/1990.)
- (b) Gazette notices (2) setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazette 35/1990.)

Referred to the Printing Committee.

3. QUESTIONS

4. SUSPENSION OF STANDING ORDERS

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Deputy Premier and Minister for Public Works for his collusion with the Member for Coffs Harbour in attempting to grant a 99 year lease over valuable coastal land at Coffs Harbour without first seeking expressions of interest or tenders and calls on him to resign.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 April 1990

Ayes 41

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Mr Gibson
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight

Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price

Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Noes 62

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Catterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hatton
Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Ms Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr Welsh
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Zammit

Tellers

Mr Beck
Mr Phillips

And so it passed in the negative.

5 QUESTIONS (continuation of entry No. 3)

6 PLACING OF BUSINESS—POSTPONEMENT

Order of the Day No. 1 of Business of the House postponed, on the motion of Mr Dowd, until tomorrow.

7 COMMEMORATION OF THE 75TH ANNIVERSARY OF GALLIPOLI

Mr Greiner moved, pursuant to notice, That this House commemorates the 75th Anniversary of the landing on the beaches of Gallipoli by the Australian and New Zealand Army Corps at dawn on 25 April 1915, and remembers with respect and appreciation those citizens who gave their lives at that time, together with all Australians who have served to defend the freedom of Australia in time of war.

Debate ensued.

Question put and passed.

8 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising this day do adjourn until Tuesday 1 May 1990.

Debate ensued.

Question put and passed.

It being 2.15 p.m., General Business proceeded with.

9 MICROECONOMIC REFORM

Mr Longley moved, pursuant to notice, That this House commends the Premier, Treasurer and Minister for Ethnic Affairs and the Government for their microeconomic reforms achieved in the past two years which have positioned New South Wales to deal effectively with the tough economic climate currently consuming Australia.

Debate ensued.

Mr Nagle moved, That the motion be amended by leaving out all words after "House" and inserting instead "condemns the Premier, Treasurer and Minister for Ethnic Affairs for his Government's reduction in public services, its treatment of public sector employees in this State and its broken promises relating to Government charges.

Question proposed—That the words proposed to be left out stand part of the question.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 April 1990

Debate continued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

10 PRINTING COMMITTEE

Mr Small brought up Report No. 4 of the Printing Committee.

11 MENTAL HEALTH BILL

MENTAL HEALTH (CRIMINAL PROCEDURE) BILL
MISCELLANEOUS ACTS (MENTAL HEALTH) REPEAL AND
AMENDMENT BILL

The Order of the Day having been read, Madam Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bills.

Madam Deputy Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman, reported the bills without amendment.

On motion of Mr Collins the Report was adopted.

And Madam Deputy Speaker having consented to the third reading being taken forthwith—

Bills, on motion of Mr Collins, read a third time.

12 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 5.03 p.m., until Tuesday 1 May 1990, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 15

TUESDAY 1 MAY 1990

1 VACANCY IN THE LEGISLATIVE COUNCIL

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

D. J. MARTIN
Governor.

I, Rear Admiral SIR DAVID JAMES MARTIN, in pursuance of the power and authority in me vested as Governor of the State of New South Wales, do hereby convene a Joint Sitting of the Members of the Legislative Council and the Members of the Legislative Assembly for the purpose of the election of a person to fill the seat in the Legislative Council vacated by the Honourable John Davis Garland and do hereby announce and declare that such Members shall assemble for such purpose on the first day of May 1990, at 5.00 in the afternoon in the buildings known as the Legislative Council Chamber, situated in Macquarie Street, in the City of Sydney; and the Members of the

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 May 1990

Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

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

Government House,
Sydney, 24 April 1990.

Ordered by Mr Speaker, That the Joint Sitting with the Legislative Council in the Legislative Council Chamber for the election of a Member of the Legislative Council be set down as an Order of the Day for 5 p.m. this day as appointed in His Excellency's message dated 24 April 1990.

2 DEATH OF ALBERT ROSS SLOSS, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Speaker informed the House of the death of Albert Ross Sloss, a former member of the Legislative Assembly and that, on behalf of the House, he had extended to the family of Mr Sloss the deep sympathy of members of the Legislative Assembly in the loss sustained.

Members and officers of the House stood as a mark of respect.

3 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Face, Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 May 1990

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting that steps be taken for the regulation of accommodation for backpackers.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Ms Moore—from certain citizens opposing recent changes in Department of Housing policy.

Mr H. F. Moore—from certain citizens opposing the siting of a periodic detention centre at Ourimbah.

Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Mr H. F. Moore—from certain citizens requesting improved staffing levels for public schools.

Mr Webster—from certain citizens opposing proposed changes to the 1990 School Certificate Mathematics gradings.

Mr Gibson—from certain citizens opposing the siting of a regional waste management tip at Londonderry.

Mr J. H. Murray—from certain citizens opposing the sale of Crown Land at Howley Park.

Mr Martin—from certain citizens requesting the reservation of Crown Land between Mallabula and Lemon Tree Passage for nature purposes.

Mr Turner—from certain citizens requesting that Crown Land at Nabic be made available for housing development and business growth.

Ms Moore—from certain citizens requesting the banning of electric shock treatment in New South Wales.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Special Report to Parliament under section 31 of the Ombudsman Act and section 32 of the Police Regulation (Allegations of Misconduct) Act, concerning the failure of the Commissioner of Police to take satisfactory action in relation to previous recommendations of the Ombudsman concerning a review of the Special Weapons and Operations Squad procedures and instructions, dated 4 April 1990.

Report and determination pursuant to section 14 of the Statutory and Other Officers Remuneration Act 1975, dated 4 April 1990. (Gazette 49/1990.)

Report and determination pursuant to section 14 of the Statutory and Other Officers Remuneration Act 1975 and section 50 of the Judicial Officers Act 1986, dated 26 March 1990. (Gazette 46/1990.)

Public Finance and Audit Act 1983—

(a) Determination of the Treasurer in terms of section 24 of the Act concerning the transfer of administration of instructional staff in Sport and Recreation Centres from the Department of Education to the Department of Sport, Recreation and Racing.

(b) Public Finance and Audit Regulation 1984—amendment of clause 2AA. (Gazette 44/1990.)

Stamp Duties Act 1920—Stamp Duties (Financial Institutions Duty) Regulation 1982—clause 9K. (Gazette 39/1990.)

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

Report of the Fish River Water Supply Undertaking for 1989.

Report of the South West Tablelands Water Supply Undertaking for 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 May 1990

(3) Mr Dowd laid upon the Table—

Justices Act 1902—Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazette 46/1990.)

Supreme Court Act 1970—Supreme Court Rules—amendment No. 240. (Gazette 51/1990.)

Referred to the Printing Committee.

(4) Mr Schipp laid upon the Table—

Report of the Building Services Corporation for 1989.

Referred to the Printing Committee.

(5) Mr Baird laid upon the Table—

Commercial Vessels Act 1979—Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986—substituted schedule 3. (Gazette 81/1990.)

Maritime Services Act 1935—

(a) Management of Waters and Waterside Lands Regulations—N.S.W.—amendment of regulations 4, 35, 36, 37, 43, 49, 119, substituted regulation 105.

(b) Water Traffic Regulations—N.S.W.—regulation 5A, amendment of regulations 2, 8, 11, 16, schedule 2. (Gazettes 81/1990, 92/1990.)

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for road purposes, at—

Blaxland. (Gazette 46/1990.)

Dapto. (Gazette 46/1990.)

Sydney Harbour Trust Act 1900 and Maritime Services Act 1935—Port of Sydney Regulations—amendment of regulations 74, 75. (Gazette 97/1990.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of schedule K. (Gazette 81/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 May 1990

Transport Authorities Act 1980—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for rail purposes, at Berrico. (Gazette 46/1990.)

Referred to the Printing Committee.

(6) Mr Hay laid upon the Table—

Local Government Act 1919—amendment of ordinances 1, 4, 5, 20, 22, 24, 26, 29A, 37A, 50, 50A, 54, 71, 77, 96. (Gazettes 46/1990, 51/1990.)

Referred to the Printing Committee.

6 QUESTIONS

7 NOTICES OF MOTIONS—AFTER TIME PRESCRIBED BY STANDING ORDERS—(Mr Causley.)

8 PLACING OF BUSINESS—POSTPONEMENT

Order of the Day No. 1 of Business of the House postponed, on the motion of Mr Dowd, until Tuesday 15 May 1990.

9 USURY, BILLS OF LADING, AND WRITTEN MEMORANDA (REPEAL) BILL

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

And the question being again proposed—

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 May 1990

10 EDUCATION REFORM BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Dr Metherell, That this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Hurstville, Mr Yeomans, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Drummoyne, Mr J. H. Murray, be allowed to continue his speech for a further period of ten minutes.

Mr Jeffery (speaking) moved (by leave), That this debate be now adjourned and the resumption of the debate made an Order of the Day for a later hour of the Day.

Ordered, That the resumption of the adjourned debate be set down as an Order of the Day for a later hour of the Day.

11 PAPER

Mr Pickard laid upon the Table—

Report of the Inquiry into Electricity Distribution in Broken Hill, Central Darling Shire and the Unincorporated area.

Referred to the Printing Committee.

12 VACANCY IN THE LEGISLATIVE COUNCIL

The Order of the Day having been read, Mr Speaker informed the House that the time had arrived for the House to proceed to the Legislative Council Chamber to elect a person to fill the seat in the Legislative Council vacated by the Honourable John Davis Garland.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 May 1990

Whereupon the House proceeded to the Legislative Council Chamber to meet with the Legislative Council.

And being returned—

Mr Speaker resumed the Chair upon the ringing of one long bell at 5.10 p.m.

Mr Speaker reported that the House had met with the Legislative Council in the Legislative Council Chamber this day to elect a person to fill the seat in the Legislative Council vacated by the Honourable John Davis Garland and that Jeffrey William Shaw, Q.C., had been duly elected.

13 EDUCATION REFORM BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Dr Metherell, That this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 May 1990

15 EDUCATION REFORM BILL

Resumption of the interrupted debate, on the motion of Dr Metherell, That this bill be now read a second time.

Ordered, That the honourable member for Minchinbury, Mrs Cohen, be allowed to continue her speech for a further period of ten minutes.

Ordered, That the honourable member for Bligh, Ms Moore, be allowed to continue her speech for a further period of ten minutes.

Ordered, That the honourable member for Murray, Mr Small, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Sutherland, Mr Downy, be allowed to continue his speech for a further period of ten minutes.

Mr Books 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.

16 ADJOURNMENT

Dr Metherell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.35 p.m., until tomorrow, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 16

WEDNESDAY 2 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter, Mr Mills and Mr Price—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druiitt a drug free zone.

Mr Gibson—from certain citizens opposing the siting of a regional waste management tip at Londonderry.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Amery—from certain citizens requesting the provision of a pedestrian crossing at the intersection of Belmore Avenue and Kurrajong Avenue, Mount Druitt.

Mr Shedden—from certain citizens opposing the proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr Price—from certain citizens requesting exemptions from college fees for people receiving social security benefits.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Dr Metherell laid upon the Table—

Report of the Macarthur Institute of Higher Education for the year ended 31 October 1989.

Report of Macquarie University for 1989.

Report of the University of Newcastle for 1989.

Report of the Orange Agricultural College for 1989.

Report of the University of Sydney for 1989.

Report of the University of Technology, Sydney, for 1989.

Report of the University of Western Sydney for 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 May 1990

(2) Mr Causley laid upon the Table—

Report of the Broken Hill Water Board for 1989.

Water Act 1912—Water (Part V) Drillers' Licences Regulation 1990—clauses 1 to 7, schedule 1. (Gazette 44/1990.)

Referred to the Printing Committee.

(3) Mr Yabsley laid upon the Table—

Report of the Parole Board of New South Wales for the period 1 January 1989 to 24 September 1989.

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS—EMIGRATION OF RUSSIAN JEWS

Ordered, on the motion of Mr Moore, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of a motion concerning the emigration of Russian Jews.

Mr Moore moved, That this House:

(1) Welcomes the decision of the Soviet Government to allow Soviet Jews who wish to emigrate from the Soviet Union to do so.

(2) Calls upon the Soviet Government to honour its agreement permitting direct flights from the Soviet Union to Israel to facilitate free migration of Soviet Jewry to the State of Israel.

(3) Calls on the Soviet Government to permit an increase in the number of flights from Moscow which could cater, by indirect routes, for such migration, pending the commencement of such direct flights.

(4) Requests Mr Speaker to convey this resolution to the Soviet representative in Sydney.

Debate ensued.

Question put and passed.

6 AGRICULTURAL TENANCIES BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to regulate the rights of agricultural landowners, tenants and sharefarmers and to provide for the determination by arbitration of disputes between them; to repeal the Agricultural Holdings Act 1941; and for other purposes.

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 Amery) and the resumption of the adjourned debate made an Order of the Day for a future day.

7 LEGAL PROFESSION (SOLICITOR CORPORATIONS) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Legal Profession Act 1987 to provide for the formation and regulation of corporations that carry on business as solicitors.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

8 MOTOR DEALERS (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Motor Dealers Act 1974 to make further provision with respect to the obligations of motor dealers to repair defects in vehicles, the payment of compensation from the Motor Dealers Compensation Fund and the keeping of records; and for other purposes.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 May 1990

Bill presented and read a first time.

Mr Peacocke moved, That this bill be now read a second time.

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

9 BISHOP TYRRELL TRUST (AMENDMENT) BILL

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

And the question being again proposed—

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.

10 EDUCATION REFORM BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Dr Metherell, That this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 EDUCATION REFORM BILL

Resumption of the interrupted debate, on the motion of Dr Metherell, That this bill be now read a second time.

Ordered, That the honourable member for Bega, Mr Smith, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for South Coast, Mr Hatton, be allowed to continue his speech for a further period of ten minutes.

Debate adjourned (Mr Cochran) and the resumption of the adjourned debate made an Order of the Day for tomorrow.

13 TOTALIZATOR (AMENDMENT) BILL
TOTALIZATOR (OFF-COURSE BETTING) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr West, That these bills be now read a second time—

And the question being again proposed—

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr West, read a third time.

14 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Acting Speaker Caterson reported a message from the Legislative Council, dated 2 May 1990, returning the Usury, Bills of Lading, and Written Memoranda (Repeal) Bill, without amendment.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 May 1990

15 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.05 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 17

THURSDAY 3 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

Ms Moore—from certain citizens requesting that steps be taken for the regulation of accommodation for backpackers.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Ms Moore—from certain citizens opposing certain changes in public housing policy.

Mr Shedden—from certain citizens opposing the proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr Glachan—from certain citizens praying that the Education Reform Bill not to be passed.

Mr D. L. Page—from certain citizens requesting 24-hour staffing of the Alstonville Police Station.

Mr H. F. Moore—from certain citizens requesting improved staffing levels for public schools.

Mr Chappell—from certain citizens requesting permission for the New England Woolexpo to be staged at the Creeklands site adjacent to the Armidale Tourist Centre.

Ms Moore—from certain citizens opposing naval radar testing at Woolloomooloo.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Aquilina—from certain citizens opposing the unwillingness of teachers at Lisarow High School to undertake extra duties.

2 NOTICES OF MOTIONS

3 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Seventh Report of the Regulation Review Committee on—

(1) Hunter Water Board (Special Areas) Regulation 1989.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

(2) Regulation (Relating to extractive industries in the Western Division of the State) made under the Environmental Planning and Assessment Act 1979 and amending the Environmental Planning Assessment Regulation 1980.

Ordered to be printed.

4 PAPERS

Mr Causley laid upon the Table—

Valuation of Land Act 1916—Regulation No. 2—substituted clause 7, omission of schedule 4. (Gazette 49/1990.)

Referred to the Printing Committee.

5 QUESTIONS

6 PLACING OF BUSINESS—POSTPONEMENT

Notice of Motion No. 1 of General Business postponed, on the motion of Mr Face, until tomorrow.

Notice of Motion No. 2 of General Business postponed, on the motion of Mr Kerr, until tomorrow.

7 JOINT SELECT COMMITTEE UPON THE PROCESS AND FUNDING OF THE ELECTORAL SYSTEM

Mr Greiner moved, pursuant to notice, amended (by leave)—

1 That a Joint Select Committee be appointed with the following terms of reference:

(1) To recommend to Parliament ways in which the current system of election funding could be improved, having regard to:

(a) the need for accountability as regards the efficacious, efficient and equitable use of public money;

(b) the public interest in the integrity and impartiality of the political process;

(c) systems of election and electoral mechanisms.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

- (2) Without limiting the generality of (1) to recommend ways in which the system of election funding could be improved in relation to:
 - (a) the disclosure of true sources of funding to candidates, groups and political parties; and
 - (b) the disclosure of the expenditure of funds by candidates, groups and political parties.
- 2 That the Committee shall consist of eight Members of the Legislative Assembly and five Members of the Legislative Council being five Members of the Legislative Assembly supporting the Government and three Members of the Legislative Assembly not supporting the Government and two Members of the Legislative Council supporting the Government and three Members of the Legislative Council not supporting the Government.
- 3 That at any meeting of the Committee any seven Members shall constitute a quorum, provided that the Committee shall meet as a Joint Committee at all times.
- 4 That Mr Booth, Mr Jeffery, Mr Merton, Mr Phillips, Mr Souris, Mr John Murray, Mr Mills and Mr Hatton be appointed to serve on such Committee as the Members of the Legislative Assembly.
- 5 That the Committee have leave to sit during the sittings or any adjournment of either or both Houses; to adjourn from place to place; to make visits of inspection within the State of New South Wales and other States and Territories of the Commonwealth and overseas and have power to take evidence and send for persons and papers; and to report from time to time.

Debate ensued.

Mr Hatton moved, That the question be amended by leaving out all words after the word "reference:" with a view to inserting the following words instead thereof—

- 1 (1) To recommend to Parliament ways in which systems of election funding could be improved, having regard to:
 - (a) the need for accountability as regards the efficacious, efficient and equitable use of public moneys and moneys from other sources, for electoral purposes;

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

- (b) the public interest in the integrity and impartiality of the political process;
 - (c) systems of elections and electoral mechanisms.
- (2) Without limiting the generality of (1) to recommend ways in which the system of election funding could be improved in relation to:
- (a) the disclosure of true sources of funding for candidates, groups and political parties; and
 - (b) the disclosure of the expenditure of funds by candidates, groups and political parties.
- 2 That the Committee shall consist of seven Members of the Legislative Assembly and seven Members of the Legislative Council being three Members of the Government and three Members of the Opposition, and one Independent in the Legislative Assembly; and three Members of the Government and three Members of the Opposition and one other Member from the minor Parties and Independents in the Legislative Council, provided that the Chairman of the Committee shall be a Government Member from the Legislative Assembly.
- 3 That at any meeting of the Committee any eight Members shall constitute a quorum, provided that the Committee shall meet as a Joint Committee at all times.
- 4 That Mr Booth, Mr Jeffery, Mr Phillips, Mr Knight, Mr John Murray, Mr Gibson and Mr Hatton be appointed to serve on such Committee as the Members of the Legislative Assembly.
- 5 That the Committee have leave to sit during the sittings or any adjournment of either or both Houses; to adjourn from place to place; to make visits of inspection within the State of New South Wales and other States and Territories of the Commonwealth and overseas and have power to take evidence and send for persons and papers; and to report from time to time.

Question proposed—That the words proposed to be left out stand a part of the question.

Debate continued.

Mr Phillips moved, That the question be now put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

The House divided.

Ayes 54

Mr Andrews	Mr Griffiths	Mr Schultz
Mr Armstrong	Mr Hartcher	Mr Singleton
Mr Baird	Mr Hay	Mr Small
Mr Berry	Mr Jeffery	Mr Smith
Mr Books	Mr Kerr	Mr Souris
Mr Booth	Mr Longley	Mr Tink
Mr Caterson	Miss Machin	Mr Turner
Mr Causley	Mr Matheson	Mr Webster
Mr Chappell	Mr Merton	Mr West
Mr Cochran	Mr Morris	Mr White
Mrs Cohen	Mr D. L. Page	Mr Wotton
Mr Collins	Mr Park	Mr Yabsley
Mr Cruickshank	Mr Peacocke	Mr Yeomans
Mr Dowd	Mr Petch	Mr Zammit
Mr Downy	Mr Photios	
Mr Fahey	Mr Pickard	Tellers
Mr Glachan	Mr Rixon	
Mr Graham	Mr Roberts	Mr Beck
Mr Greiner	Mr Schipp	Mr Phillips

Noes 45

Ms Allan	Mr Irwin	Ms Nori
Mr Amery	Mr Keegan	Mr Price
Mr Anderson	Mr Knight	Mr Primrose
Mr Aquilina	Mr Knowles	Ms Read
Mr A. S. Aquilina	Mr Langton	Dr Refshauge
Mr Arkell	Mr Lovelee	Mr Rogan
Mr Carr	Mr McManus	Mr Rumble
Mr Cleary	Mr Markham	Mr Shedden
Mr Davoren	Mr Martin	Mr Unsworth
Mr Doyle	Mr Mills	Mr Welsh
Mr Face	Mr H. F. Moore	Mr Whelan
Miss Fraser	Ms Moore	
Mr Gibson	Mr Moss	Tellers
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Mr Beckroge
Mr Hunter	Mr Newman	Mr Christie

Pairs

Mr Moore
Mr Murray

Mr Page
Mr Walsh

And so it was resolved in the affirmative.

Question put—That the words proposed to be left out stand part of the question.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

The House divided.

Ayes 54

Mr Andrews	Mr Griffiths	Mr Schultz
Mr Armstrong	Mr Hartcher	Mr Singleton
Mr Baird	Mr Hay	Mr Small
Mr Berry	Mr Jeffery	Mr Smith
Mr Books	Mr Kerr	Mr Souris
Mr Booth	Mr Longley	Mr Tink
Mr Catterson	Miss Machin	Mr Turner
Mr Causley	Mr Matheson	Mr Webster
Mr Chappell	Mr Merton	Mr West
Mr Cochran	Mr Morris	Mr White
Mrs Cohen	Mr D. L. Page	Mr Wotton
Mr Collins	Mr Park	Mr Yabsley
Mr Cruickshank	Mr Peacocke	Mr Yeomans
Mr Dowd	Mr Petch	Mr Zammit
Mr Downy	Mr Photios	
Mr Fahey	Mr Pickard	Tellers
Mr Glachan	Mr Rixon	
Mr Graham	Mr Roberts	Mr Beck
Mr Greiner	Mr Schipp	Mr Phillips

Noes 46

Ms Allan	Mr Keegan	Mr Price
Mr Amery	Mr Knight	Mr Primrose
Mr Anderson	Mr Knowles	Ms Read
Mr Aquilina	Mr Langton	Dr Refshauge
Mr A. S. Aquilina	Mr Lovelee	Mr Rogan
Mr Arkell	Mr McManus	Mr Rumble
Mr Carr	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Welsh
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Ms Moore	
Miss Fraser	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie

Pair

Mr Moore

Mr Walsh

And so it was resolved in the affirmative.

Original question again proposed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

Debate continued.

Mr Phillips moved, That the question be now put.

The House divided.

Ayes 54

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner

Mr Griffiths
Mr Hartcher
Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Morris
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Singleton
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 46

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin

Mr Keegan
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page

Mr Price
Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Pair

Mr Moore

Mr Walsh

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

Original question put.

The House divided.

Ayes 55

Mr Andrews	Mr Hartcher	Mr Singleton
Mr Arkell	Mr Hay	Mr Small
Mr Armstrong	Mr Jeffery	Mr Smith
Mr Berry	Mr Keegan	Mr Souris
Mr Books	Mr Kerr	Mr Tink
Mr Booth	Mr Longley	Mr Turner
Mr Caterson	Miss Machin	Mr Welsh
Mr Causley	Mr Matheson	Mr West
Mr Chappell	Mr Merton	Mr White
Mr Cochran	Mr Morris	Mr Wotton
Mrs Cohen	Mr D. L. Page	Mr Yabsley
Mr Collins	Mr Park	Mr Yeomans
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Dowd	Mr Petch	
Mr Downy	Mr Photios	
Mr Fahey	Mr Pickard	
Mr Glachan	Mr Rixon	Tellers
Mr Graham	Mr Roberts	
Mr Greiner	Mr Schipp	Mr Beck
Mr Griffiths	Mr Schultz	Mr Phillips

Noes 43

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Knowles	Mr Primrose
Mr Anderson	Mr Langton	Ms Read
Mr Aquilina	Mr Lovelee	Dr Refshauge
Mr A. S. Aquilina	Mr McManus	Mr Rogan
Mr Carr	Mr Markham	Mr Rumble
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Ms Moore	
Miss Fraser	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie

Pair

Mr Moore

Mr Walsh

And so it was resolved in the affirmative.

8 JOINT STANDING COMMITTEE UPON ROAD SAFETY

Ordered, on the motion of Mr Dowd (by leave), That should the Joint Standing Committee upon Road Safety agree to any reports during any adjournment or prorogation of the House—

1. The Committee have leave to send the report, minutes of proceedings and evidence taken before them to the Clerk of the House;
2. 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
3. The documents shall be laid upon the Table of the House at its next sitting.

9 CONVEYANCING (SALE OF LAND) AMENDMENT BILL
AUCTIONEERS AND AGENTS (SALE OF LAND) AMENDMENT BILL

Mr Causley moved, pursuant to notice, That the Conveyancing (Sale of Land) Amendment Bill and the Auctioneers and Agents (Sale of Land) Amendment Bill being cognate bills forwarded to the Legislative Council during the previous session of the present Parliament, not having been finally dealt with because of the prorogation of the Legislature, the following message be sent to the Council—

Mr PRESIDENT

The cognate bills intituled "An Act to amend the Conveyancing Act 1919 in relation to the sale of residential property; to amend the Stamp Duties Act 1920 consequentially; and for other purposes", and "An Act to amend the Auctioneers and Agents Act 1941 in relation to the sale of residential property"—forwarded to the Legislative Council for concurrence during the previous session of the present Parliament, not having been finally dealt with because of the prorogation of the Legislature, the Legislative Assembly requests that the said bills be proceeded with under the Council Standing Order in that behalf.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

Debate ensued.

Question put and passed.

It being 2.15 p.m., General Business proceeded with.

10 NEWCASTLE EARTHQUAKE

Mr Martin moved, pursuant to notice, That this House expresses concern at the failure of the government to carry out its duties to assist the citizens of Newcastle and suburbs following the earthquake on 28 December 1989.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

11 PRINTING COMMITTEE

Mr Small brought up Report No. 5 of the Printing Committee.

12 JOINT SELECT COMMITTEE UPON THE PROCESS AND FUNDING
OF THE ELECTORAL SYSTEM

Ordered, on the motion of Mr Greiner, That the following message be sent to the Legislative Council—

MR PRESIDENT

The Legislative Assembly has this day agreed to the following Resolution—

- 1 That a Joint Select Committee be appointed with the following terms of reference:
 - (1) To recommend to Parliament ways in which the current system of election funding could be improved, having regard to:
 - (a) the need for accountability as regards the efficacious, efficient and equitable use of public money;

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

- (b) the public interest in the integrity and impartiality of the political process;
 - (c) systems of election and electoral mechanisms.
- (2) Without limiting the generality of (1), to recommend ways in which the system of election funding could be improved in relation to:
- (a) the disclosure of true sources of funding to candidates, groups and political parties; and
 - (b) the disclosure of the expenditure of funds by candidates, groups and political parties.
- 2 That the Committee shall consist of eight Members of the Legislative Assembly and five Members of the Legislative Council being five Members of the Legislative Assembly supporting the Government and three Members of the Legislative Assembly not supporting the Government and two Members of the Legislative Council supporting the Government and three Members of the Legislative Council not supporting the Government.
- 3 That at any meeting of the Committee any seven Members shall constitute a quorum, provided that the Committee shall meet as a Joint Committee at all times.
- 4 That Mr Booth, Mr Jeffery, Mr Merton, Mr Phillips, Mr Souris, Mr John Murray, Mr Mills and Mr Hatton be appointed to serve on such Committee as the Members of the Legislative Assembly.
- 5 That the Committee have leave to sit during the sittings or any adjournment of either or both Houses; to adjourn from place to place; to make visits of inspection within the State of New South Wales and other States and Territories of the Commonwealth and overseas and have power to take evidence and send for persons and papers; and to report from time to time.

And the Legislative Assembly requests that the Legislative Council will appoint five of its Members to serve with the Members of the Legislative Assembly upon such joint committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 May 1990

13 MINISTERIAL STATEMENT—CABINET DOCUMENTS

Mr Greiner made a ministerial statement concerning cabinet documents and the Freedom of Information Act.

Mr Carr also addressed the House.

14 ADJOURNMENT

Mr Greiner moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.20 p.m., until Tuesday 8 May 1990, at 2.15 p.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 18

TUESDAY 8 MAY 1990

1 DEATH OF GORDON CHARLTON MACKIE, A FORMER MEMBER
OF THE LEGISLATIVE ASSEMBLY

Mr Greiner moved, That this House extends to Mrs Mackie and family, the deep sympathy of members of the Legislative Assembly in the loss sustained by the death of Gordon Charlton Mackie, a former member of the Legislative Assembly.

And the motion having been seconded by Mr Whelan and supported by Mr Murray, Mr Schipp, Mr Glachan, Mr Dowd and Mr Pickard.

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

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Shedden—from certain citizens opposing the proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr H. F. Moore—from certain citizens requesting improved staffing levels for public schools.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Mr Martin—from certain citizens requesting the reservation of Crown Land between Mallabula and Lemon Tree Passage for nature purposes.

Ms Allan—from certain citizens requesting a review of technical and further education policies.

Mr H. F. Moore—from certain citizens opposing the siting of a prawn farm at Mannering Bay.

Mr Smith—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 May 1990

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Ms Moore—from certain citizens opposing recent changes in Department of Housing policy.

Ms Moore—from certain citizens opposing naval radar testing at Woolloomooloo.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Armstrong laid upon the Table—

Report of the New South Wales Dairy Industry Conference for the year ended 30 September 1989.

Fisheries and Oyster Farms Act 1935—

(a) Fisheries and Oyster Farms (General) Regulation 1989—amendment of clause 36. (Gazette 49/1990.)

(b) New South Wales Commercial Fishing Advisory Council Regulation 1990—clauses 1 to 38. (Gazette 49/1990.)

Noxious Insects Act 1934—Noxious Insects Regulations—regulation 41, omission of clauses 5 to 35. (Gazette 44/1990.)

Pastures Protection Act 1934—Pastures Protection Regulations—amendment of regulation 37D. (Gazette 41/1990.)

Stock Diseases Act 1923—Stock Diseases Regulations 1936—amendment of regulation 132, substituted regulation 72D (Gazette 49/1990.)

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Report of the New South Wales Law Reform Commission entitled Names—Registration and Certification of Births and Deaths.

Referred to the Printing Committee.

(3) Mr West laid upon the Table—

State Lotteries Act 1930—State Lotteries (Instant Lotteries) Regulation 1983—amendment of clause 7. (Gazette 51/1990.)

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Report of the Wild Dog Destruction Board for 1989.

Referred to the Printing Committee.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Criminal Procedure (Committal Proceedings) Amendment Bill
Miscellaneous Acts (Committal Proceedings) Amendment Bill
Limitation (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.

7 DRUG TRAFFICKING (CIVIL PROCEEDINGS) BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the confiscation of interests in property that are interests of a person engaged in drug-related activities; to enable proceeds of drug-related activities to be recovered as a debt due to the Crown; and for other purposes.

Question put and passed.

Bill presented and read a first time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 May 1990

Mr Greiner 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.

8 CRIMES LEGISLATION (FURTHER AMENDMENT) BILL

Mr Dowd 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 medical examinations, inquiries subsequent to conviction, the taking of a conveyance without the consent of the owner and apprehended violence orders, and for other purposes; and to amend the Summary Offences Act 1988 to regulate climbing on and jumping from buildings and other structures.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

9 COUNTRY INDUSTRIES (PAY-ROLL TAX REBATES) AMENDMENT
BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Country Industries (Pay-roll Tax Rebates) Act 1977 so as to phase out the payment of pay-roll tax rebates to country industries and so as to provide for the expiry of that Act following the phasing out of those payments.

Question put and passed.

Bill presented and read a first time.

Mr Peacocke moved, That this bill be now read a second time.

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

10 PASSENGER TRANSPORT BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to regulate public transport services; to repeal the Transport Licensing Act 1931 and certain other enactments; and for other purposes.

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 LEGAL PROFESSION (SOLICITOR CORPORATIONS) AMENDMENT BILL

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

The House resumed the said adjourned debate.

And the question being again proposed—

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 May 1990

12 CRIMINAL PROCEDURE (COMMITTAL PROCEEDINGS)
AMENDMENT BILL
MISCELLANEOUS ACTS (COMMITTAL PROCEEDINGS)
AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the Criminal Procedure Act 1986 to replace the present committal proceedings for persons charged with indictable offences with new pre-trial procedures; and for other purposes.
- (ii) A bill for an Act to amend certain Acts with respect to criminal procedure and in connection with the enactment of the Criminal Procedure (Committal Proceedings) Amendment Act 1990.

Question put and passed.

Bills presented and read a first time.

Mr Dowd moved, That these bills 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.

13 LIMITATION (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Limitation Act 1969 in relation to the limitation of actions for personal injury; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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.

14 CRIMES (CHILD VICTIM EVIDENCE) AMENDMENT BILL

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

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

15 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

16 CRIMES (CHILD VICTIM EVIDENCE) AMENDMENT BILL

Resumption of the interrupted debate, on the motion of Mr Dowd, 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 Dowd, read a third time.

17 CRIMES LEGISLATION (AMENDMENT) BILL

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

And the question being again proposed—

Question put and passed.

Bill read a second time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 May 1990

Leave granted for the third reading to be moved forthwith.

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

18 JUSTICES (PROSTITUTION FINE ENFORCEMENT) AMENDMENT
BILL

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

And the question being again proposed—

Debate resumed.

Mr Phillips moved, That the question be now put.

The House divided.

Ayes 46

Mr Andrews	Mr Jeffery	Mr Small
Mr Armstrong	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Tink
Mr Caterson	Mr Matheson	Mr Turner
Mr Causley	Mr Merton	Mr West
Mr Chappell	Mr Moore	Mr White
Mr Cochran	Mr Morris	Mr Yabsley
Mrs Cohen	Mr D. L. Page	Mr Yeomans
Mr Cruickshank	Mr Park	Mr Zammit
Mr Dowd	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	Tellers
Mr Graham	Mr Pickard	
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Roberts	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 May 1990

Noes 41

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr Arkell
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Knowles
Mr Langton
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Ms Nori
Mr Page
Mr Price

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Pairs

Mr Baird
Mr Collins
Mr Greiner
Mr Murray
Mr Webster

Mr A. S. Aquilina
Mr Carr
Mr Lovelee
Mr Newman
Mr Primrose

And so it was resolved in the affirmative.

Original question put.

The House divided.

Ayes 46

Mr Andrews
Mr Armstrong
Mr Berry
Mr Books
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hay

Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Moore
Mr Morris
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schultz

Mr Small
Mr Smiles
Mr Smith
Mr Tink
Mr Turner
Mr West
Mr White
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 May 1990

Noes 41

Ms Allan	Mr Knight	Ms Read
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr Arkell	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Welsh
Mr Face	Ms Moore	Mr Whelan
Mr Gibson	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie
Mr Keegan	Mr Price	

Pairs

Mr Baird	Mr A. S. Aquilina
Mr Collins	Mr Carr
Mr Greiner	Mr Lovelee
Mr Murray	Mr Newman
Mr Webster	Mr Primrose

And so it was resolved in the affirmative.

Bill read a second time.

Mr Acting Speaker Booth 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 the bill without amendment.

Mr Dowd moved, That the Report be adopted.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 May 1990

Ayes 46

Mr Andrews	Mr Jeffery	Mr Small
Mr Armstrong	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Tink
Mr Caterson	Mr Matheson	Mr Turner
Mr Causley	Mr Merton	Mr West
Mr Chappell	Mr Moore	Mr White
Mr Cochran	Mr Morris	Mr Yabsley
Mrs Cohen	Mr D. L. Page	Mr Yeomans
Mr Cruickshank	Mr Park	Mr Zammit
Mr Dowd	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Roberts	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Noes 41

Ms Allan	Mr Knight	Ms Read
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr Arkell	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Welsh
Mr Face	Ms Moore	Mr Whelan
Mr Gibson	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Ms Nori	
Mr Irwin	Mr Page	Mr Beckroge
Mr Keegan	Mr Price	Mr Christie

Pairs

Mr Baird	Mr A. S. Aquilina
Mr Collins	Mr Carr
Mr Greiner	Mr Lovelee
Mr Murray	Mr Newman
Mr Webster	Mr Primrose

And so it was resolved in the affirmative.

And Mr Speaker having consented to the third reading being moved forthwith—

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 and 9 May 1990

Whereupon Ms Moore moved, That the question be amended by leaving out the word "now" with a view to inserting "this day six months".

And the House continuing to sit after midnight—

WEDNESDAY 9 MAY 1990 a.m.

Mr Acting Speaker Booth having called the attention of the House to the very limited scope of debate on an amendment to the third reading of a bill and the continued nature of a second reading speech beyond the amendment on the part of Ms Moore, the honourable member for Bligh, directed her to resume her seat.

Debate ensued.

Mr Phillips moved, That the question be now put.

The House divided.

Ayes 46

Mr Andrews
Mr Armstrong
Mr Berry
Mr Books
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hay

Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Moore
Mr Morris
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schultz

Mr Small
Mr Smiles
Mr Smith
Mr Tink
Mr Turner
Mr West
Mr White
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 and 9 May 1990

Noes 40

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr Arkell
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Knowles
Mr Langton
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Ms Nori
Mr Page
Mr Price

Ms Read
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Pairs

Mr Baird
Mr Collins
Mr Greiner
Mr Murray
Mr Webster

Mr A. S. Aquilina
Mr Carr
Mr Lovelee
Mr Newman
Mr Primrose

And so it was resolved in the affirmative.

Question—That the word proposed to be left out stand part of the question—put and passed.

Original question again proposed.

Debate continued.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
8 and 9 May 1990

Ayes 46

Mr Andrews	Mr Jeffery	Mr Small
Mr Armstrong	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Tink
Mr Caterson	Mr Matheson	Mr Turner
Mr Causley	Mr Merton	Mr West
Mr Chappell	Mr Moore	Mr White
Mr Cochran	Mr Morris	Mr Yabsley
Mrs Cohen	Mr D. L. Page	Mr Yeomans
Mr Cruickshank	Mr Park	Mr Zammit
Mr Dowd	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Roberts	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Noes 40

Ms Allan	Mr Knight	Ms Read
Mr Amery	Mr Knowles	Mr Rogan
Mr Anderson	Mr Langton	Mr Rumble
Mr Aquilina	Mr McManus	Mr Shedden
Mr Arkeil	Mr Markham	Mr Unsworth
Mr Cleary	Mr Martin	Mr Walsh
Mr Davoren	Mr Mills	Mr Welsh
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Ms Moore	
Mr Gibson	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Ms Nori	
Mr Irwin	Mr Page	Mr Beckroge
Mr Keegan	Mr Price	Mr Christie

Pairs

Mr Baird	Mr A. S. Aquilina
Mr Collins	Mr Carr
Mr Greiner	Mr Lovelee
Mr Murray	Mr Newman
Mr Webster	Mr Primrose

And so it was resolved in the affirmative.

Bill read a third time.

19 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Acting Speaker Booth reported messages from the Legislative Council dated 8 May 1990, returning the following bills, without amendment—

Totalizator (Amendment) Bill
Totalizator (Off-course Betting) Amendment Bill
Bishop Tyrrell Trust (Amendment) Bill.

20 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.26 a.m., until 2.15 p.m. this day.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 19

WEDNESDAY 9 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Shedden—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr H. F. Moore—from certain citizens requesting improved staffing levels for public schools.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 May 1990

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Ms Allan—from certain citizens requesting a review of technical and further education policies.

Mr H. F. Moore—from certain citizens opposing the siting of a prawn farm at Mannering Bay.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Amery—from certain citizens requesting that consideration be given to the safety and protection of local residents during construction of the Philip Parkway.

Mr Dowd—from Mr H. K. Roberts on behalf of the State of New South Wales and the Maritime Services Board praying that the House grant leave to adduce in evidence Parliamentary Debates of the Legislative Assembly 5 March 1987, pages 9141 to 9162 inclusive.

2 PETITION—GRANT OF PRAYER

Ordered, on the motion of Mr Moore (by leave), That, in response to the petition of Mr H. K. Roberts acting on behalf of the State of New South Wales and the Maritime Services Board presented to the House this day, this House authorises Mr Roberts and the defendants to adduce in evidence the Parliamentary Debates of 5 March 1987, pages 9141 to 9162 inclusive, for the purpose only of proving what was in fact said in this House.

3 MINISTERIAL ARRANGEMENTS

Mr Greiner informed the House of the absence from the State this day and tomorrow of the Attorney General and that during the absence, Mr Moore would act as Leader of the House, and that he would answer questions addressed to the Attorney General.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 May 1990

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the inquiry into the death of Mark Wayne Revell by the Royal Commission into Aboriginal Deaths in Custody.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Report of the New South Wales Women's Advisory Council for the year ended 30 June 1989.

National Parks and Wildlife Act 1974—

(a) proclamation reserving certain lands as part of Dapper Nature Reserve. (Gazette 39/1990.)

(b) notifications under section 47B dedicating lands as part of—

Lane Cove River State Recreation Area. (Gazette 51/1990.)

Glenrock State Recreation Area. (Gazette 51/1990.)

Referred to the Printing Committee.

(3) Dr Metherell laid upon the Table—

Report of the Department of Technical and Further Education for the year ended 30 June 1989.

Report of the Technical Education Trust Funds for 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 May 1990

(4) Mr Baird laid upon the Table—

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for road purposes, at—

Wentworthville. (Gazette 49/1990.)

Rozelle. (Gazette 49/1990.)

Public Transport Commission Act, 1972—notification of rescission of resumption of land under the Public Works Act 1912 at Liverpool. (Gazette 54/1990.)

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Electricity Act 1945—Consumers' Electrical Installations (Safety) Regulations 1961—amendment of form 1, substituted regulation 14. (Gazette 44/1990.)

Gas Act 1986—The Gas and Electricity (Gas) Regulations 1936—substituted regulation 32. (Gazette 44/1990.)

Liquefied Petroleum Gas Act 1961—Liquefied Petroleum Gas (General) Regulation 1982—substituted clause 6. (Gazette 44/1990.)

Mining Act 1973—Mining Regulations 1974—amendment of regulations 7, 8, 12A, 34, 35A, 36, 37, 44, 46, schedules 1, 2A, 5, 9A, 12, omission of schedule 9. (Gazette 44/1990.)

Referred to the Printing Committee.

(6) Mr Hay laid upon the Table—

Environmental Planning and Assessment Act 1979—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for development purposes, at Eastern Creek. (Gazette 49/1990.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 May 1990

6 JOINT STANDING COMMITTEE UPON ROAD SAFETY

The Clerk, in accordance with the resolution of the Legislative Assembly of 3 May 1990, laid upon the Table—

Report of the Joint Standing Committee upon Road Safety concerning B-Doubles.

Minutes of Evidence taken before the Joint Standing Committee upon Road Safety.

7 QUESTIONS

8 PAPER

Mr Baird laid upon the Table—

Letter from the Chief Executive of the State Rail Authority to the Executive Manager of Rail Safety Audit concerning an inquiry into the collision of N172 intercity passenger train with the rear of NS24 passenger train.

Referred to the Printing Committee.

9 DISALLOWANCE OF REGULATIONS UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Mr Yeomans moved, pursuant to notice, That this House disallows that portion of the regulation under the Environmental Planning and Assessment Act 1979—(Relating to extractive industries in the Western Division of the State) being that portion comprising the matter "(being extractive industries referred to in clause 9 of that plan)", as set forth in Government Gazette No. 119 of 8 December 1989, a copy of which was laid upon the Table of the House on 21 March 1990.

Debate ensued.

Question put and passed.

10 DISALLOWANCE OF THE HUNTER WATER BOARD (SPECIAL AREAS) REGULATION 1989

Mr Cruickshank moved, pursuant to notice, That this House disallows clause 6 (a), (c) and (d) and clause 12 of the Hunter Water Board (Special Areas) Regulation 1989 as set forth in Government Gazette No. 114 of 24 November 1989, a copy of which was laid upon the Table of the House on 28 February 1990.

Debate ensued.

Question put and passed.

**11 LAND TAX (AMENDMENT) BILL
LAND TAX MANAGEMENT (AMENDMENT) BILL**

Mr Greiner moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the Land Tax Act 1956 with respect to the levy of land tax after 31 December 1989.
- (ii) A bill for an Act to amend the Land Tax Management Act 1956 to make further provision with respect to exemptions from and reductions in land tax, land tax certificates and record keeping; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mr Greiner moved, That these bills be now read a second time.

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

12 STAMP DUTIES (AMENDMENT) BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Stamp Duties Act 1920 to facilitate its administration, to remove certain types of duty and clarify its operation in certain respects.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 May 1990

Bill presented and read a first time.

Mr Greiner moved, That this bill be now read a second time.

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

13 BUILDING SERVICES CORPORATION (KIT HOMES) AMENDMENT
BILL

Mr Schipp moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Building Services Corporation Act 1989 so as to impose certain requirements on the suppliers of kit homes, and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Schipp 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.

14 NATURE RESERVE (SPECIAL PROVISIONS) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to revoke the dedication of a minor area of land within Lake Innes Nature Reserve.

Question put and passed.

Bill presented and read a first time.

Mr Moore moved, That this bill be now read a second time.

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

15 WATER BOARD (AMENDMENT) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Water Board Act 1987 in relation to service charges; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Moore moved, That this bill be now read a second time.

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

16 REAL PROPERTY (QUALIFIED TITLES) AMENDMENT BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Real Property Act 1900 with respect to qualified folios of the Register.

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 Amery) and the resumption of the debate made an Order of the Day for a future day.

17 CROWN AND OTHER ROADS BILL MISCELLANEOUS ACTS (CROWN AND OTHER ROADS) AMENDMENT BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to provide for the opening, closing, marking and alignment of roads, to provide for the regulation of certain roads; to provide for related matters; and to repeal the Public Roads Act 1902 and certain other enactments.
- (ii) A bill for an Act to amend certain Acts as a consequence of the enactment of the Crown and Other Roads Act 1990 and for other purposes.

Question put and passed.

Bills presented and read a first time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 May 1990

Mr Causley moved, That these bills 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.

18 REAL PROPERTY (OYSTER LEASES) AMENDMENT BILL
FISHERIES AND OYSTER FARMS (OYSTER LEASES) AMENDMENT
BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Causley, That these bills be now read a second time—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

19 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

20 REAL PROPERTY (OYSTER LEASES) AMENDMENT BILL
FISHERIES AND OYSTER FARMS (OYSTER LEASES) AMENDMENT
BILL

Resumption of the interrupted debate, on the motion of Mr Causley, That this bill be now read a second time.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Causley, read a third time.

21 EDUCATION REFORM BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Dr Metherell, That this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

And the House continuing to sit after midnight—

THURSDAY 10 MAY 1990 a.m.

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 and Mr Booth, Temporary Chairman, reported progress and obtained leave to sit again tomorrow.

22 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Moore gave notice of business to be dealt with on 10 May 1990.

(Education Reform Bill)

23 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 2.25 a.m., until 10.30 a.m. this day.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS
No. 20

THURSDAY 10 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr H. F. Moore—from certain citizens requesting improved staffing levels for public schools.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Ms Allan—from certain citizens requesting a review of Technical and Further Education policies.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Ms Moore—from certain citizens opposing recent changes in Department of Housing policy.

Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Mr Cochran—from certain citizens opposing the recent dismissal of the Yass developmental disability nurse.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Moore laid upon the Table—

District Court Act 1973—District Court Rules 1973—amendment of parts 43, 53. (Gazette 57/1990.)

Local Courts (Civil Claims) Act 1970—Local Court (Civil Claims) Rules 1988—amendment of parts 3, 12, 21, 24, 27, 28, 30, 31, 33, 38, 39. (Gazette 54/1990.)

Trustee Companies Act 1964—Trustee Companies Regulation 1980—substituted schedule 2. (Gazette 57/1990.)

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

Report of the Sydney College of Advanced Education for 1989.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

Report of the University of New South Wales for 1989.

Report of the University of Wollongong for 1989.

Referred to the Printing Committee.

4 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST
CORRUPTION

Mr Kerr brought up a collation of evidence of the Commissioner of the Independent Commission Against Corruption, Ian Temby, Q.C., on general aspects of the operations of the Commission.

Ordered to be printed.

Mr Kerr also brought up and laid upon the Table the Minutes of Evidence taken before the Committee on the Independent Commission Against Corruption.

5 AUDITOR GENERAL'S REPORT

Mr Speaker laid upon the Table Volume One of the Auditor General's Report.

Ordered to be printed.

6 QUESTIONS

Paper: Mr Webster laid upon the Table—

Report of the New South Wales Grain Corporation for the half year ended 31 March 1990.

Referred to the Printing Committee.

7 JOINT STANDING COMMITTEE UPON ROAD SAFETY

Ordered, on the motion of Mr Moore (by leave), That the Joint Standing Committee upon Road Safety have leave to make a visit of inspection to New Zealand.

8 ABORIGINAL LAND RIGHTS (AMENDMENT) BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Aboriginal Land Rights Act 1983 to constitute the New South Wales Aboriginal Affairs and Land Rights Commission and specify its functions; to make further provision with respect to the functions of Regional and Local Aboriginal Land Councils; to make further provision with respect to the disposal of Aboriginal land and the financial management and accountability of the Commission and those Councils; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Greiner 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.

9 REAL ESTATE SERVICES COUNCIL BILL

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

And the question being again proposed—

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

10 EDUCATION REFORM BILL

The Order of the Day having been 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 the bill without amendment.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

The question—"That the question be now put." under Standing Order 175B—having been previously agreed to in Committee of the Whole (all remaining stages)—

Question—That the report be adopted—put.

The House divided.

Ayes 53

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Singleton
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr White
Mr Wotton
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 43

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter

Mr Irwin
Mr Keegan
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori

Mr Page
Mr Price
Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Shedden
Mr Walsh
Mr Welsh

Tellers

Mr Beckroge
Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

	Pairs	
Mr Dowd		Mr McManus
Mr Greiner		Mr Rumble
Mr Smiles		Mr Unsworth
Mr Webster		Mr Whelan

And so it was resolved in the affirmative.

Question—That this bill be now read a third time—put and passed.

Bill read a third time.

11 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

10 May 1990

Mental Health (Criminal Procedure) Bill
Miscellaneous Acts (Mental Health) Repeal and Amendment Bill.

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

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to make provision with respect to the care, treatment and control of mentally ill and mentally disordered persons and other matters relating to mental health; and for other purposes" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
10 May 1990

JOHN JOHNSON
President

MENTAL HEALTH BILL

Schedule of the amendment referred to in Message of 10 May 1990.

JOHN EVANS
Clerk of the Parliaments

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

No. 1. Page 6, clause 9 (1). Omit the subclause, insert instead:

(1) A person is a mentally ill person if the person is suffering from mental illness and, owing to that illness, there are reasonable grounds for believing that care, treatment or control of the person is necessary:

(a) for the person's own protection from serious physical harm;
or

(b) for the protection of others from serious physical harm,

and a person is also a mentally ill person if the person is suffering from mental illness which is characterised by the presence in the person of the symptom of a severe disturbance of mood or the symptom of sustained or repeated irrational behaviour indicating the presence of that symptom and, owing to that illness, there are reasonable grounds for believing that care, treatment or control of the person is necessary for the person's own protection from serious financial harm or serious damage to the person's reputation.

No. 2. Page 7, clause 10 (1) (a). Omit "or serious financial harm or serious damage to the person's reputation".

No. 3. Page 7, clause 10 (2). Omit the subclause.

No. 4. Page 50, clause 115 (3). Omit the subclause, insert instead:

(3) A person appointed as a Director must be a health professional who is appropriately qualified for the position by education, training and experience.

No. 5. Page 66, clause 155 (2). Omit "complying with subsection (1)" insert instead "setting out in writing the matters required by subsection (1) to be explained, described, disclosed, offered or notified".

No. 6. Page 74, clause 175 (c). Omit "application; or", insert instead "application".

No. 7. Page 74, clause 175 (d). Omit the paragraph.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

No. 8. Page 78, clause 183 (2). Omit "complying with this section" insert instead "setting out in writing the matters required by subsection (1) to be explained, described, disclosed, offered or notified".

No. 9. Page 79, after clause 186 (2), insert:

(3) A medical practitioner who administers treatment to a patient under this section must make a written report (including copies of relevant medical records) about the treatment to the Tribunal.

No. 10. Page 102, clause 253 (1) (c). After "experience", insert ", including 0at least 1 person selected from a group of persons who are nominated by consumer organisations".

No. 11. Page 102, clause 253 (2). After "background", insert "and a different person is to be appointed to satisfy each of those qualifications, even though a person so appointed may possess both of those qualifications".

No. 12. Page 102, clause 253. After clause 253 (2), insert:

(3) If, at the time at which an appointment is required to be made of a person selected from a group of persons who are nominated by consumer organisations no such group has been nominated, the Governor may appoint to be a member, instead of the person required to be appointed from the group, a person who, in the opinion of the Governor, has suitable qualifications or experience.

No. 13. Page 119. After clause 303, insert:

Report by Minister

304. (1) Within 2 years after the day appointed for the commencement of this Act (or, if different days are appointed for the commencement of different provisions of this Act, within 2 years after the first day so appointed), the Minister is required to prepare and to make available to the public a report as to the operation of this Act.

(2) The Minister is required to include in the report the nature of any amendments proposed to be made to this Act.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

(3) The Minister is required to furnish a copy of the report to each member of the Legislative Assembly and the Legislative Council within the period for compliance with subsection (1).

No. 14. Pages 127 and 128, Schedule 2. Omit paragraph (a) from the bottom of page 127 and paragraph (b) from the top of page 128, insert instead:

(a) in the case of any mentally ill person:

(i) for the person's own protection from serious physical harm;
or

(ii) for the protection of others from serious physical harm; or

(b) in the case of a mentally ill person who is suffering from mental illness which is characterised by the presence in the person of the symptom of a severe disturbance of mood or the symptom of sustained or repeated irrational behaviour indicating the presence of that symptom—for the person's own protection from serious financial harm or serious damage to the person's reputation; or

(c) in the case of a mentally disordered person:

(i) for the person's own protection from serious physical harm;
or

(ii) for the protection of others from serious physical harm.

No. 15. Page 131, Schedule 2, clause 9 (1). Omit the subclause, insert instead:

(1) A person is a mentally ill person if the person is suffering from mental illness and, owing to that illness, there are reasonable grounds for believing that care, treatment or control of the person is necessary:

(a) for the person's own protection from serious physical harm;
or

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

(b) for the protection of others from serious physical harm,

and a person is also a mentally ill person if the person is suffering from mental illness which is characterised by the presence in the person of the symptom of a severe disturbance of mood or the symptom of sustained or repeated irrational behaviour indicating the presence of that symptom and, owing to that illness, there are reasonable grounds for believing that care, treatment or control of the person is necessary for the person's own protection from serious financial harm or serious damage to the person's reputation.

No. 16. Page 131, Schedule 2, clause 10 (1) (a). Omit "or serious financial harm or serious damage to the person's reputation".

No. 17. Page 131, Schedule 2, clause 10 (2). Omit the subclause.

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the Legislative Council message be taken into consideration forthwith.

12 MENTAL HEALTH BILL
MENTAL HEALTH (CRIMINAL PROCEDURE) BILL
MISCELLANEOUS ACTS (MENTAL HEALTH) REPEAL AND
AMENDMENT BILL

Mr Speaker left the Chair, and the House resumed itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in the Mental Health Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

It being 2.15 p.m., General Business proceeded with.

13 GRIEVANCE DEBATE

Question proposed—That grievances be noted.

Debate ensued.

Question put and passed.

14 PRINTING COMMITTEE

Mr Small brought up Report No. 6 of the Printing Committee.

15 PRISONS (MEDICAL TESTS) AMENDMENT BILL

Mr Yabsley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Prisons Act 1952 with respect to the medical testing of prisoners; and in other respects.

Question put and passed.

Bill presented and read a first time.

Mr Yabsley 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1990

16 ADJOURNMENT

Mr Yabsley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.31 p.m., until Tuesday 15 May 1990,
at 2.15 p.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 21

TUESDAY 15 MAY 1990

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

14 May 1990

Legal Profession (Solicitor Corporations) Amendment Bill
Crimes Legislation (Amendment) Bill.

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Ms Moore—from certain citizens opposing recent changes in Department of Housing policy.

Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Mr Shedden—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr H. F. Moore—from certain citizens opposing the siting of a prawn farm at Mannering Bay.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting that steps be taken for the regulation of accommodation for backpackers.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

Mr Newman—from certain citizens requesting the construction of a pedestrian overpass on the Cumberland Highway at Canley Heights.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Moore laid upon the Table—

Hunter Water Board Act 1988—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for sewerage purposes, at

Bolwarra Heights. (Gazette 54/1990.)

Dutchman's Bay. (Gazette 51/1990.)

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

Report of Mitchell College of Advanced Education for 1989.

Report of the Riverina-Murray Institute of Higher Education for 1989.

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Gas Act 1986—Gas and Electricity (Gas) Regulations 1936—regulation 47A. (Gazette 117/1989.)

Referred to the Printing Committee.

5 QUESTIONS

6 PLACING OF BUSINESS—POSTPONEMENT

Order of the Day No. 1 of Business of the House postponed, on the motion of Mr Dowd, until Tuesday 22 May 1990.

7 DISALLOWANCE OF REGULATION UNDER THE STATE
LOTTERIES ACT 1930

Mr Face moved, pursuant to notice, That this House disallows the Regulation made pursuant to the State Lotteries Act 1930 as set forth in the notice appearing in Government Gazette No. 51 of 20 April 1990 at page 3253, and laid upon the Table of this House on Tuesday 8 May 1990.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

Debate ensued.

Question put.

The House divided.

Ayes 43

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter

Mr Irwin
Mr Keegan
Mr Knight
Mr Knowles
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page

Mr Price
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Noes 55

Mr Andrews
Mr Armstrong
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths
Mr Harcher
Mr Hay

Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Ms Read
Mr Rixon
Mr Roberts
Mr Schipp
Mr Schultz

Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Woiton
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Pair

Mr Greiner

Mr Lovelee

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

8 AMBULANCE SERVICES BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to constitute the Ambulance Service of New South Wales; to define its functions; to amend certain Acts; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Collins 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.

9 RADIATION CONTROL BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to make provision for the regulation and control of the sale, use, keeping and disposal of radioactive substances and radiation apparatus; to repeal the Radioactive Substances Act 1957; 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 Page) and the resumption of the debate made an Order of the Day for a future day.

10 ENVIRONMENTAL RESTORATION AND REHABILITATION TRUST
BILL
ENVIRONMENTAL RESEARCH TRUST BILL
ENVIRONMENTAL EDUCATION TRUST BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to constitute the Environmental Restoration and Rehabilitation Trust and define its functions; and for other purposes.
- (ii) A bill for an Act to constitute the Environmental Research Trust and define its functions; and for other purposes.

(iii) A bill for an Act to constitute the Environmental Education Trust and define its functions; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Moore moved, That these bills be now read a second time.

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

11 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

Mr Dowd moved, 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 Dowd 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.

12 LIQUOR (AMENDMENT) BILL REGISTERED CLUBS (AMENDMENT) BILL LOCAL GOVERNMENT (LIQUOR) AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr West, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

13 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

14 LIQUOR (AMENDMENT) BILL
REGISTERED CLUBS (AMENDMENT) BILL
LOCAL GOVERNMENT (LIQUOR) AMENDMENT BILL

Resumption of the interrupted debate, on the motion of Mr West, That these bills be now read a second time—

Mr Graham 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 CRIMINAL PROCEDURE (COMMITTAL PROCEEDINGS)
AMENDMENT BILL
MISCELLANEOUS ACTS (COMMITTAL PROCEEDINGS)
AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Dowd, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Knowles moved, That the honourable member for Eastwood, Mr Tink, be not further heard.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

The House divided.

Ayes 37

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hunter
Mr Irwin

Mr Knight
Mr Knowles
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Dr Refshaug

Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Noes 57

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Hartcher
Mr Hatton

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Ms Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Ms Read
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Pairs

Mr Caterson
Mr Greiner
Mr Griffiths
Mr Pickard
Mr Yabsley

Mr A. S. Aquilina
Mr Langton
Mr Lovelee
Mr Moss
Mr Primrose

And so it passed in the negative.

Debate continued.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

Ordered, That the honourable member for Eastwood, Mr Tink, be allowed to continue his speech for a further period of ten minutes.

Ordered, on the motion of Mr Dowd (by leave), That so much of the Sessional Orders be suspended as would preclude the honourable member for Ashfield, Mr Whelan, being allowed to have unspecified time for his speech.

Ordered, That the honourable member for Auburn, Mr Nagle, be allowed to continue his speech for a further period of ten minutes.

Question put.

The House divided.

Ayes 51

Mr Andrews	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smiles
Mr Books	Mr Matheson	Mr Smith
Mr Booth	Mr Merton	Mr Souris
Mr Causley	Dr Metherell	Mr Tink
Mr Chappell	Mr Moore	Mr Turner
Mr Cochran	Mr Morris	Mr Webster
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr D. L. Page	Mr White
Mr Cruickshank	Mr Park	Mr Yeomans
Mr Dowd	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	Tellers
Mr Glachan	Mr Rixon	
Mr Graham	Mr Roberts	Mr Beck
Mr Hartcher	Mr Schipp	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

Noes 41

Ms Allan	Mr Keegan	Ms Read
Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Knowles	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr Arkell	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Welsh
Mr Face	Ms Moore	Mr Whelan
Miss Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

Pairs

Mr Caterson	Mr A. S. Aquilina
Mr Greiner	Mr Langton
Mr Griffiths	Mr Lovelee
Mr Pickard	Mr Moss
Mr Yabsley	Mr Primrose

And so it was resolved in the affirmative.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Dowd, read a third time.

16 POLICE SERVICE BILL
POLICE AND SUPERANNUATION LEGISLATION (AMENDMENT)
BILL

Madam Deputy Speaker reported the following messages from the Legislative Council:

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to establish the Police Service of New South Wales; to provide for the management of the Police Service and for the employment of its members; and for other purposes"—presents the same to the Legislative Assembly for its concurrence.

Legislative Council
15 May 1990

JOHN JOHNSON
President

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend various Acts relating to the police and police superannuation as a consequence of the establishment of the Police Service of New South Wales"—presents the same to the Legislative Assembly for its concurrence.

Legislative Council
15 May 1990

JOHN JOHNSON
President

Bills read a first time.

Mr Dowd moved, That these bills be now read a second time.

Debate adjourned (Mr Anderson) and the resumption of the debate made an Order of the Day for tomorrow.

17 NOTICES OF MOTIONS

After time prescribed by Standing Orders—Mr Dowd.

18 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd gave notice of business to be dealt with on 16 May 1990—

Drug Trafficking (Civil Proceedings) Bill
Country Industries (Pay-roll Tax Rebates) Amendment Bill
Passenger Transport Bill
Land Tax (Amendment) Bill
Land Tax Management (Amendment) Bill
Stamp Duties (Amendment) Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 May 1990

19 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.43 p.m., until tomorrow, at 2.15 p.m.

BY AUTHORITY

R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 22

WEDNESDAY 16 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 May 1990

Mr Shedden—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr H. F. Moore—from certain citizens opposing the siting of a prawn farm at Mannering Bay.

Mr J. H. Murray—from certain citizens requesting the installation of a PUBTAB agency at the Lion's Head Hotel, Russell Lea.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Moore laid upon the Table—

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

Brisbane Water National Park. (Gazette 57/1990.)

Goulburn River National Park. (Gazette 57/1990.)

Queanbeyan Nature Reserve. (Gazette 34/1989.)

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

University of New England Act 1989—amendments of, and additions to, the by-laws of the University of New England. (Gazette 57/1990.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Mr Aquilina moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, namely:

That this House condemns the Greiner Government for its mishandling of all aspects of Technical and Further Education in New South Wales.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 May 1990

Question put.

The House divided.

Ayes 45

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter

Mr Irwin
Mr Keegan
Mr Knight
Mr Knowles
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page

Mr Price
Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Noes 57

Mr Andrews
Mr Armstrong
Mr Baird
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Pair

Mr Berry

Mr Langton

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 May 1990

6 QUESTIONS (continuation of entry No. 4)

7 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE
COUNCIL OF THE UNIVERSITY OF NEW SOUTH WALES

Dr Metherell moved, pursuant to notice, That in pursuance of section 31 of the University of New South Wales Act 1989, Malcolm John Kerr, member for Cronulla, be elected as the representative of the Legislative Assembly on the Council of the University of New South Wales to be constituted in accordance with the University of New South Wales Act 1989.

Question put and passed.

8 PRECEDENCE OF BUSINESS

Mr Dowd moved, pursuant to notice, That on Thursday 17 May 1990 and Thursday 24 May 1990, Government Business shall take precedence of General Business.

Debate ensued.

Question put.

The House divided.

Ayes 59

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hatton

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Ms Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Singleton
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 May 1990

Noes 41

Ms Allan	Mr Knight	Ms Read
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr McManus	Mr Rogan
Mr Aquilina	Mr Markham	Mr Rumble
Mr A. S. Aquilina	Mr Martin	Mr Shedden
Mr Carr	Mr Mills	Mr Unsworth
Mr Cleary	Mr H. F. Moore	Mr Walsh
Mr Davoren	Mr Moss	Mr Welsh
Mr Doyle	Mr J. H. Murray	Mr Whelan
Mr Face	Mr Nagle	
Miss Fraser	Mr Newman	Tellers
Mr Gibson	Ms Nori	
Mr Harrison	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie
Mr Irwin	Mr Primrose	

Pair

Mr Berry

Mr Langton

And so it was resolved in the affirmative.

9 HOURS OF SITTING AND ADDITIONAL SITTING DAY

Mr Dowd moved, pursuant to notice, That this House shall meet for the dispatch of business on Monday 21 May 1990 at 10.30 a.m.

Question put and passed.

10 HEALTH PROFESSIONAL BOARDS LEGISLATION (AMENDMENT) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Health Administration Act 1982 and certain other Acts relating to health professional boards with respect to the employment of staff and the keeping of accounts; 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 (Dr Refshauge) and the resumption of the debate made an Order of the Day for a future day.

11 REGISTERED CLUBS (FURTHER AMENDMENT) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Registered Clubs Act 1976 with respect to the appointment of administrators of clubs, the resolution of noise complaints, the conduct of club elections and in other respects.

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 Face) and the resumption of the debate made an Order of the Day for a future day.

**12 INDUSTRIAL RELATIONS BILL
INDUSTRIAL COURT BILL
INDUSTRIAL LEGISLATION (REPEALS, AMENDMENTS AND
SAVINGS) BILL**

Mr Fahey moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to restate and reform the law concerning industrial relations.
- (ii) A bill for an Act to establish the Industrial Court of New South Wales and provide for its jurisdiction; and for other purposes.
- (iii) A bill for an Act to repeal certain Acts, to amend other Acts and to make savings and transitional arrangements as a consequence of the proposed enactment of the Industrial Relations Act 1990 and the Industrial Court Act 1990.

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 Unsworth) and the resumption of the debate made an Order of the Day for a future day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 May 1990

13 DRUG TRAFFICKING (CIVIL PROCEEDINGS) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

14 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

DISTINGUISHED VISITORS—Mr Acting Speaker Wotton drew the attention of honourable members to the presence in the gallery of a delegation from the National Assembly of the Socialist Republic of Vietnam led by Mr Le Khuong Dao.

Question put and passed.

15 DRUG TRAFFICKING (CIVIL PROCEEDINGS) BILL

Resumption of the interrupted debate, on the motion of Mr Greiner, That this bill be now read a second time.

Ordered, That the honourable member for Auburn, Mr Nagle, be allowed to continue his speech for a further period of ten minutes.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Dowd, on behalf of Mr Greiner, read a third time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 May 1990

16 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the—

Coal Ownership (Restitution) Bill
Coal Acquisition (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.

17 COAL OWNERSHIP (RESTITUTION) BILL
COAL ACQUISITION (AMENDMENT) BILL

Mr Pickard moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to provide for the restitution of certain coal acquired by the Crown as a result of the operation of the Coal Acquisition Act 1981 and to provide for related matters.
- (ii) A bill for an Act to amend the Coal Acquisition Act 1981 for the purpose of making further provision with respect to determining the compensation that is to be payable as a result of the operation of that Act.

Question put and passed.

Bills presented and read a first time.

Mr Pickard moved, That these bills be now read a second time.

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

18 COUNTRY INDUSTRIES (PAY-ROLL TAX REBATES) AMENDMENT BILL

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

And the question being again proposed—

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 May 1990

The House resumed the said adjourned debate.

Question put.

The House divided.

Ayes 58

Mr Andrews	Mr Jeffery	Mr Singleton
Mr Armstrong	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Mr Longley	Mr Souris
Mr Booth	Miss Machin	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Moore	Mr Welsh
Mr Cochran	Mr Morris	Mr West
Mrs Cohen	Mr Murray	Mr White
Mr Collins	Mr D. L. Page	Mr Wotton
Mr Cruickshank	Mr Park	Mr Yabsley
Mr Dowd	Mr Peacocke	Mr Yeomans
Mr Downy	Mr Petch	Mr Zammit
Mr Fahey	Mr Photios	
Mr Glachan	Mr Pickard	
Mr Graham	Ms Read	
Mr Griffiths	Mr Rixon	Tellers
Mr Hartcher	Mr Roberts	
Mr Hatton	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Noes 40

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr McManus	Mr Rogan
Mr Aquilina	Mr Markham	Mr Rumble
Mr A. S. Aquilina	Mr Martin	Mr Shedden
Mr Arkeil	Mr Mills	Mr Unsworth
Mr Carr	Mr H. F. Moore	Mr Walsh
Mr Cleary	Ms Moore	Mr Whelan
Mr Davoren	Mr Moss	
Mr Doyle	Mr J. H. Murray	
Miss Fraser	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

Pairs

Mr Baird	Mr Face
Mr Greiner	Mr Langton
Mr Matheson	Mr Lovelee

And so it was resolved in the affirmative.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

19 LAND TAX AMENDMENT BILL
LAND TAX MANAGEMENT (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Greiner, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Fahey, on behalf of Mr Greiner, read a third time.

20 ABORIGINAL LAND RIGHTS (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Zammit (speaking) 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 tomorrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 May 1990

21 ADJOURNMENT

Mr Fahey moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.06 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 23

THURSDAY 17 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Hunter and Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 May 1990

Mr Moss—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting that steps be taken for the regulation of accommodation for backpackers.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Ms Moore—from certain citizens opposing recent changes in Department of Housing policy.

Mr Webster—from certain citizens opposing the closure of the Cowra tree nursery.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Moore laid upon the Table—

Children (Care and Protection) Act 1987—Private Fostering Agency Authorities Regulation 1989—amendment of clause 22. (Gazette 49/1990.)

Referred to the Printing Committee.

(2) Mr Causley laid upon the Table—

Crown Lands Act 1989—

(a) Crown Lands Regulation 1990—clauses 1 to 54, schedules 1 to 6. (Gazette 51/1990.)

(b) Crown Lands (Transitional Provisions) Regulation 1990—clauses 1 to 11. (Gazette 51/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 May 1990

Crown Lands (Continued Tenures) Act 1989—Crown Lands (Continued Tenures) Regulation 1990—clauses 1 to 24, schedules 1, 2. (Gazette 51/1990.)

Water Act 1912—Water (Part 2) Regulations—part 4. (Gazette 54/1990.)

Western Lands Act 1901—Western Lands Regulations—regulation 89, amendment of regulation 10A. (Gazette 51/1990.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Gas (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.

6 SUSPENSION OF STANDING ORDERS—ROYAL COMMISSION INTO THE ACTIVITIES OF THE MAFIA

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude General Business Notice of Motion No. 2 being considered forthwith.

Mr Hatton moved, pursuant to notice,

(1) This House calls upon the State Government to request the Federal Government to appoint a Royal Commission to investigate the activities of the Mafia with terms of reference which would focus upon—

- (a) the involvement of the Australian Federal police and the New South Wales police with the Mafia in the illegal growing of marijuana crops on the southern tablelands of New South Wales and in the Brindabella ranges in the Australian Capital Territory;

- (b) corruption involving the cultivation and distribution of marijuana in the Murrumbidgee Irrigation Area and in particular the Griffith area; and
 - (c) the relationship of all the above with the death of Mr Winchester and related allegations of police corruption and any commonality of personal interests involved therein.
- (2) That the New South Wales Government offer full co-operation and support for the conduct of such a Royal Commission; and
- (3) That senior experienced officers from Scotland Yard be called in and that the Victorian Police Force be requested to provide personnel to form an independent investigative body to assist the Royal Commissioner appointed to report on such matters.
-

Ordered, on the motion of Mr Dowd (by leave), That so much of the Sessional Orders be suspended as would preclude the honourable member for South Coast, Mr Hatton, being allowed unspecified time for his speech.

Debate ensued.

Mr Dowd moved, That the motion be amended by leaving out the following words from paragraph (3) "That senior experienced officers from Scotland Yard be called in and that the Victorian Police Force" and inserting instead thereof "That appropriately selected police officers from the New South Wales or other State Police Forces, the Australian Federal Police, or overseas".

Question proposed—That the amendment be agreed to.

Debate continued.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 May 1990

The House divided.

Ayes 49

Mr Andrews	Mr Hay	Mr Singleton
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr Booth	Mr Matheson	Mr Souris
Mr Caterson	Mr Merton	Mr Tink
Mr Causley	Dr Metherell	Mr Turner
Mr Chappell	Mr Morris	Mr White
Mr Cochran	Mr D. L. Page	Mr Yabsley
Mrs Cohen	Mr Park	Mr Yeomans
Mr Collins	Mr Peacocke	Mr Zammit
Mr Dowd	Mr Petch	
Mr Downy	Mr Photios	
Mr Fahey	Mr Pickard	
Mr Glachan	Mr Rixon	Tellers
Mr Graham	Mr Roberts	
Mr Griffiths	Mr Schipp	Mr Beck
Mr Hartcher	Mr Schultz	Mr Phillips

Noes 45

Ms Allan	Mr Keegan	Mr Price
Mr Amery	Mr Knight	Mr Primrose
Mr Anderson	Mr Knowles	Ms Read
Mr Aquilina	Mr Langton	Dr Refshauge
Mr A. S. Aquilina	Mr McManus	Mr Rogan
Mr Arkell	Mr Markham	Mr Rumble
Mr Carr	Mr Martin	Mr Shedden
Mr Cleary	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. P. Moore	Mr Walsh
Mr Face	Ms Moore	Mr Welsh
Miss Fraser	Mr Moss	Mr Whelan
Mr Gibson	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Newman	
Mr Hunter	Ms Nori	Mr Christie
Mr Irwin	Mr Page	Mr Davoren

Pairs

Mr Greiner	Mr Beckroge
Mr Murray	Mr Lovelee

And so it was resolved in the affirmative.

Original question, as amended, put and passed.

7 SOLICITOR GENERAL AND CROWN ADVOCATE (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Solicitor General Act 1969 and the Crown Advocate Act 1979 in relation to the tenure of office of the Solicitor General and the Crown Advocate.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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.

8 CRIMES (PUBLIC JUSTICE) AMENDMENT BILL

Mr Dowd 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 public justice offences; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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.

9 WORLD HERITAGE PROPERTIES CONSERVATION (NEW SOUTH WALES) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the identification, protection and conservation of properties as world heritage properties; to repeal the Lord Howe Island Act 1953 and the Lord Howe Island Aerodrome Act 1974; and for other purposes.

Question put and passed.

Bill presented and read a first time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 May 1990

Mr Moore moved, That this bill be now read a second time.

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

10 GAS (AMENDMENT) BILL

Mr Pickard moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Gas Act 1986 to make further provision with respect to the regulation of the gas industry; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Pickard 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.

11 SWIMMING POOLS BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to require access to private swimming pools to be effectively restricted; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Hay 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.

12 COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION)
AMENDMENT BILL

Mr Fahey 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 purposes of redefining the expression "mine worker" and making further provision with respect to the payment of lump sum benefits to mine workers who have become incapacitated by injury while engaged in the coal or oil shale mining industries, and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Fahey moved, That this bill be now read a second time.

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

13 PRINTING COMMITTEE

Mr Glachan, Acting Chairman, brought up Report No. 7 of the Printing Committee.

14 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Sessional Orders be suspended so as to preclude the taking of private members' statements at this sitting.

15 STAMP DUTIES (AMENDMENT) BILL

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

And the question being again proposed—

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Fahey, on behalf of Mr Greiner, read a third time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 May 1990

16 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd gave notice of business to be dealt with on 21 May 1990—

Liquor (Amendment) Bill
Registered Clubs (Amendment) Bill
Local Government (Liquor) Amendment Bill
Motor Dealers (Amendment) Bill
Water Board (Amendment) Bill
Prisons (Medical Tests) Amendment Bill
Passenger Transport Bill
Crimes Legislation (Further Amendment) Bill
Limitation (Amendment) Bill
Ambulance Services Bill
Radiation Control Bill
Environmental Restoration and Rehabilitation Trust Bill
Environmental Research Trust Bill
Environmental Education Trust Bill.

17 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House, adjourned accordingly at 4.20 p.m., until Monday 21 May 1990,
at 10.30 a.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 24

MONDAY 21 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Dr Refshauge—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Anderson and Ms Moore—from certain citizens opposing recent changes in Department of Housing policy.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Ms Allan—from certain citizens requesting a review of Technical and Further Education policies.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Dr Metherell laid upon the Table—

Report of the Catholic College of Education, Sydney for 1989.

Report of the Cumberland College of Health Sciences for 1989.

Report of the University of Technology, Sydney for 1989.

Referred to the Printing Committee.

(2) Mr Peacocke laid upon the Table—

Bread Act 1969—Bread (Weights) Regulation 1977—amendment of clause 4. (Gazette 46/1990.)

Commercial Tribunal Act 1984—

(a) Commercial Tribunal Regulation 1984—clause 4A, amendment of clause 6, schedule 4. (Gazette 54/1990.)

(b) Commercial Tribunal Rules 1989—substituted rule 3.1. (Gazette 54/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

Fair Trading Act 1987—Fair Trading (Product Information Standard—Care Labelling) Regulation 1990—clauses 1 to 7, schedules 1, 2. (Gazette 46/1990.)

Referred to the Printing Committee.

4 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up and laid upon the Table Report No. 8 of the Regulation Review Committee, dated May 1990.

Ordered to be printed.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS

Mr Langton moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Minister for Transport for the maladministration of his portfolio in respect of the CityRail re-signalling project.

Question put.

The House divided.

Ayes 37

Ms Allan	Mr Knowles	Dr Refshauge
Mr Amery	Mr Langton	Mr Rogan
Mr Anderson	Mr Markham	Mr Rumble
Mr Aquilina	Mr Martin	Mr Shedden
Mr A. S. Aquilina	Mr Mills	Mr Unsworth
Mr Carr	Mr H. F. Moore	Mr Walsh
Mr Cleary	Mr Moss	Mr Whelan
Mr Davoren	Mr J. H. Murray	
Mr Doyle	Mr Nagle	
Mr Face	Mr Newman	
Mr Gibson	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

Noes 58

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr Booth	Miss Machin	Mr Smith
Mr Causley	Mr Matheson	Mr Tink
Mr Chappell	Mr Merton	Mr Webster
Mr Cochran	Dr Metherell	Mr Welsh
Mrs Cohen	Mr Moore	Mr West
Mr Collins	Ms Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Yabsley
Mr Dowd	Mr Murray	Mr Yeomans
Mr Downy	Mr D. L. Page	Mr Zammit
Mr Fahey	Mr Park	
Miss Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Pairs

Mr Caterson	Mr Harrison
Mr Souris	Mr Lovelec
Mr Turner	Mr McManus

And so it passed in the negative.

7 QUESTIONS (continuation of entry No. 5)

8 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Aboriginal Land Rights (Revival of Financial Provision) 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

9 ABORIGINAL LAND RIGHTS (REVIVAL OF FINANCIAL
PROVISION) BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to revive section 33A of the Aboriginal Land Rights Act 1983 relating to the financial management and accountability of Aboriginal Land Councils.

Question put and passed.

Bill presented and read a first time.

Mr Greiner 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.

10 LIQUOR (AMENDMENT) BILL
REGISTERED CLUBS (AMENDMENT) BILL
LOCAL GOVERNMENT (LIQUOR) AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr West, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

The House divided.

Ayes 53

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Berry	Mr Keegan	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr Booth	Mr Longley	Mr Smiles
Mr Causley	Miss Machin	Mr Smith
Mr Chappell	Mr Matheson	Mr Tink
Mr Cochran	Mr Merton	Mr Webster
Mrs Cohen	Mr Moore	Mr Welsh
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr White
Mr Dowd	Mr D. L. Page	Mr Yeomans
Mr Downy	Mr Park	Mr Zammit
Mr Fahey	Mr Peacocke	
Miss Fraser	Mr Petch	
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Pickard	
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Noes 35

Ms Allan	Mr Langton	Mr Primrose
Mr Amery	Mr McManus	Dr Refshauge
Mr Anderson	Mr Markham	Mr Rogan
Mr Aquilina	Mr Martin	Mr Rumble
Mr A. S. Aquilina	Mr Mills	Mr Shedden
Mr Cleary	Ms Moore	Mr Unsworth
Mr Davoren	Mr Moss	Mr Whelan
Mr Doyle	Mr J. H. Murray	
Mr Face	Mr Nagle	
Mr Hunter	Mr Newman	Tellers
Mr Irwin	Ms Nori	
Mr Knight	Mr Page	Mr Beckroge
Mr Knowles	Mr Price	Mr Christie

Pairs

Mr Baird	Mr Carr
Mr Caterson	Mr Gibson
Mr Greiner	Mr Harrison
Mr Souris	Mr H. F. Moore
Mr Turner	Mr Walsh

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr West, read a third time.

11 MOTOR DEALERS (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

12 WATER BOARD (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

And it being after 1 p.m., the time specified under Standing Order 175B for the completion of the business up to a certain stage (all remaining stages)—

Mr Moore moved, That the question be now put.

Question put and passed.

Original question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

The House divided.

Ayes 53

Mr Andrews
Mr Armstrong
Mr Berry
Mr Books
Mr Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Griffiths
Mr Hartcher
Mr Hatton

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Tink
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 40

Ms Allan
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Pace
Miss Fraser
Mr Gibson
Mr Hunter
Mr Irwin
Mr Knight
Mr Knowles

Mr Langton
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose
Ms Read

Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

Bill read a second time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

Madam Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Madam Deputy Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported the bill without amendment.

Question—That the report be adopted—put.

The House divided.

Ayes 57

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Berry	Mr Keegan	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr Booth	Mr Longley	Mr Smiles
Mr Catterson	Mr Merton	Mr Smith
Mr Causley	Dr Metherell	Mr Tink
Mr Chappell	Mr Moore	Mr Webster
Mr Cochran	Ms Moore	Mr Welsh
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr White
Mr Cruickshank	Mr D. L. Page	Mr Wotton
Mr Dowd	Mr Park	Mr Yabsley
Mr Downy	Mr Peacocke	Mr Yeomans
Mr Fahey	Mr Petch	Mr Zammit
Miss Fraser	Mr Photios	
Mr Glachan	Mr Pickard	Tellers
Mr Griffiths	Ms Read	
Mr Hartcher	Mr Rixon	Mr Beck
Mr Hatton	Mr Roberts	Mr Phillips

Noes 37

Ms Allan	Mr Knowles	Dr Refshauge
Mr Amery	Mr Langton	Mr Rogan
Mr Anderson	Mr McManus	Mr Rumble
Mr Aquilina	Mr Markham	Mr Shedden
Mr A. S. Aquilina	Mr Martin	Mr Unsworth
Mr Carr	Mr Mills	Mr Walsh
Mr Cleary	Mr Moss	Mr Whelan
Mr Davoren	Mr J. H. Murray	
Mr Doyle	Mr Nagle	
Mr Face	Mr Newman	Tellers
Mr Gibson	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie
Mr Knight	Mr Primrose	

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

Question—That this bill be read a third time—put.

The House divided.

Ayes 56

Mr Andrews	Mr Jeffery	Mr Schultz
Mr Armstrong	Mr Keegan	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr Booth	Mr Merton	Mr Smith
Mr Catterson	Dr Metherell	Mr Tink
Mr Causley	Mr Moore	Mr Webster
Mr Chappell	Ms Moore	Mr Welsh
Mr Cochran	Mr Morris	Mr West
Mrs Cohen	Mr Murray	Mr White
Mr Collins	Mr D. L. Page	Mr Wotton
Mr Cruickshank	Mr Park	Mr Yabsley
Mr Downy	Mr Peacocke	Mr Yeomans
Mr Fahey	Mr Petch	Mr Zammit
Miss Fraser	Mr Photios	
Mr Glachan	Mr Pickard	
Mr Griffiths	Ms Read	Tellers
Mr Hartcher	Mr Rixon	
Mr Hatton	Mr Roberts	Mr Beck
Mr Hay	Mr Schipp	Mr Phillips

Noes 37

Ms Allan	Mr Knowles	Dr Refshauge
Mr Amery	Mr Langton	Mr Rogan
Mr Anderson	Mr McManus	Mr Rumble
Mr Aquilina	Mr Markham	Mr Shedden
Mr A. S. Aquilina	Mr Martin	Mr Unsworth
Mr Carr	Mr Mills	Mr Walsh
Mr Cleary	Mr Moss	Mr Whelan
Mr Davoren	Mr J. H. Murray	
Mr Doyle	Mr Nagle	
Mr Face	Mr Newman	
Mr Gibson	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

And so it was resolved in the affirmative.

Bill read a third time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

13 PRISONS (MEDICAL TESTS) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

And it being after 3 p.m., the time specified under Standing Order 175B for the completion of the business up to a certain stage (all remaining stages)—

Mr Phillips moved, That the question be now put.

The House divided.

Ayes 53

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Kerr	Mr Singleton
Mr Berry	Mr Longley	Mr Small
Mr Books	Miss Machin	Mr Smiles
Mr Booth	Mr Matheson	Mr Smith
Mr Caterson	Mr Merton	Mr Tink
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Moore	Mr West
Mr Cochran	Mr Morris	Mr White
Mrs Cohen	Mr Murray	Mr Yabsley
Mr Collins	Mr D. L. Page	Mr Yeomans
Mr Cruickshank	Mr Park	Mr Zammit
Mr Dowd	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	Tellers
Mr Glachan	Mr Pickard	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

Noes 43

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Hatton
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Knowles
Mr Langton
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Mr Page
Mr Price
Mr Primrose

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

Original question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

The House divided.

Ayes 89

Ms Allan	Mr Hay	Mr Pickard
Mr Amery	Mr Hunter	Mr Price
Mr Anderson	Mr Irwin	Mr Primrose
Mr Andrews	Mr Jeffery	Dr Refshauge
Mr Aquilina	Mr Kerr	Mr Rixon
Mr Armstrong	Mr Knight	Mr Roberts
Mr Baird	Mr Knowles	Mr Rogan
Mr Beckroge	Mr Langton	Mr Rumble
Mr Berry	Mr Longley	Mr Schipp
Mr Books	Mr McManus	Mr Schultz
Mr Booth	Miss Machin	Mr Shedden
Mr Carr	Mr Markham	Mr Singleton
Mr Caterson	Mr Martin	Mr Small
Mr Causley	Mr Matheson	Mr Smiles
Mr Chappell	Mr Merton	Mr Smith
Mr Christie	Dr Metherell	Mr Tink
Mr Cleary	Mr Mills	Mr Unsworth
Mr Cochran	Mr H. F. Moore	Mr Walsh
Mrs Cohen	Mr Moore	Mr Webster
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Moss	Mr Whelan
Mr Davoren	Mr Murray	Mr White
Mr Dowd	Mr J. H. Murray	Mr Yabsley
Mr Downy	Mr Nagle	Mr Yeomans
Mr Doyte	Mr Newman	Mr Zammit
Mr Face	Mr Page	
Mr Fahey	Mr D. L. Page	
Mr Gibson	Mr Park	Tellers
Mr Glachan	Mr Peacocke	
Mr Griffiths	Mr Petch	Mr Beck
Mr Hartcher	Mr Photios	Mr Phillips

Noes 6

Miss Fraser
Mr Keegan
Ms Read
Mr Welsh

Tellers

Mr Hatton
Ms Moore

And so it was resolved in the affirmative.

Bill read a second time.

Mr Acting Speaker Wotton 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 without amendment.

Question—That the report be adopted—put and passed.

Question—That this bill be read a third time—put and passed.

It being after 5.30 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 PASSENGER TRANSPORT BILL

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

And the question being again proposed—

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

16 CRIMES LEGISLATION (FURTHER AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

debate, on the motion of Mr Dowd, That this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put.

The House divided.

Ayes 52

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Griffiths
Mr Hartcher
Mr Hatton
Mr Hay
Mr Jeffery

Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Ms Read
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Singleton
Mr Small
Mr Smith
Mr Souris
Mr Tink
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 40

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Hunter
Mr Irwin
Mr Knight

Mr Knowles
Mr Langton
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose

Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

17 LIMITATION (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

18 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the resumption of the adjourned debate on the Solicitor General and Crown Advocate (Amendment) Bill.

19 SOLICITOR GENERAL AND CROWN ADVOCATE (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 May 1990

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

20 STATUTE LAW (MISCELLANEOUS PROVISIONS) AMENDMENT
BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Mr Acting Speaker Booth left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Acting Speaker Booth resumed the Chair, and the Chairman reported the bill with amendments.

On motion of Mr Dowd the report was adopted.

Ordered by Mr Acting Speaker Booth, That the third reading stand an Order of the Day for tomorrow.

21 AMBULANCE SERVICES BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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.

22 RADIATION CONTROL BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Berry 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.

23 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.21 p.m., until tomorrow, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 25

TUESDAY 22 MAY 1990

1 MESSAGE 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 Bill, returned herewith, intituled "An Act to reduce the number of politicians in the Legislative Assembly from 109 to 99, and to require any future change in that number of politicians to be approved by the people at a referendum" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
22 May 1989 a.m.

JOHN JOHNSON
President

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

CONSTITUTION (LEGISLATIVE ASSEMBLY) AMENDMENT BILL

Schedule of the amendments referred to in Message of 22 May 1990 a.m.

JOHN EVANS
Clerk of the Parliaments

-
- No. 1. Page 2, clause 4. Omit "Schedule 1 (2)" wherever occurring, insert instead "Schedule 1".
 - No. 2. Pages 2 and 3, Schedule 1. Omit Schedule 1 (1).
 - No. 3. Page 1, Long title. Omit ", and to require any future change in that number of politicians to be approved by the people at a referendum".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the Legislative Council Message be taken into consideration at a later hour of the day.

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Davoren, Dr Refshauge and Mr Shedden—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Ms Allan—from certain citizens requesting a review of Technical and Further Education policies.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr J. H. Murray—from certain citizens opposing the sale of Crown Lands at Howley Park.

Mr Beck—from certain citizens requesting the recommissioning of the Tweed Heads Police boat.

Mr Markham—from certain citizens requesting compensation for airborne pollution damage to vehicles parked in the State Rail Authority car park at Port Kembla.

Mr Aquilina—from certain citizens opposing the sale of the Lilli Pilli Primary School site.

3 PAPERS

(1) Dr Metherell laid upon the Table—

University of New South Wales Act 1989—University of New South Wales (Election of Council Members) Transitional By-law 1990—clauses 1 to 54. (Gazette 44/1990.)

Referred to the Printing Committee.

(2) Mr Baird laid upon the Table—

Maritime Services Act 1935—

(a) Boating (Safety Equipment) Regulation—N.S.W.—amendment of clauses 2, 3, 5, 6, 7, 8, 24, schedule 1. (Gazette 46/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

- (b) Management of Waters and Waterside Lands Regulations—N.S.W.—amendment of regulation 4, schedule 8, substituted regulation 19A. (Gazette 46/1990.)
- (c) Water Traffic Regulations—N.S.W.—amendment of regulations 2, 6, 11. (Gazette 46/1990.)

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes, at—

Jesmond. (Gazette 54/1990.)
South Windsor. (Gazette 61/1990.)
Robertson. (Gazette 61/1990.)
Redfern. (Gazette 61/1990.)
Gunning. (Gazette 61/1990.)

Transport Administration Act 1988—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes, at Sydney. (Gazette 51/1990.)

Referred to the Printing Committee.

- (3) Mr Causley laid upon the Table—

Report of the Cobar Water Board for 1989.

Report of the Hunter Valley Conservation Trust for 1989.

Forestry Act 1916—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for the purpose of giving effect to an agreement entered into under Section 16A of the Forestry Act 1916, at Coffs Harbour. (Gazette 62/1990.)

Referred to the Printing Committee.

- (4) Mr Yabsley laid upon the Table—

Prisons Act 1952—Prisons (General) Regulation 1989—clause 9A, amendment of clause 9. (Gazette 65/1990.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

4 JOINT STANDING COMMITTEE UPON ROAD SAFETY

The Clerk, in accordance with the resolution of the Legislative Assembly on 3 May 1990, laid upon the Table—

Report of the Joint Standing Committee upon Road Safety concerning "Novice Drivers: The Student's View".

5 QUESTIONS

6 MINISTERIAL STATEMENT—DEPARTMENT OF LANDS NOWRA OFFICE

Mr Causley made a ministerial statement concerning the treatment of certain issues by the Nowra office of the Department of Lands.

Mr Carr also addressed the House.

Mr Speaker, having called the attention of the House to the continued infringement by the Leader of the Opposition of the guidelines applying to ministerial statements, directed him to resume his seat.

7 POSTPONEMENT OF BUSINESS

Order of the Day No. 1 of Business of the House postponed, on the motion of Mr Dowd, until 29 May 1990.

8 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

(Formal Order of the Day)—Bill, on motion of Mr Dowd, read a third time.

9 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the resumption of the adjourned debate on the—

Coal and Oil Shale Mine Workers (Superannuation) Bill
Swimming Pools Bill.

Debate ensued.

Question put and passed.

10 STATE DRUG CRIME COMMISSION

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 State Drug Crime Commission Act 1985 so as to rename the State Drug Crime Commission as the New South Wales Crime Commission, to vary the functions of the Commission in minor respects and to increase the penalties for certain offences; to amend the Defamation Act 1974; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
21 May 1990

JOHN JOHNSON
President

Bill read a first time.

Mr Dowd 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 tomorrow.

11 MINING (AMENDMENT) BILL

Mr Pickard moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Mining Act 1973 to abolish prospecting licences and to revise procedures relating to claims, opal prospecting licences and applications for authorities; and to make consequential amendments to the Coal Mining Act 1973.

Question put and passed.

Bill presented and read a first time.

Mr Pickard 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

12 INDUSTRIAL RELATIONS BILL
INDUSTRIAL COURT BILL
INDUSTRIAL LEGISLATION (REPEALS, AMENDMENTS AND SAVINGS) BILL.

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Fahey, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Unsworth moved, That the question be amended by leaving out the word "now" with a view to inserting the words "this day three months".

It being 5.30 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 INDUSTRIAL RELATIONS BILL
INDUSTRIAL COURT BILL
INDUSTRIAL LEGISLATION (REPEALS, AMENDMENTS AND SAVINGS) BILL

Resumption of the interrupted debate, on the motion of Mr Fahey, That these bills be now read a second time.

Mr Beck moved, That the question be now put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

The House divided.

Ayes 52

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hay

Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Rixon
Mr Roberts
Mr Schipp
Mr Schultz
Mr Singleton

Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabstey
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 41

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter
Mr Keegan
Mr Knight

Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Mr Page
Mr Price

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

Question put—That the word proposed to be left out stand part of the question.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

The House divided.

Ayes 52

Mr Andrews	Mr Jeffery	Mr Small
Mr Armstrong	Mr Kerr	Mr Smiles
Mr Baird	Mr Longley	Mr Smith
Mr Berry	Miss Machin	Mr Souris
Mr Books	Mr Matheson	Mr Tink
Mr Booth	Mr Merton	Mr Webster
Mr Causley	Dr Metherell	Mr West
Mr Chappell	Mr Moore	Mr White
Mr Cochran	Mr Morris	Mr Wotton
Mrs Cohen	Mr D. L. Page	Mr Yabsley
Mr Collins	Mr Park	Mr Yeomans
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Dowd	Mr Petch	
Mr Fahey	Mr Photios	
Mr Glachan	Mr Rixon	
Mr Graham	Mr Roberts	Tellers
Mr Griffiths	Mr Schipp	
Mr Hartcher	Mr Schultz	Mr Beck
Mr Hay	Mr Singleton	Mr Phillips

Noes 43

Ms Allan	Mr Knight	Ms Read
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr Lovelee	Mr Rumble
Mr A. S. Aquilina	Mr McManus	Mr Shedden
Mr Cleary	Mr Markham	Mr Unsworth
Mr Davoren	Mr Martin	Mr Walsh
Mr Doyle	Mr Mills	Mr Welsh
Mr Face	Mr H. F. Moore	Mr Whelan
Miss Fraser	Ms Moore	
Mr Gibson	Mr Moss	
Mr Harrison	Mr J. H. Murray	
Mr Hatton	Mr Nagle	Tellers
Mr Hunter	Mr Newman	
Mr Irwin	Mr Page	Mr Beckroge
Mr Keegan	Mr Price	Mr Christie

And so it was resolved in the affirmative.

Original question again proposed.

Debate continued.

And it being after 8 p.m., the time specified under Standing Order 175B for the completion of the business up to a certain stage (second reading stage)—

Mr Phillips moved, That the question be now put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

The House divided.

Ayes 52

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hay

Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Rixon
Mr Roberts
Mr Schipp
Mr Schultz
Mr Singleton

Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 43

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Mr Page
Mr Price

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckróge
Mr Christie

And so it was resolved in the affirmative.

Question—That these bills be read a second time—put and passed.

Mr Acting Speaker Caterson left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

Mr Speaker resumed the Chair, and the Chairman reported the bills without amendment.

The Question—"That the question be now put." under Standing Order 175B—having been previously agreed to in Committee of the Whole (all remaining stages)—

Question—That the report be adopted—put and passed.

Question—That these bills be read a third time—put and passed.

15 COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION)
AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

16 RADIATION CONTROL BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Mr Acting Speaker Booth left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Acting Speaker Booth resumed the Chair, and the Chairman reported the bill with amendments.

On the motion of Mr Collins the Report was adopted.

Ordered, That the third reading stand an Order of the Day for tomorrow.

17 HEALTH PROFESSIONAL BOARDS LEGISLATION (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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.

18 SWIMMING POOLS BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

19 ENVIRONMENTAL RESTORATION AND REHABILITATION TRUST
BILL
ENVIRONMENTAL RESEARCH TRUST BILL
ENVIRONMENTAL EDUCATION TRUST BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Moore, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Mr Acting Speaker Booth left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr Speaker resumed the Chair, and the Chairman reported the bills with amendments.

On the motion of Mr Moore the Report was adopted.

Ordered, That the third reading stand an Order of the Day for tomorrow.

20 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 22 May 1990, returning the Ambulance Services Bill, without amendment.

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

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith intituled "An Act to amend the law relating to the education of school children; to repeal the Education and Public Instruction Act 1987; and for other purposes" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
22 May 1990

JOHN JOHNSON
President

EDUCATION REFORM BILL

Schedule of the amendments referred to in Message of 22 May 1990.

JOHN EVANS
Clerk of the Parliaments

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- No. 1. Page 2, clause 2 (2). Omit "section 134", insert instead "section 122".
- No. 2. Page 2, clause 3 (1). From the definition of "government school", omit "and for the time being registered under Part 7".
- No. 3. Page 2, clause 3 (1). Omit the definition of "non-government school", insert instead:
- "non-government school" means a registered non-government school;
- No. 4. Page 2, clause 3 (1). From the definition of "proprietor", omit "school (other than a government school)", insert instead "non-government school".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

No. 5. Page 2, clause 3 (1). Omit the definition of "registered school", insert instead:

"registered non-government school" means a school, other than a government school, for the time being registered under Part 7;

No. 6. Page 2, clause 3 (1). Omit the definition of "system of schools", insert instead:

"system of non-government schools" means a system of non-government schools for the time being approved by the Minister under Part 7;

No. 7. Page 3, clause 4 (c). Omit "has access to or".

No. 8. Page 3, clause 4 (c). Omit "an adequate standard", insert instead "the highest quality".

No. 9. Page 3, clause 5 (a). Omit "minimum curriculum for school registration and the curriculum for School Certificate and Higher School Certificate candidates", insert instead "minimum curriculum for primary and secondary education".

No. 10. Page 3, clause 5 (c). After "government", insert "schools established under this Act".

No. 11. Page 3, clause 5 (e). Omit "and for the accreditation of schools that are competent to present candidates for those certificates".

No. 12. Page 5, clause 8 (2). Omit "the registration of".

No. 13. Page 6, clause 9. Omit "Modern and Classical Languages", insert instead "Languages other than English".

No. 14. Page 6, clause 10. Omit the clause.

No. 15. Page 7, clause 11 (1). Omit "during Year 7 to Year 10 for students who are candidates for the School Certificate", insert instead "for secondary school students during Year 7 to Year 10".

No. 16. Page 7, clause 11 (3). Omit "section 94", insert instead "section 83".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

No. 17. Page 7, clause 11. After clause 11 (3), insert:

(4) The requirements of this section constitute the minimum curriculum for schools providing secondary education during Year 7 to Year 10.

No. 18. Page 7, clause 12 (1). Omit "during Year 11 and Year 12 for students who are candidates for the Higher School Certificate", insert instead "for secondary school students during Year 11 and Year 12".

No. 19. Page 8, clause 12 (1) (a). Omit "Modern and Classical Languages", insert instead "Languages other than English".

No. 20. Page 8, clause 12 (2). Omit "section 95", insert instead "section 84".

No. 21. Page 8, clause 12. After clause 12 (2), insert:

(3) The requirements of this section constitute the minimum curriculum for schools providing secondary education during Year 11 and Year 12.

No. 22. Page 8, clause 14 (2). Omit "is required to approve each particular syllabus developed by the Board, but", insert instead "may approve particular syllabuses developed by the Board and".

No. 23. Page 9, clause 15. Omit the clause, insert instead:

Disagreement between Minister and Board

15. (1) This section applies to a recommendation of the Board relating to:

- (a) the school curriculum; or
- (b) the nature or content of the recognised certificates; or
- (c) the nature of the assessment or examination process leading to the award of the recognised certificates.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

(2) If the Minister does not approve any recommendation of the Board to which this section applies, the Board may request the Minister (and if so the Minister is required) to make public, as soon as practicable (but within 21 days), the Minister's decision not to approve the recommendation and the reasons for the decision.

No. 24. Page 9, clause 17 (2). Omit "for registration of schools", insert instead "for schools providing primary or secondary education".

No. 25. Page 9, clause 18. Omit clause 18 (4), insert instead:

(4) The regulations may make provision relating to the extent to which the results of basic skills testing (whether the results for individuals or schools, or otherwise) may be publicly revealed or must be kept confidential.

(5) The Minister is required to recommend to the Governor that those regulations be made and, in making any such recommendation, is to have regard to the privacy of students and the potentially adverse effects of public knowledge about the results for individuals, schools or particular ethnic, racial or socio-economic groups.

No. 26. Page 10, clause 20. At the end of clause 20 (1) (e), insert:

; or

(f) children who are disadvantaged by their socio-economic background.

No. 27. Page 11, clause 21 (1). Omit "financial or other assistance", insert instead "financial assistance or other assistance, or both,".

No. 28. Page 11, clause 21 (2). Omit "of a child attending any such school is a percentage of the average cost to the State of educating a child at a government school", insert instead "of children attending such schools is a percentage of the average per capita cost to the State of educating children at government schools".

No. 29. Page 11, clause 21 (5). Omit "each such school", insert instead "such schools".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

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- No. 30. Page 11, clause 21. After clause 21 (5), insert:
- (6) Any financial assistance under this section to non-government schools may be paid directly to the schools or to an organisation (such as the Catholic Education Commission) for the benefit of the schools.
- No. 31. Page 11, clause 22 (a). Omit "registered school", insert instead "government school or registered non-government school".
- No. 32. Page 11, clause 22 (b). Omit "Division 5", insert instead "Division 6".
- No. 33. Page 12, clause 23 (1) (a). Omit "registered school", insert instead "government school or registered non-government school".
- No. 34. Page 12, clause 23 (2) (c). Omit "section 25", insert instead "section 24".
- No. 35. Page 12, clause 23 (2) (d). Omit "section 35", insert instead "section 34".
- No. 36. Page 13, clause 23 (3) (c). Omit "registered school", insert instead "government school or registered non-government school".
- No. 37. Page 13, clause 23 (3) (f). Omit "section 26", insert instead "section 25".
- No. 38. Page 13, clause 23 (4). Omit "section 24", insert instead "section 23".
- No. 39. Page 13, clause 23 (5). Omit "registered school", insert instead "government school or registered non-government school".
- No. 40. Pages 13 and 14, clause 24. Omit "registered school" wherever occurring, insert instead "government school or registered non-government school".
- No. 41. Page 14, clause 25 (1). Omit "registered school", insert instead "government school or registered non-government school".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

No. 42. Page 15, clause 27. Omit clause 27 (1) (b), insert instead:

- (b) the school will comply with similar requirements to those required for the registration of non-government schools.

No. 43. Page 15, clause 28. Omit the clause, insert instead:

Closure of government schools

28. (1) The Minister may close a government school, but only in accordance with this section.

(2) The Minister must give at least 12 months' notice (by notification in the Gazette and to the principal of the school) of any proposal to close a school.

(3) The Minister is required to refer the proposal for the closure of a school to a school closure committee for the conduct of a public inquiry into the matter if:

- (a) the Minister is requested to do so by the Council of the Federation of Parents and Citizens Associations of New South Wales; or
- (b) the Minister is petitioned to do so (subject to any requirements of the regulations) by members of the local community who have an interest in the school; or
- (c) the Minister considers that it is appropriate to do so.

(4) Any such request or petition must be made within 2 months after the Minister gives notice of the proposed closure of the school concerned.

(5) A school closure committee is to be constituted by the Minister and (subject to any requirements of the regulations) is to include a nominee of the Director-General of School Education, a nominee of any parent and community association for the school concerned, a representative of the teachers of the school concerned, a nominee of the local government council for the area in which the school concerned is situated and such other categories of persons as are prescribed by the regulations.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

(6) A school closure committee is to conduct a public inquiry into the closure of the school concerned and issue a public report about the matter within 3 months after it is constituted by the Minister.

(7) A school closure committee is to seek expert demographic and educational advice and also have regard to the views of the parents of children attending the school concerned and members of the local community.

(8) In making any recommendation concerning the closure of a school, a school closure committee is to have regard primarily to the present and future educational needs of the local community.

(9) If the school closure committee recommends the closure of a school:

- (a) the committee is required to seek public submissions on the future use of the school; and
- (b) the committee is to advise the Minister on any educational purposes for which the school is suitable.

(10) The Minister must have regard to the report of a school closure committee. If the Minister does not adopt the recommendation of the committee, the Minister is required to publish the reasons for not doing so.

(11) This section applies to any government school closed after the commencement of this section (whether notice of the closure was given before or after that commencement), but if notice was given before that commencement the period of 2 months referred to in subsection (4) is to be taken to begin on that commencement.

(12) In the case of any government school closed after 1 January 1989 and before the commencement of this section and still under the control of the Minister, a school closure committee may be constituted under this section to inquire and report in accordance with this section on whether the school should be re-opened.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

No. 45. Page 18, clause 35. Omit clause 35 (3), insert instead:

(3) The Minister may, on the recommendation of the Director-General of School Education, expel a child of any age from a government school. The Director-General of School Education may suspend any child from a government school.

No. 46. Page 18, clause 35 (5). Omit "section 34 (4)", insert instead "section 33 (4)".

No. 47. Page 18, Part 7. Omit the heading to the Part, insert instead:

**PART 7—REGISTRATION OF NON-GOVERNMENT
SCHOOLS AND OF CHILDREN FOR HOME
SCHOOLING**

No. 48. Page 18. Insert at the beginning of Part 7:

Division 1—Application

Application of Part

37. This Part applies to schools other than government schools.

No. 49. Page 18, Part 7, Division 1. Omit the heading to the Division, insert instead:

**Division 2—Formation of systems of
non-government schools**

No. 50. Page 18, clause 37. Omit "registered school", insert instead "registered non-government school".

No. 51. Page 18, clause 37 (b). After "system of", insert "non-government".

No. 52. Page 19, clause 38. Omit "Ten", insert instead "Twenty".

No. 53. Page 19, clause 38. After "system of", insert "non-government".

No. 54. Page 19, clause 39. Omit the clause.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

No. 55. Page 19, clause 40. Omit the clause, insert instead:

Approved authority for system of non-government schools

40. For the purposes of this Act, the approved authority for a system of non-government schools is the person or body who or which is appointed for the time being by:

- (a) the proprietor or proprietors of the non-government schools; or
- (b) the person or persons who propose to establish the non-government schools,

to act on their behalf in relation to the system or proposed system.

No. 56. Page 19, clause 41 (2) (c). Omit "and (if appropriate) for accreditation of the schools under Part 8".

No. 57. Page 20, clause 42 (2). Omit "and (if appropriate) for accreditation of the schools".

No. 58. Pages 20 and 21, clauses 44 and 45. At the end of clauses 44 (4) and 45 (2), insert "(but any such registration ceases after 6 months if it has not sooner expired)".

No. 59. Page 21, Part 7, Division 2. Omit the heading to the Division, insert instead:

Division 3—Registration of non-government schools

No. 60. Page 21. After clause 45, insert:

Board to advise Minister on systems of schools

46. The Minister is required to obtain and have regard to the advice of the Board in connection with the exercise of any of the Minister's functions under this Division.

No. 61. Page 21, clause 46 (a). Omit "registration of".

No. 62. Page 21, clause 47. Omit clause 47 (1).

No. 63. Page 22, clause 48. Omit the clause.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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- No. 64. Page 22, clause 49 (1). After "system of", insert "non-government".
- No. 65. Page 22, clause 50 (1). Omit "section 49", insert instead "section 48".
- No. 66. Page 23, clause 52 (1). Omit "government or".
- No. 67. Page 23, clause 52 (3) (a). After "system of", insert "non-government".
- No. 68. Page 24, clause 53 (1). Omit "government or".
- No. 69. Page 24, clause 54. After "registered", insert "non-government".
- No. 70. Page 24, clause 55 (1). Before "school", insert "non-government".
- No. 71. Page 24, clause 55 (2). After "system of", insert "non-government".
- No. 72. Page 25, clause 55 (6). Before "school" where firstly occurring, insert "non-government".
- No. 73. Page 25, clause 55 (6). After "system of", insert "non-government".
- No. 74. Pages 25 and 26, clause 56 (1), (2), (3), (4) and (5). Before "school" where firstly occurring in each subclause, insert "non-government".
- No. 75. Page 26, clause 56 (5). After "system of", insert "non-government".
- No. 76. Page 26, clause 57 (1). Before "school", insert "non-government".
- No. 77. Page 26, clause 59 (1) to (3). Before "school" where firstly occurring in each subclause, insert "non-government".
- No. 78. Page 26, clause 59 (1) and (3). After "system of" wherever occurring, insert "non-government".
- No. 79. Page 27, clause 60 (3) and (4). After "registered" wherever occurring, insert "non-government".
- No. 80. Page 27, clause 60 (4). Omit "section 61", insert instead "section 60".
- No. 81. Pages 27 and 28, clause 61 (1), (3), (4) and (5). Before "school" where firstly occurring in each subclause, insert "non-government".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

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- No. 82. Page 27, clause 61 (1) and (4). After "system of" wherever occurring, insert "non-government".
- No. 83. Page 28, clause 63 (1). After "registered", insert "non-government".
- No. 84. Page 28, clause 63 (1). After "system of", insert "non-government".
- No. 85. Page 29, clause 63 (2). Before "school" where firstly occurring insert "non-government".
- No. 86. Page 29, clause 64. Before "school" wherever occurring, insert "non-government".
- No. 87. Page 29, clause 65 (1) and (2). After "a school" wherever occurring, insert "(other than a government school)".
- No. 88. Page 29, clause 65 (2) (a) and (b). Omit "any age" wherever occurring, insert instead "compulsory school-age".
- No. 89. Page 29, clause 65 (3). After "a school" where firstly occurring, insert "(other than a government school)".
- No. 90. Page 30, clause 66 (1). Before "school" where firstly occurring, insert "non-government".
- No. 91. Page 30, clause 67. After "registered", insert "non-government".
- No. 92. Page 30, clause 68. Before "school" where firstly occurring, insert "non-government".
- No. 93. Page 30, clause 69. Omit "system of schools, or the proprietor or principal of a registered school that is not a member of a system of schools", insert instead "system of non-government schools, or the proprietor or principal of a registered non-government school that is not a member of such a system".
- No. 94. Page 32, clause 73 (2) (b). Omit "the registration of".
- No. 95. Page 34, clause 76 (1) (b). Omit "Division 5", insert instead "Division 6".
- No. 96. Page 37. Omit the heading to Division 1 of Part 8.
- No. 97. Pages 37 to 41. Omit clauses 84 to 93.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

No. 98. Page 41. Omit the heading to Division 2 of Part 8.

No. 99. Page 41, clause 94. Omit clause 94 (1) (a) (i), insert instead:

- (i) have attended a government school or a registered non-government school (being a school providing secondary education during Year 7 to Year 10); or

No. 100. Page 42, clause 94 (3). Omit "ranging from A to E".

No. 101. Page 42, clause 95. After clause 95 (1) (b), insert:

- (c) who have participated, to the Board's satisfaction, in courses of study which have been determined under this Act as appropriate to be undertaken by candidates for the Higher School Certificate; and
- (d) who have been accepted by the Board as having satisfactorily completed those courses of study; and

No. 102. Page 42, clause 95. Omit clause 95 (1) (b) (i), insert instead:

- (i) have attended a government school or a registered non-government school (being a school providing secondary education during Year 11 and Year 12); or

No. 103. Page 45, clause 100 (1) (c). Omit "13", insert instead "19".

No. 104. Page 45, clause 100 (3) (b). Omit "one nominee", insert instead "two nominees".

No. 105. Page 45, clause 100 (3) (b). After "New South Wales", insert ", one nominee to represent parents of primary school children and the other nominee to represent parents of secondary school children".

No. 106. Page 46, clause 100. Omit clause 100 (3) (h), insert instead:

- (h) 2 nominees of the New South Wales Teachers Federation, one being a primary government school teacher (other than a principal) and the other being a secondary government school teacher (other than a principal);

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

- No. 107. Page 46, clause 100. After clause 100 (3) (h) insert:
- (i) one person with knowledge and expertise in early childhood education;
 - (j) an Aboriginal person with knowledge and expertise in the education of Aboriginal people.
- No. 108. Page 46, clause 100 (3) (i). Omit "4", insert instead "6".
- No. 109. Page 46, clause 101 (2). Omit "either a full-time or part-time basis", insert instead "a full-time basis".
- No. 110. Page 46, clause 101 (3). Omit "If the President is appointed on a full-time basis, the", insert instead "The".
- No. 111. Page 46, clause 102 (2) (b). Before "schools", insert "non-government".
- No. 112. Page 46, clause 102. Omit clause 102 (2) (c).
- No. 113. Page 49, clause 106. Omit the clause, insert instead:

Annual report of Board to Parliament

106. (1) As soon as practicable after 30 June (but on or before 31 December) in each year, the Board is to prepare and forward to the Minister a report of its work and activities for the 12 months ending on the 30 June in that year.

(2) The Minister is required to lay the report or cause it to be laid before both Houses of Parliament as soon as practicable after receiving the report.

- No. 114. Page 50, clause 108 (1) (a) to (c). Before "school" wherever occurring, insert instead "non-government".
- No. 115. Page 50, clause 108. Omit clause 108 (1) (f) to (h).

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

No. 116. Pages 50 and 51, clause 109. Omit the clause, insert instead:

Determination of appeal by the Tribunal

109. The Tribunal may, on an appeal under this Part against a recommendation, confirm the recommendation or make a different recommendation to the Minister concerning the matter the subject of the appeal.

No. 117. Page 51, clause 110. Omit clause 110 (1), insert instead:

(1) An applicant for registration of a non-government school may, at any time later than 5 months after lodgment of the application, by notice in writing request the Board to make a recommendation on the application within 30 days.

No. 118. Page 51, clause 110 (2). Before "school" where firstly occurring, insert "non-government".

No. 119. Page 51, clause 110. Omit clause 110 (3).

No. 120. Page 52, clause 112 (a) and (b). Omit "or decision" wherever occurring.

No. 121. Page 52, clause 112 (b). Omit "or (3)".

No. 122. Page 53, clause 116. At the end of clause 116 (1) (b), insert:

; and

(c) to encourage parent and community participation in curriculum and other education issues in schools where there is no school council.

No. 123. Page 53, clause 116. After clause 116 (2) (b), insert:

(c) to be responsible for the election of parent representatives to any school council constituted at the school;

No. 124. Page 54, clause 118. Omit "or accreditation of", insert instead "of non-government".

No. 125. Page 55, clause 121 (1). Omit "registered school", insert instead "government school or any registered non-government school".

No. 126. Page 55, clause 121 (4). After "registered", insert "non-government".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

- No. 127. Page 55, clause 122. After "for the purposes of this section", insert ", or a police officer".
- No. 128. Page 56, clause 123 (1). Omit "registered school", insert instead "government school or registered non-government school".
- No. 129. Page 56, clause 123. Omit "or" at the end of clause 123 (2) (b) and omit clause 123 (2) (c).
- No. 130. Page 59, clause 127. Omit "or affects", insert instead ", or can be taken into account in".
- No. 131. Pages 60 and 61, clause 132. Omit the clause.
- No. 132. Page 62, clause 133. Omit "(but only if appointed on a full-time basis)".
- No. 133. Page 63, Schedule 1, clause 1. Omit ", and includes the President of the Board if appointed on a part-time basis".
- No. 134. Page 63, Schedule 1, clause 2 (1). Omit "section 100 (3)", insert instead "section 89 (3)".
- No. 135. Page 65, Schedule 1, clause 9 (1) (i). Omit "section 100 (3) (e)-(i)", insert instead "section 89 (3) (e)-(h)".
- No. 136. Page 67, Schedule 1, clause 13. Omit "9", insert instead "12".
- No. 137. Page 68, Schedule 2, clause 1 (c). Omit all words after "a" where firstly occurring, insert instead, "retired judge or a person of equivalent standing."
- No. 138. Page 72, Schedule 3, clause 5 (b). Omit "registered school under this Act (other than a government school)", insert instead "registered non-government school under this Act".
- No. 139. Page 72, Schedule 3, clause 6. Omit "section 25", insert instead "section 24".

Examined
ADRIAN SOLOMONS
Chairman of Committees

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 May 1990

Ordered, by Mr Speaker, That the Legislative Council Message be taken into consideration forthwith.

21 EDUCATION REFORM BILL

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the Legislative Council amendments.

And the Committee continuing to sit after midnight—

WEDNESDAY 23 MAY 1990 a.m.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to Legislative Council amendments 1, 7, 8, 13, 16, 19, 20, 22, 23, 25, 26 to 30, 44, 58, 60, 65, 80, 88, 100, 101, 103 to 110, 113, 122, 127, 130, 132, 133, 134, 135, 136 and 137 and disagreed with the remainder of the amendments.

Dr Metherell moved, That the report be adopted.

The House divided.

Ayes 54

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Jeffery	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr Booth	Miss Machin	Mr Smith
Mr Caterson	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Webster
Mr Cochran	Mr Moore	Mr West
Mrs Cohen	Mr Morris	Mr White
Mr Collins	Mr D. L. Page	Mr Yabsley
Mr Cruickshank	Mr Park	Mr Yeomans
Mr Dowd	Mr Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	Tellers
Mr Glachan	Mr Pickard	
Mr Graham	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 44

Ms Allan	Mr Keegan	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Ms Read
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mr Lovelee	Mr Rumble
Mr Arkell	Mr McManus	Mr Shedden
Mr Cleary	Mr Markham	Mr Unsworth
Mr Davoren	Mr Martin	Mr Walsh
Mr Doyle	Mr Mills	Mr Welsh
Mr Face	Mr H. F. Moore	Mr Whelan
Miss Fraser	Ms Moore	
Mr Gibson	Mr Moss	
Mr Harrison	Mr J. H. Murray	Tellers
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Newman	Mr Beckroge
Mr Irwin	Ms Nori	Mr Christie

And so it was resolved in the affirmative.

Report adopted.

Ordered, on the motion of Dr Metherell, 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 22 May 1990 requesting the concurrence of the Legislative Assembly with the amendments to the Education Reform Bill 1990 as set forth in the Schedule to that Message, acquaints the Legislative Council as follows:

Amendments Nos 2-6, 9-12, 14, 15, 17, 18, 21, 24, 31-42, 46-51, 53-57, 59, 61-64, 66-79, 81-87, 89-99, 102, 111, 112, 114-121, 124-126, 128, 129, 138 and 139. The Assembly disagrees with the proposed amendments because:

Registration of government schools

The Carrick Committee strongly advocated the registration of both government and non-government schools on the grounds that the basic legal requirements should apply uniformly to all schools. Bodies such as the Association of Independent Schools and the Catholic Education Commission strongly support the principle that all schools should be subject to minimum and equal accountability requirements through registration.

Separate registration and accreditation for secondary schools

The Carrick Committee strongly supported the separation of registration and accreditation saying there was strong support in submissions to it for a return to mandatory registration and optional accreditation to reverse the position brought about by the Education and Public Instruction Act 1987. Other States have separate accreditation and registration. In New South Wales they have been separate for all but two of the last 30 years. The Catholic Education Commission is most concerned that this key recommendation has been rejected by these amendments.

Amendment Nos 7, 8, 13, 19, 22, 23, 25, 26-30, 44, 58, 60, 88, 100, 101, 103-110, 113, 122, 127, 130, 132, 133, 136 and 137. The Assembly agrees with the proposed amendments.

Amendment No. 43. The Assembly disagrees with the proposed amendment because:

The amendment creates an unworkable situation concerning recent and future school closures. The elaborate set of procedures proposed in the amendment appears to make it virtually impossible to close a government school. As the Catholic Education Commission has indicated, it is deceptive to create a community expectation that the provision of schooling, government and non-government, need not take account of economic and demographic changes occurring in New South Wales.

Amendment No. 45. The Assembly disagrees with the proposed amendment because:

The current practice of this power being exercised by the Director-General of School Education is working well and expeditiously. Now there are programs and procedures to assist very badly behaved children to rehabilitate themselves. The Bill as originally drafted reflects the amendment to the Education and Public Instruction Act 1987 passed by both Houses of Parliament in 1988.

Amendment No. 52. The Assembly disagrees with the proposed amendment because:

The Government believes that 10 is an adequate size for a system of non-government schools to monitor compliance with the registration requirements.

Amendment No. 123. The Assembly disagrees with the proposed amendment because:

This amendment is inconsistent with the guidelines for the establishment of school councils which have been negotiated with the Federation of Parents and Citizens Associations.

Amendment No. 131. The Assembly disagrees with the proposed amendment because:

The Government believes that provision should be made in extreme cases for the Children's Court to determine that a child is in need of care if, in spite of the best efforts of the child's parents, the child fails to attend school regularly.

Amendments Nos 1, 16, 20, 65, 80, 134 and 135. The Assembly agrees to the proposed amendments except that the proposed section numbers referred to in the amendments are to be altered to take into account the amendments disagreed to in this Message.

And the Legislative Assembly requests the concurrence of the Legislative Council in its disagreement from the Council amendments in the Bill.

K. R. Rozzoli
Speaker

Legislative Assembly
23 May 1990 a.m.

22 JOINT STANDING COMMITTEE UPON ROAD SAFETY

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 10 May 1990 concerning the Joint Standing Committee upon Road Safety agrees that the Committee have leave to make a visit of inspection to New Zealand.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 and 23 May 1990

23 MESSAGE 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 Bill, returned herewith intituled "An Act to constitute the Real Estate Services Council; to define its functions; to amend certain Acts consequentially; and for other purposes" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
22 May 1990

JOHN JOHNSON
President

REAL ESTATE SERVICES COUNCIL BILL

Schedule of the amendments referred to in Message of 22 May 1990.

JOHN EVANS
Clerk of the Parliaments

No. 1. Page 3, clause 6 (3) (c). Omit the paragraph, insert instead:

(c) 1 is to be selected by the Minister from a panel of persons nominated by the Australian Consumers Association;

No. 2. Page 11, Schedule 1, clause 1 (3). After "6 (3)", insert "(c)".

Examined
ADRIAN SOLOMONS
Chairman of Committes

Ordered, by Mr Speaker, That the Legislative Council Message be taken into consideration tomorrow.

24 ADJOURNMENT

Dr Metherell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.40 a.m., until 2.15 p.m. this day.

BY AUTHORITY

R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 26

WEDNESDAY 23 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

Mr Davoren—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

Ms Allan—from certain citizens requesting a review of Technical and Further Education policies.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Martin—from certain citizens requesting the reservation of Crown Lands between Mallabula and Lemon Tree Passage for nature purposes.

Mr Newman—from certain citizens requesting the construction of a pedestrian overpass on the Cumberland Highway at Canley Heights.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls High.

2 NOTICES OF MOTIONS

3 PAPERS

Mr Fahey laid upon the Table—

Construction Safety Act 1912—Construction Safety Regulations 1950—amendment of regulations 3, 10, 159M, substituted part 4A. (Gazette 124/1989.)

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23 May 1990

Dangerous Goods Act 1975—Dangerous Goods Regulation 1978—
amendment of clause 13, schedule 2. (Gazette 124/1989.)

Factories, Shops and Industries Act 1962—

- (a) Bakehouse Regulations—amendment of regulation 3. (Gazette 124/1989.)
- (b) Factories (Health and Safety) Electroplating Regulation 1988—
amendment of schedule 1. (Gazette 124/1989.)
- (c) Factories (Health and Safety) General Regulations 1913—amendment
of regulation 26, omission of regulation 26B. (Gazette 124/1989.)
- (d) Factories (Health and Safety—Refrigerating Chambers) Regulations
1937—amendment of regulation 1. (Gazette 124/1989.)
- (e) Lead Regulations—amendment of regulation 14. (Gazette 124/1989.)

Occupational Health and Safety Act 1983—

- (a) Occupational Health and Safety (Asbestos Removal Contractors)
Regulation 1988—amendment of clauses 3, 5, 6, 7, 9, 10, 11, 13,
schedule 1. (Gazette 124/1989.)
- (b) Occupational Health and Safety (First-aid) Regulation 1989—
amendment of clauses 4, 7, 8, 10, schedule 1. (Gazette 124/1989.)
- (c) Occupational Health and Safety (Inspectors' Notices) Regulation
1988—amendment of clauses 4, 8. (Gazette 124/1989.)
- (d) Occupational Health and Safety (Pest Control) Regulation 1988—
amendment of clauses 3, 6, 11, 31. (Gazette 124/1989.)

Workers Compensation Act 1987—

- (a) Workers Compensation (General) Regulation 1987—clause 21A,
amendment of schedules 1, 4, substituted clause 19. (Gazettes 121/1989,
124/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

- (b) Workers Compensation (General Rehabilitation Programmes) Regulation 1988—amendment of clauses 3, 4, 7, 11, 14, 24, substituted clause 19, omission of clause 13. (Gazettes 109/1989, 124/1989 (2).)
- (c) Workers Compensation (Insurance Premiums) Regulation 1987—amendment of clause 9. (Gazette 124/1989.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion, That this House refers to the Independent Commission Against Corruption the document tabled yesterday in another place at the request of the Leader of the Government, The Honourable Ted Pickering, especially that part of it referring to the conduct of the Chief Secretary and Minister for Tourism.

Point of Order: The Attorney General having submitted that the Leader of the Opposition was contravening the Speaker's ruling of the previous sitting on sub judice and that a judge as tribunal of fact was entitled to deliberation without interference, the Speaker stated that in view of both his previous ruling, and advice and information received, the subject matter of the substantive motion was covered by the sub judice rule.

Mr Speaker therefore ruled the motion out of order.

6 QUESTIONS (continuation of entry No. 4)

7 SUSPENSION OF STANDING ORDERS

Mr Whelan moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion, That this House dissent from the ruling of Speaker Rozzoli given this day and yesterday concerning the sub judice rule.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

The House divided.

Ayes 40

Ms Allan	Mr Knowles	Mr Primrose
Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Shedden
Mr Carr	Mr Martin	Mr Unsworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Whelan
Mr Doyle	Mr Moss	
Mr Face	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hunter	Ms Nori	
Mr Irwin	Mr Page	Mr Beckroge
Mr Knight	Mr Price	Mr Christie

Noes 64

Mr Andrews	Mr Hatton	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr Booth	Miss Machin	Mr Souris
Mr Caterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Webster
Mr Chappell	Dr Metherell	Mr Welsh
Mr Cochran	Mr Moore	Mr West
Mrs Cohen	Ms Moore	Mr White
Mr Collins	Mr Morris	Mr Wotton
Mr Cruickshank	Mr Murray	Mr Yabsley
Mr Dowd	Mr D. L. Page	Mr Yeomans
Mr Downy	Mr Park	Mr Zammit
Mr Fahey	Mr Peacocke	
Miss Fraser	Mr Petch	
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Ms Read	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

And so it passed in the negative.

8 RADIATION CONTROL BILL

(Formal Order of the Day)—Bill, on motion of Mr Collins, read a third time.

9 ENVIRONMENTAL RESTORATION AND REHABILITATION TRUST BILL

ENVIRONMENTAL RESEARCH TRUST BILL
ENVIRONMENTAL EDUCATION TRUST BILL

(Formal Order of the Day)—Bills, on motion of Mr Moore, read a third time.

10 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the resumption of the adjourned debate on the Aboriginal Land Rights (Revival of Financial Provision) Bill.

Debate ensued.

Question put and passed.

11 JOINT SELECT COMMITTEE UPON THE PROCESS AND FUNDING OF THE ELECTORAL SYSTEM

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 3 May 1990:

(1) Agrees to the Resolution for the appointment of a Joint Select Committee on Election Funding, in which amendments, the concurrence of the Legislative Assembly is requested.

No. 1. Paragraph 2. Omit the paragraph, insert instead:

2. That the Committee shall consist of 7 Members of the Legislative Assembly and 7 Members of the Legislative Council.

3. Notwithstanding anything to the contrary in the Standing Orders of either House:

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

(1) The Legislative Assembly Members shall be:

- (a) 4 Members supporting the Government nominated by the Premier; and
- (b) 3 Members not supporting the Government, of which:
 - (i) 2 shall be nominated by the Leader of the Opposition; and
 - (ii) 1 shall be an Independent Member appointed by the Assembly.

(2) The Legislative Council Members shall be:

- (a) 3 Members supporting the Government nominated by the Leader of the Government in the Council; and
- (b) 4 Members not supporting the Government, of which:
 - (i) 2 shall be nominated by the Leader of the Opposition in the Council;
 - (ii) 1 shall be Miss Kirkby; and
 - (iii) 1 shall be Revd Mr Nile.

(3) The Committee shall elect as Chairman a Member of the Legislative Assembly appointed to the Committee on the nomination of the Premier.

(4) Notwithstanding anything to the contrary in the Standing Orders of either House, the Chairman of the Committee shall have a deliberative vote and, in the event of an equality of votes, shall also have a casting vote.

No. 2. Paragraph 4. Omit the paragraph.

No. 3. After paragraph 5, insert:

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

6. That should either House stand adjourned and the Committee agree to any report before the Houses resume sitting:

- (1) the Committee have leave to send any such report, minutes and evidence taken before it to the Clerk of the House;
- (2) 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
- (3) the documents shall be laid upon the Table of the House at its next sitting.

(2) The Legislative Council fixes Thursday 24 May 1990 at 5.15 p.m. in room 1043 as the time and place for the first meeting of the Committee.

Legislative Council
23 May 1990

JOHN JOHNSON
President

Ordered, by Mr Speaker, That the Legislative Council message be taken into consideration at a later hour.

12 CONSTITUTION (LEGISLATIVE ASSEMBLY) BILL

The Order of the Day having been read, Mr Speaker left the Chair, and the House resumed itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in the bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

13 BUILDING SERVICES CORPORATION (KIT HOMES) AMENDMENT BILL

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

14 REAL ESTATE SERVICES COUNCIL BILL

The Order of the Day having been read, Mr Speaker left the Chair, and the House resumed itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in the bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

15 REGISTERED CLUBS (FURTHER AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

Leave granted for the third reading to be moved forthwith.

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

16 COAL OWNERSHIP (RESTITUTION) BILL
COAL ACQUISITION (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Pickard, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

17 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

18 COAL OWNERSHIP (RESTITUTION) BILL
COAL ACQUISITION (AMENDMENT) BILL

Resumption of the interrupted debate, on the motion of Mr Pickard, That these bills be now read a second time.

Question put and passed.

Bills read a second time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Pickard, read a third time.

19 GAS (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

20 MESSAGES FROM THE GOVERNOR

Mr Acting Speaker Booth reported messages from His Excellency the Governor assenting to the following bills:

22 May 1990

Bishop Tyrrell Trust (Amendment) Bill
Crimes Legislation (Amendment) Bill
Legal Profession (Solicitor Corporations) Amendment Bill
Totalizator (Amendment) Bill
Totalizator (Off-course Betting) Amendment Bill
Usury, Bills of Lading, and Written Memoranda (Repeal) Bill.

21 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Acting Speaker Booth reported messages from the Legislative Council returning the following bills without amendment:

23 May 1990

Real Property (Oyster Leases) Amendment Bill
Fisheries and Oyster Farms (Oyster Leases) Amendment Bill.

22 ABORIGINAL LAND RIGHTS (REVIVAL OF FINANCIAL
PROVISION) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Dowd, on behalf of Mr Greiner, read a third time.

23 POLICE SERVICE BILL
POLICE AND SUPERANNUATION LEGISLATION (AMENDMENT)
BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Dowd, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 May 1990

The House divided.

Ayes 57

Mr Andrews	Mr Hay	Mr Rixon
Mr Arkell	Mr Jeffery	Mr Roberts
Mr Armstrong	Mr Keegan	Mr Schultz
Mr Berry	Mr Kerr	Mr Singleton
Mr Books	Mr Longley	Mr Small
Mr Booth	Miss Machin	Mr Smiles
Mr Causley	Mr Matheson	Mr Smith
Mr Chappell	Mr Merton	Mr Souris
Mr Cochran	Dr Metherell	Mr Tink
Mrs Cohen	Mr Moore	Mr Welsh
Mr Collins	Ms Moore	Mr West
Mr Cruickshank	Mr Morris	Mr White
Mr Dowd	Mr Murray	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Miss Fraser	Mr Park	Mr Zammit
Mr Glachan	Mr Peacocke	
Mr Graham	Mr Petch	Tellers
Mr Griffiths	Mr Photios	
Mr Hartcher	Mr Pickard	Mr Beck
Mr Hatton	Ms Read	Mr Phillips

Noes 36

Ms Allan	Mr Knowles	Mr Primrose
Mr Amery	Mr McManus	Dr Refshauge
Mr Anderson	Mr Markham	Mr Rogan
Mr Aquilina	Mr Martin	Mr Rumble
Mr A. S. Aquilina	Mr Mills	Mr Shedden
Mr Carr	Mr H. F. Moore	Mr Unsworth
Mr Davoren	Mr Moss	Mr Walsh
Mr Doyle	Mr J. H. Murray	Mr Whelan
Mr Face	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Knight	Mr Price	Mr Christie

And so it was resolved in the affirmative.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Dowd, read a third time.

24 STATE DRUG CRIME COMMISSION (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

25 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.06 p.m., until tomorrow at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 27

THURSDAY 24 MAY 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Davoren—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

Ms Allan—from certain citizens requesting a review of technical and further education policies.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls High School.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Hunter—from certain citizens requesting the abolition of the flat rate sewerage pump out charge.

Mr Hunter—from certain citizens requesting that sewage by-products be recycled and used for agricultural and industrial purposes.

2 PAPERS

Mr Greiner laid upon the Table—

Report of the Ombudsman under section 31 of the Ombudsman Act concerning the operation of the Freedom of Information Act 1989 and the Functions of the Ombudsman, dated 23 May 1990.

Public Finance and Audit Act 1983—determination of the Treasurer in terms of section 24 of the Act concerning the transfer of administration of Bicentennial Park, Royal Botanic Gardens and Centennial Park from the National Parks and Wildlife Service to the Ministry of the Environment.

Referred to the Printing Committee.

3 QUESTIONS

4 MINISTERIAL STATEMENT—RETIREMENT OF HIS EXCELLENCY SIR DAVID JAMES MARTIN

Mr Greiner made a ministerial statement concerning the impending retirement of His Excellency Sir David James Martin as Governor of New South Wales.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

Mr Carr also addressed the House.

Mr Murray (by leave), also addressed the House.

5 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the resumption of the adjourned debate on the Mining (Amendment) Bill.

6 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Ordered, on the motion of Mr Dowd (by leave), That should the Committee on the Independent Commission Against Corruption agree to any reports during any adjournment or prorogation of the House—

1. The Committee have leave to send the report, minutes of proceedings and evidence taken before them to the Clerk of the House;
2. 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
3. The documents shall be laid upon the Table of the House at its next sitting.

7 LIQUOR (FURTHER AMENDMENT) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Liquor Act 1982 to make further provision with respect to the use by minors of parts of licensed premises; 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 Face) and the resumption of the debate made an Order of the Day for a future day.

8 MINING (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

9 NATURE RESERVE (SPECIAL PROVISIONS) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ms Allan (speaking) 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

10 JOINT SELECT COMMITTEE UPON THE PROCESS AND FUNDING
OF THE ELECTORAL SYSTEM

(1) The Order of the Day having been read for the consideration of the Legislative Council message on the Joint Select Committee upon the Process and Funding of the Electoral System—

Ordered, on the motion of Mr Moore, That this House agree with the amendments made by the Legislative Council in its resolution of 23 May 1990 relating to the appointment of a Joint Select Committee upon the Process and Funding of the Electoral System.

(2) Mr Speaker informed the House, that pursuant to the resolution of the Legislative Council appointing the Joint Select Committee upon the Process and Funding of the Electoral System, he had received advice that the Premier has nominated Mr Booth, Mr Jeffery, Phillips and Mr Souris, and the Leader of the Opposition has nominated Mr Mills and Mr J. H. Murray to serve as members of the Legislative Assembly supporting the Government and members not supporting the Government, respectively, to serve on the Joint Select Committee.

(3) Miss Fraser informed the House that the Independent members had endorsed the nomination of Mr Hatton to serve on the Joint Select Committee upon the Process and Funding of the Electoral System.

(4) Mr Moore moved, That Mr Hatton be appointed the Independent member of the Legislative Assembly to serve on the Joint Select Committee upon the Process and Funding of the Electoral System.

Debate ensued.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

(5) Ordered, on the motion of Mr Moore, That the following message be sent to the Legislative Council—

MR PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council message dated 23 May, 1990 acquaints the Legislative Council that it has agreed to the amendments made by the Council relating to the appointment of a Joint Select Committee upon the Process and Funding of the Electoral System.

The Legislative Assembly also acquaints the Legislative Council that—

(1) Pursuant to paragraph 3 (1) (a) the Premier has nominated Mr Booth, Mr Jeffery, Mr Phillips and Mr Souris;

(2) Pursuant to paragraph 3 (1) (b) (i) the Leader of the Opposition has nominated Mr Mills and Mr J. H. Murray; and

(3) Pursuant to paragraph 3 (1) (b) (ii) the Assembly has appointed Mr Hatton;

to be members of the Legislative Assembly to serve on such Committee.

The Legislative Assembly further acquaints the Legislative Council that it agrees to the time and place for the first meeting of the Committee as proposed in the Council's message dated 23 May, 1990.

Legislative Assembly
24 May 1990

K. R. ROZZOLI
Speaker

11 NATURE RESERVE (SPECIAL PROVISIONS) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Booth moved, That this debate be now adjourned.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

Question put.

The House divided.

Ayes 51

Mr Andrews	Mr Hay	Mr Schipp
Mr Arkell	Mr Jeffery	Mr Schultz
Mr Berry	Mr Keegan	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr Booth	Mr Longley	Mr Smiles
Mr Caterson	Mr Matheson	Mr Smith
Mr Casley	Mr Merton	Mr Souris
Mr Chappell	Dr Metherell	Mr Tink
Mr Cochran	Mr Moore	Mr West
Mrs Cohen	Mr Morris	Mr White
Mr Cruickshank	Mr Murray	Mr Yabsley
Mr Dowd	Mr D. L. Page	Mr Yeomans
Mr Downy	Mr Park	Mr Zammit
Mr Glachan	Mr Peacocke	
Mr Graham	Mr Photios	Tellers
Mr Griffiths	Mr Pickard	
Mr Hartcher	Mr Rixon	Mr Beck
Mr Hatton	Mr Roberts	Mr Phillips

Noes 42

Ms Allan	Mr Knowles	Mr Price
Mr Amery	Mr Langton	Mr Primrose
Mr Anderson	Mr Lovelee	Ms Read
Mr Aquilina	Mr McManus	Mr Rogan
Mr A. S. Aquilina	Mr Markham	Mr Rumble
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Walsh
Mr Face	Ms Moore	Mr Welsh
Miss Fraser	Mr Moss	Mr Whelan
Mr Gibson	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hunter	Mr Newman	
Mr Irwin	Ms Nori	Mr Beckroge
Mr Knight	Mr Page	Mr Christie

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

12 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

23 May 1990

Conveyancing (Sale of Land) Amendment Bill
Water Board (Amendment) Bill.

24 May 1990 a.m.

Health Professional Boards Legislation (Amendment) Bill
Radiation Control Bill.

24 May 1990

Drug Trafficking (Civil Proceedings) Bill
Liquor (Amendment) Bill
Registered Clubs (Amendment) Bill
Local Government (Liquor) Amendment Bill.

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

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith intituled "An Act to amend the Auctioneers and Agents Act 1941 in relation to the sale of residential property" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
23 May 1990

JOHN JOHNSON
President

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

AUCTIONEERS AND AGENTS (SALE OF LAND) AMENDMENT BILL

Schedule of the amendments referred to in message of 23 May 1990. .

JOHN EVANS
Clerk of the Parliaments

-
- No 1. Page 4, clause 3. In proposed section 84AB (4), after "contract if", insert "expressly".
- No 2. Page 4, clause 3. After proposed section 84AB (4), insert:

(5) A licensee who exercises any function described in subsection (1), (2) or (3) on behalf of any person who is a party or a prospective party to any contract or proposed contract is liable to compensate that person for any loss, damage or expense suffered or incurred by that person as a result of any negligent act or omission, or any unauthorised action, of the licensee in the exercise of that function.

Examined
M. F. WILLIS
Temporary Chairman of Committees

Ordered, by Mr Speaker, That the amendments made by the Legislative Council in the bill be taken into consideration at a later hour of the day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

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

Mr SPEAKER

The Legislative Council, having had under consideration the Legislative Assembly's message of 23 May 1990 in relation to the Education Reform Bill 1990, acquaints the Legislative Assembly as follows:

Registration of government schools

Amendment Nos 2-6, 10, 12, 24, 31, 33, 36, 39, 40, 41, 42, 47-51, 53-55, 59, 62-64, 66-79, 81-87, 89-94, 111, 114, 118, 125, 126, 128 and 138. The Council insists on its proposed amendments.

Accreditation of schools

(1) Amendment Nos 9, 11, 15, 17, 18, 21, 32, 34, 35, 37, 38, 46, 56, 57, 95, 97, 98, 112, 115, 116, 120, 121, 129, 139. The Council does not insist on the proposed amendments, but proposes the following amendments as a consequence on the Council not insisting on Amendment Nos 11, 97 and 112.

- No. 11A Page 3, clause 5 (e). Before "schools", insert "non-government".
- No. 97A Page 37, clause 84 (1) and (2). Omit "government or" wherever occurring.
- No. 97B Pages 37 and 38, clauses 84 (3) and 85. After "registered" wherever occurring, insert "non-government".
- No. 97C Page 38, clauses 86 (1), 86 (2) and 87 (2). Before "school" where firstly occurring in each case, insert "non-government".
- No. 97D Pages 39 and 40, clauses 89 (1), 90 (1), 91 (1) (a), 92 (1). Before "school" where firstly occurring in each case, insert "non-government".
- No. 97E Page 40, clause 91 (5). After "registered", insert "non-government".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

No. 97F Page 41, clause 93 (1) and (2). After "school" where firstly occurring in each subclause, insert "(other than a government school)".

No. 112A Page 46, clause 102 (1) (c). After "registered", insert "non-government".

(2) Amendment Nos 14, 61, 96, 99, 102, 117, 119, 124. The Council does not insist on the proposed amendments but proposes further amendments in the Bill as follows:

Amendment No. 14. Page 6, clause 10. Omit the clause, insert instead:

Minimum curriculum for secondary education (Years 7 to 10)

10. (1) The curriculum for secondary school children during Year 7 to Year 10 (other than for candidates for the School Certificate) must meet the following requirements:

- (a) courses of study in 6 out of the 8 key learning areas for secondary education are to be provided for each child;
- (b) courses of study in the key learning areas of English, Mathematics, Science and Human Society and its Environment are to be provided during each Year, but the courses of study in the other key learning areas need not be provided during each Year;
- (c) courses of study in a key learning area are to be appropriate for the children concerned having regard to their level of achievement and needs;
- (d) courses of study in a key learning area are to be provided in accordance with any relevant guidelines developed by the Board and approved by the Minister;
- (e) courses of study in a key learning area may (but need not) be taught in accordance with a syllabus developed or endorsed by the Board and approved by the Minister.

(2) The requirements of this section constitute the minimum curriculum for schools providing secondary education for children during Year 7 to Year 10 who are not candidates for the School Certificate.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

Amendment No. 61. Page 21, clause 46 (a). Omit the paragraph, insert instead:

- (a) compliance with the requirements set out in Part 3 relating to:
 - (i) in the case of a school providing primary education—the minimum curriculum for a school providing primary education; or
 - (ii) in the case of a school providing secondary education for children during Year 7 to Year 10—the minimum curriculum for a school providing any such secondary education;
 - (iii) in the case of a school providing secondary education for children during Year 11 and Year 12—the curriculum for students who are candidates for the Higher School Certificate.

Amendment No. 96. Page 37. From the heading to Division 1 of Part 8, omit "government and".

Amendment No. 99. Page 41, clause 94. Omit clause 94 (1) (a) (i), insert instead:

- (i) have attended a government school; or
- (ii) have attended a registered non-government school to which a current certificate of accreditation for presentation of candidates for the School Certificate applies; or

Amendment No. 102. Page 42, clause 95. Omit clause 95 (1) (b) (i), insert instead:

- (i) have attended a government school; or
- (ii) have attended a registered non-government school to which a current certificate of accreditation for presentation of candidates for the Higher School Certificate applies; or

Amendment No. 117. Page 51, clause 110 (l) (a) and (b). Before "school" wherever occurring, insert "non-government".

Amendment No. 119. Page 51, clause 110 (3). Before "school" where firstly occurring, insert "non-government".

Amendment No. 124. Page 54, clause 118. Before "schools", insert "non-government".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

Closure of government schools

Amendment No. 43. The Council does not insist on its proposed amendment but proposes a further amendment in the Bill as follows:

No. 43, Page 15, Clause 28. Omit the clause, insert instead:

Closure of government schools

28. (1) The Minister may close a government school, but only in accordance with this section.

(2) The Minister is to announce by 15 June in each year, the schools that the Minister proposes to close. Any such schools are not to be closed until the end of the following year.

(3) Within 21 days of any such announcement, the Minister is to establish a School Closures Review Committee and notify in writing the Principal and President of the legally constituted parents organisation of each school concerned of that decision.

(4) The School Closures Review Committee is to review and make recommendations to the Minister concerning the closure of a school if the majority of the parents of the children attending the school have, within 21 days of an announcement under subsection (2), submitted a request in writing to the Minister that a review of its closure be undertaken.

(5) The School Closures Review Committee is to comprise:

- (a) an independent person appointed by the Minister, who is to chair the Committee;
- (b) the Director-General of School Education or nominee of that Director-General;
- (c) a nominee of the Local Government Association of New South Wales;
- (d) a nominee of the Federation of Parents and Citizens Associations;
- (e) an Assistant Director-General of School Education nominated by the Director-General;
- (f) a nominee of the New South Wales Teachers Federation; and
- (g) a nominee of the Minister.

-
- (6) In conducting a review, the Committee:
- (a) is to call for submissions and seek expert demographic and educational advice for both the present and future use of the school; and
 - (b) is to seek out and have regard to the views of teachers, local communities and parents of the children attending the schools whose proposed closure is being reviewed; and
 - (c) is required to meet with representatives of those teachers, local communities and parents.
- (7) In making any recommendations concerning the closure of a school, the Committee is to have regard primarily to the educational needs of the local community concerned and of the State.
- (8) The Committee is to report to the Minister by 30 September of the year in which it is established.
- (9) If the Minister does not accept any recommendation of the Committee, the Minister is to make public within 21 days the reasons for the decision.
- (10) The procedure outlined in this section for the closure of a school does not apply:
- (a) in the case of a one-teacher school; or
 - (b) if the majority of the parents of children attending the school approve of the closure; or
 - (c) if the Minister is satisfied that there are exceptional or emergency circumstances which require an earlier closure of the school.

Expulsion of students from government schools

Amendment No. 45. The Council insists on its proposed amendment.

Minimum size of systems of non-government schools

Amendment No. 52. The Council does not insist on its proposed amendment but proposes a further amendment in the Bill as follows:

No. 52. Page 19, clause 38. Omit "Ten or more registered or proposed non-government schools" insert instead "Twenty or more registered or proposed non-government schools (or a number less than 20 but greater than 10 as the Minister approves in special circumstances on the recommendation of the Board)".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

Election of school council representatives

Amendment No. 123. The Council does not insist on its proposed amendment but proposes a further amendment in the Bill as follows:

No. 123. Page 53, clause 116. After clause 116 (2) (b), insert:

- (c) to be responsible for the election of parent representatives to any school council constituted at the school in consultation with the principal of the school to ensure consistency with any guidelines for elections issued by the Director-General of School Education;

Amendment of Children (Care and Protection) Act 1987

Amendment No. 131. The Council insists on its proposed amendment.

Consequential re-numbering

Amendments Nos. 1, 16, 20, 65, 80, 134 and 135. The Council agrees with the Assembly's proposed further amendments in so far as the proposed section numbers referred to in the amendments are to be altered to take into account the proposals in this message and requests the Assembly to agree to any other consequential renumbering in the Bill.

The Legislative Council requests the concurrence of the Legislative Assembly in the Council's further amendments.

Legislative Council
24 May 1990 a.m.

JOHN JOHNSON
President

Ordered, by Mr Speaker, That consideration of the Legislative Council message of 24 May 1990 a.m. in reference to the amendments in this bill be taken forthwith.

13 EDUCATION REFORM BILL

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the Legislative Council message dated 24 May 1990 a.m. in reference to the amendments in the bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee does not insist upon its disagreement to the amendments in the bill as indicated in the message dated 22 May 1990 a.m. and has agreed to the proposed further amendments made by the Legislative Council in the bill.

Report adopted.

14 CRIMES (PUBLIC JUSTICE) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Phillips 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.

15 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Sessional Orders be suspended so as to preclude the taking of private members' statements at this sitting.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

16 CRIMES (PUBLIC JUSTICE) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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 without amendment.

Mr Dowd moved, That the Report be adopted.

Question put.

The House divided.

Ayes 51

Mr Andrews	Mr Kerr	Mr Singleton
Mr Armstrong	Mr Longley	Mr Small
Mr Berry	Miss Machin	Mr Smiles
Mr Books	Mr Matheson	Mr Smith
Mr Booth	Mr Merton	Mr Souris
Mr Caterson	Dr Metherell	Mr Tink
Mr Causley	Mr Moore	Mr Webster
Mr Chappell	Mr Morris	Mr West
Mrs Cohen	Mr Murray	Mr White
Mr Cruickshank	Mr D. L. Page	Mr Worton
Mr Dowd	Mr Park	Mr Yabsley
Mr Downy	Mr Peacocke	Mr Yeomans
Mr Glachan	Mr Photios	Mr Zammit
Mr Graham	Mr Pickard	
Mr Griffiths	Mr Rixon	Tellers
Mr Hartcher	Mr Roberts	
Mr Hay	Mr Schipp	Mr Beck
Mr Jeffery	Mr Schultz	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

Noes 44

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Anderson	Mr Knowles	Mr Primrose
Mr Aquilina	Mr Langton	Ms Read
Mr A. S. Aquilina	Mr Lovelee	Mr Rogan
Mr Arkell	Mr McManus	Mr Rumble
Mr Carr	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Ms Moore	
Miss Fraser	Mr Moss	
Mr Gibson	Mr J. H. Murray	Tellers
Mr Harrison	Mr Nagle	
Mr Hatton	Mr Newman	Mr Beckroge
Mr Hunter	Ms Nori	Mr Christie

And so it was resolved in the affirmative.

And Mr Speaker having consented to the third reading being taken forthwith.

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

17 CONVEYANCING (AMENDMENT) BILL
AUCTIONEERS AND AGENTS (AMENDMENT) BILL

The Order of the Day having been read, the House resolved itself into a Committee of the Whole for the consideration of the amendments made by the Legislative Council in the Auctioneers and Agents (Amendment) Bill.

Mr Speaker resumed the Chair, and Mr Booth, Temporary Chairman reported that the Committee agreed to the Legislative Council amendments in the Auctioneers and Agents (Amendment) Bill.

Report adopted.

18 PRINTING COMMITTEE

Mr Small brought up Report No. 8 of the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 May 1990

19 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising this day do adjourn until Tuesday 4 September 1990, at 2.15 p.m.

Debate ensued.

Question put and passed.

20 SPEAKER'S RULING—QUESTIONS UPON NOTICE

Mr Speaker addressed the increasing practice of Members placing questions on notice regarding the delayed answering of specific questions on notice.

Mr Speaker stated that as ministers were not compelled by Standing Orders to answer questions and as the Chair could direct only to the relevance of an answer, the abovementioned style of question could itself be the subject of a subsequent question on notice asking why it had not been answered. The practice, which was open to abuse, could go on ad infinitum.

Mr Speaker, in considering both the style of the question (which did not relate to public affairs under Standing Order 76) and the discretion regarding reply vested in a minister, ruled future publication of such questions not already on the Questions and Answers Paper out of order.

21 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 5.03 p.m., until Tuesday 4 September 1990, at 2.15 p.m.

BY AUTHORITY
R J Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 28

TUESDAY 4 SEPTEMBER 1990

1 ELECTORAL DISTRICT OF GRANVILLE

Mr Speaker informed the House that he had issued a writ on 25 May 1990, for the election of a member to serve in the room of Laurie Donald Thomas Ferguson, and such writ had been duly returned, with a certificate endorsed thereon by the returning officer of the election of Kimberley Maxwell Yeadon, to serve as a member for the electoral district of Granville.

Kimberley Maxwell Yeadon was introduced, and having taken and subscribed the affirmation of allegiance and signed the Roll of the House, took his seat as member for the electoral district of Granville.

2 ELECTORAL DISTRICT OF HEFFRON

Mr Speaker informed the House that he had issued a writ on 25 May 1990, for the election of a member to serve in the room of the Honourable Laurence John Brereton, and such writ had been duly returned, with a certificate endorsed thereon by the returning officer of the election of the Honourable Deirdre Mary Grusovin, to serve as a member for the electoral district of Heffron.

The Honourable Deirdre Mary Grusovin was introduced, and having taken and subscribed the oath of allegiance and signed the Roll of the House, took her seat as member for the electoral district of Heffron.

3 ELECTORAL DISTRICT OF SMITHFIELD

Mr Speaker informed the House that he had issued a writ on 25 May 1990, for the election of a member to serve in the room of the Honourable Janice Ann Crosio, and such writ had been duly returned, with a certificate endorsed thereon by the returning officer of the election of Patrick Carl Scully, to serve as a member for the electoral district of Smithfield.

Patrick Carl Scully was introduced, and having taken and subscribed the affirmation of allegiance and signed the Roll of the House, took his seat as member for the electoral district of Smithfield.

4 VACANT SEAT—ELECTORAL DISTRICT OF THE HILLS

(1) Resignation of Member—Mr Speaker informed the House that on 31 July 1990, he had received a letter from Frederick Douglas Claude Caterson, resigning his seat as member for the electoral district of The Hills.

(2) Issue of Writ—Mr Speaker also informed the House that, during the adjournment, in accordance with the direction of the 70th section of the Parliamentary Electorates and Elections Act 1912, he issued a writ on 13 August 1990, for the election of a member to serve in the room of the said Frederick Douglas Claude Caterson, resigned.

Particulars of Writ:

Nomination day	17 August 1990
Polling day	1 September 1990
Return of writ	21 September 1990

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
4 September 1990

5 DEATH OF REAR ADMIRAL SIR DAVID JAMES MARTIN, K.C.M.G.,
A.O., FORMER GOVERNOR OF NEW SOUTH WALES

Mr Speaker informed the House of the death, on 10 August 1990, of Rear Admiral Sir David James Martin, K.C.M.G., A.O., former Governor of New South Wales.

Mr Greiner moved,

(1) That this House desires to place on record its sense of the loss this State has sustained by the death of Rear Admiral Sir David James Martin, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, former Governor of New South Wales.

(2) That Mr Speaker convey to Lady Martin and 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.

And the motion having been seconded by Mr Carr and supported by Mr Murray, Dr Refshauge, Mr Collins, Mr Hatton, Mr Armstrong, Ms Moore, Mr Dowd, Mr Schipp, Mr Baird, Mr Peacocke, Mr Pickard, Mr Yabsley, Mr Park and Mr Small.

Mr Speaker also addressed the House.

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

The House adjourned, as a mark of respect, at 3.39 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY

R. J. Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 29

WEDNESDAY 5 SEPTEMBER 1990

- 1 APPOINTMENT OF HIS EXCELLENCY REAR ADMIRAL PETER ROSS SINCLAIR, A.O., AS GOVERNOR OF NEW SOUTH WALES

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

P. R. SINCLAIR
Governor

Rear Admiral Peter Ross Sinclair has the honour to inform the Legislative Assembly that Her Majesty the Queen has been graciously pleased, by Commission under Her Royal Sign Manual and Signet, bearing date at Saint James's the second day of July, 1990, to appoint him to be the Governor in and over the State of New South Wales in the Commonwealth of Australia;

and that this day he took the Oath of Allegiance and the Official and Judicial Oath before the Honourable Mr Justice Gleeson, Chief Justice of the Supreme Court of New South Wales, and assumed the administration of the Government of the State accordingly.

Government House
Sydney, 8 August 1990

2 ADDRESS IN ACKNOWLEDGEMENT OF HIS EXCELLENCY'S MESSAGE

Mr Greiner moved, That the following Address in acknowledgement of His Excellency's Message be adopted by this House and presented to His Excellency—

To His Excellency Peter Ross Sinclair, A.O., Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY:

WE, the Members of the Legislative Assembly, in Parliament assembled, desire to express our thanks for Your Excellency's Message informing us of your assumption of the administration of the Government of the State by virtue of a commission from Her Most Gracious Majesty appointing you Governor.

We offer Your Excellency our sincere congratulations on your appointment by Her Majesty, confident that your administration will reflect the distinction and devotion to duty already displayed in your services to the nation in other fields.

Legislative Assembly
5 September, 1990

K. R. ROZZOLI
Speaker

The motion having been seconded by Mr Carr—

Question put and passed.

Mr Speaker informed the House that he had ascertained it to be the pleasure of the Governor to receive the Address in acknowledgement of His Excellency's Message notifying his assumption of the administration of the Government of the State at 5 p.m., this day at Government House.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

3 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

1 June 1990

Education Reform Bill
Mental Health Bill
Mental Health (Criminal Procedure) Bill
Miscellaneous Acts (Mental Health) Repeal and Amendment Bill.

7 June 1990

Health Professional Boards Legislation (Amendment) Bill
Radiation Control Bill
Real Estate Services Council Bill
Water Board (Amendment) Bill.

14 June 1990

Ambulance Services Bill
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill
Coal Ownership (Restitution) Bill
Coal Acquisition (Amendment) Bill
Constitution (Legislative Assembly) Amendment Bill
Conveyancing (Sale of Land) Amendment Bill
Auctioneers and Agents (Sale of Land) Amendment Bill
Drug Trafficking (Civil Proceedings) Bill
Environmental Restoration and Rehabilitation Trust Bill
Environmental Research Trust Bill
Environmental Education Trust Bill
Gas (Amendment) Bill
Liquor (Amendment) Bill
Registered Clubs (Amendment) Bill
Local Government (Liquor) Amendment Bill
Swimming Pools Bill.

22 June 1990

Aboriginal Land Rights (Revival of Financial Provision) Bill
Building Services Corporation (Kit Homes) Amendment Bill
Fisheries and Oyster Farms (Oyster Leases) Amendment Bill
Land Tax (Amendment) Bill
Land Tax Management (Amendment) Bill

Limitation (Amendment) Bill
Mining (Amendment) Bill
Motor Dealers (Amendment) Bill
Passenger Transport Bill
Prisons (Medical Tests) Amendment Bill
Real Property (Oyster Leases) Amendment Bill
Registered Clubs (Further Amendment) Bill
Solicitor General and Crown Advocate (Amendment) Bill
Stamp Duties (Amendment) Bill
Statute Law (Miscellaneous Provisions) Bill.

26 June 1990

Police Service Bill
Police and Superannuation Legislation (Amendment) Bill.

28 June 1990

Crimes (Child Victim Evidence) Amendment Bill.

13 July 1990

State Drug Crime Commission (Amendment) Bill.

4 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

29 May 1990

Gas (Amendment) Bill.

30 May 1990

Coal Ownership (Restitution) Bill
Coal Acquisition (Amendment) Bill
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill
Environmental Restoration and Rehabilitation Trust Bill
Environmental Research Trust Bill
Environmental Education Trust Bill
Swimming Pools Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

31 May 1990

Mining (Amendment) Bill
Motor Dealers (Amendment) Bill
Passenger Transport Bill.

6 June 1990

Land Tax Management (Amendment) Bill
Land Tax (Amendment) Bill
Stamp Duties (Amendment) Bill.

12 June 1990

Prisons (Medical Tests) Amendment Bill
Registered Clubs (Further Amendment) Bill.

13 June 1990

Crimes (Child Victim Evidence) Amendment Bill.

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

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Crimes Act 1900 to make further provision with respect to public justice offences; and for other purposes" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
12 June 1990

M. F. Willis
Deputy President

CRIMES (PUBLIC JUSTICE) AMENDMENT BILL 1990

Schedule of the amendments referred to in Message of 12 June 1990.

JOHN EVANS
Clerk of the Parliaments

No. 1 Page 14, Schedule 1, proposed section 341. Omit the following words:

"* the offence of refusing to assist a peace officer in the execution of his or her duty in preventing a breach of the peace;"

No. 2 Page 15, Schedule 1, after proposed section 343 (b), insert:

"(c) the offence of refusing to assist a peace officer in the execution of his or her duty in preventing a breach of the peace;"

Examined

J. C. Matthews

Temporary Chairman of Committees

Ordered, by Mr Speaker, That the amendments made by the Legislative Council in this bill be taken into consideration at a later hour of the day.

5 TRAFFIC (PHOTOGRAPHIC EVIDENCE) 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 Traffic Act 1909 to provide for acceptance by the courts of photographic evidence of speeding offences detected by automatic means; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
12 June 1990

M. F. Willis
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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

6 LUNA PARK SITE 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 return the Luna Park site to the people of New South Wales and to provide for its future management; to deal with the payment of any compensation which may be payable to the lessee of the site; to repeal the Luna Park Site Act 1981; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
12 June 1990

Ken Reed
Deputy President

Bill read a first time.

Ordered, by Mr Speaker, That the second reading stand an Order of the Day for tomorrow.

7 REPORT OF THE INDEPENDENT COMMISSION AGAINST
CORRUPTION INTO NORTH COAST LAND DEVELOPMENT

Mr Speaker reported the following message from the Legislative Council:

The Legislative Council has this day agreed that the Report of the Independent Commission Against Corruption on Investigation into North Coast Land Development be referred to the Joint Select Committee on Election Funding for consideration and report.

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

Ordered, by Mr Speaker, That the consideration of the Legislative Council message be set down as an Order of the Day for a later hour of the day.

8 MINISTERIAL ARRANGEMENTS

Mr Greiner informed the House that on 20 July 1990, His Excellency the Governor accepted the resignation of the Honourable Dr Terry Allan Metherell, M.P., as Minister for Education and Youth Affairs and that on 24 July 1990, His Excellency also accepted the resignations of:

The Honourable Wallace Telford John Murray, M.P., as Minister for State Development.

The Honourable Garry Bruce West, M.P., as Chief Secretary.

The Honourable Virginia Anne Chadwick, M.L.C., as Minister for Family and Community Services.

The Honourable John Joseph Fahey, M.P., as Minister for Industrial Relations and Employment and Minister Assisting the Premier.

The Honourable Ian Raymond Causley, M.P., as Minister for Natural Resources.

The Honourable Robert James Webster, M.P., as Assistant Minister for Transport.

Mr Greiner also informed the House that on 24 July 1990, His Excellency appointed the following persons to the offices indicated:

The Honourable Wallace Telford John Murray, M.P., as Minister for Roads.

The Honourable Garry Bruce West, M.P., as Minister for Lands and Forests.

The Honourable Virginia Anne Chadwick, M.L.C., as Minister for School Education and Youth Affairs.

The Honourable Bruce George Baird, M.P., as Minister Assisting the Premier and Minister Assisting the Treasurer.

The Honourable John Joseph Fahey, M.P., as Minister for Industrial Relations and Minister for Further Education, Training and Employment.

The Honourable Ian Raymond Causley, M.P., as Chief Secretary and Minister for Water Resources.

The Honourable Michael Robert Yabsley, M.P., as Assistant Minister for Roads.

The Honourable Robert James Webster, M.P., as Minister for Family and Community Services.

The Honourable John Planta Hannaford, M.L.C., as Minister for State Development.

Mr Greiner further informed the House that:

The Minister for Police and Emergency Services would be represented in the House by the Attorney General.

The Minister for Sport and Recreation and Minister for Racing would be represented in the House by the Minister for Tourism and Minister for Lands and Forests.

The Minister for School Education and Youth Affairs would be represented in the House by the Minister for Industrial Relations and Minister for Further Education, Training and Employment.

The Minister for State Development would be represented in the House by the Minister for Transport.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

9 RESIGNATION OF THE CLERK OF THE LEGISLATIVE ASSEMBLY

Mr Speaker informed the House that on 3 September 1990 he had accepted, with regret, the resignation of Grahame Harris Cooksley, Clerk of the Legislative Assembly, to be operative from Friday 7 September 1990.

10 LEAVE OF ABSENCE

(1) Ordered, on motion of Mr Phillips, That leave of absence for the present session be granted to Guy Andrew Yeomans, member for Hurstville, on account of absence from the State.

(2) Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to Douglas James Shedden, member for Bankstown, on account of absence from the State.

11 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Welsh—from certain citizens praying for the implementation of waste water management schemes.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Ms Moore—from certain citizens requesting that LPG installations not be located in residential areas and that existing facilities be removed.

Miss Machin—from certain citizens requesting that the Hastings Municipality be divided into two new local government areas.

Mr Murray—from certain citizens requesting that the main roads to Copeton Dam be upgraded and sealed.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Hunter—from certain citizens requesting increased community involvement in the planning of health services in the Hunter Valley.

Mr Mills—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting the installation of a right-hand directional arrow at the traffic lights at the intersection of Tongarra Road and Princes Highway at Albion Park Rail.

Mr Kerr, Mr Moss and Mr Turner—from certain citizens requesting that there be a twelve-month moratorium and a referendum before the ratification of the United Nations Convention on the Rights of the Child.

Mr Smith—from certain citizens requesting that the sport of duck shooting be abolished.

Mr Downy, Mr J. H. Murray, Mr Newman, Mr Park, Mr Souris and Mr Walsh—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Park—from certain citizens requesting a referendum on capital punishment for people found guilty of violent crime.

Mr Smith—from certain citizens requesting lower vehicle fuel prices in the Merimbula, Tura Beach, Pambula and Pambula Beach areas.

Mr Turner—from certain citizens requesting that the building known as the "Casino", at North Street, Forster, be given to the communities of Great Lakes and Manning Shires for charitable purposes.

Mr Carr—from certain citizens requesting that toxic waste and sludge incinerators not be erected at the Malabar sewage treatment plant or surrounding areas.

Mr Downy—from certain citizens opposing the transfer of the printmaking section of the Art Department of Gymea College of TAFE to St George College of TAFE

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

Mr Moss and Dr Refshauge—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr Whelan—from certain citizens opposing the proposed closure of Yeo Park Infants School.

Miss Machin and Mr Jeffery—from certain citizens requesting that Prince Henry Hospital not be closed or relocated.

Mr Moss—from certain citizens requesting that existing bus stops along Burwood Road at Belmore be retained.

Mr Amery and Mr Langton—from certain citizens requesting a public inquiry into sandmining and mineral sands processing on the North Coast.

Mr Webster—from certain citizens requesting that present food labelling standards be maintained.

Mr Smith—from certain citizens requesting that Wallagoot Lake and its environs not be developed.

Mr Smith—from certain citizens requesting that Diamond Creek be included in the Deua National Park.

Mr Aquilina—from certain citizens requesting the installation of an overbridge on Blacktown Road, Blacktown.

Mr Aquilina—from certain citizens requesting that a hydrotherapy pool be installed at Blacktown Hospital.

Mr Greiner and Mr Jeffery—from certain citizens requesting that legislation be enacted for the further protection of the environment.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

12 NOTICES OF MOTIONS

13 REPORTS OF THE INDEPENDENT COMMISSION AGAINST
CORRUPTION

Mr Speaker laid upon the Table—

Report of the Independent Commission Against Corruption on investigation into Randwick College of TAFE, dated August 1990.

Ordered to be printed.

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

Report of the Independent Commission Against Corruption on investigation into North Coast Land Development, dated July 1990, made public pursuant to section 78 (3) of the Act on 11 July 1990.

Report of the Independent Commission Against Corruption on investigation into registration of DP 787368 at the Land Titles Office, dated July 1990, made public pursuant to section 78 (3) of the Act on 23 July 1990.

14 PAPERS

(1) Mr Greiner laid upon the Table—

Special Report to Parliament pursuant to section 31 of the Ombudsman Act concerning the Independence and Accountability of the Ombudsman, dated 19 July 1990.

Report and Determinations pursuant to section 13 (1) of the Parliamentary Remuneration Act 1989, dated 28 May 1990.

Report pursuant to section 13 (1) of the Parliamentary Remuneration Act 1989, dated 26 July 1990.

Report of the New South Wales Treasury Corporation for the year ended 30 June 1990.

Memorandum and Articles of Association of the State Bank of New South Wales.

Pay-roll Tax Act 1971—Pay-roll Tax Regulations 1971—amendment of regulation 2A. (Gazette 82/1990.)

Public Authorities (Financial Arrangements) Act 1987—Public Authorities (Financial Arrangements) Investment Powers Regulation 1990—clauses 1 to 9, schedules 1 to 4. (Gazette 82/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

Stamp Duties Act 1920—Stamp Duties (Financial Institutions Duty) Regulation 1982—amendment of clause 9E. (Gazette 82/1990.)

State Owned Corporations Act 1989—

(a) notices under sections 19 (1), 19 (2), 19 (3).

(b) statement pursuant to section 26 (2).

(c) statement pursuant to section 26 (3).

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Report of the New South Wales Medical Board for the year ended 31 March 1989.

Report of the New South Wales Medical Board for the year ended 31 March 1990.

Ambulance Services Act 1990—

(a) Ambulance Services (Elected Staff Director) Regulation 1990—clauses 1 to 25. (Gazette 82/1990.)

(b) Ambulance Services (Staff) Regulation 1990—clauses 1 to 30. (Gazette 82/1990.)

Dentists Act 1989—

(a) Dentists (Dental Board Election) Regulation 1990—clauses 1 to 3. (Gazette 76/1990.)

(b) Dentists (Savings and Transitional) Regulation 1990—clauses 1 to 3. (Gazette 82/1990.)

Food Act 1989—

(a) Food Regulations 1937—amendment of regulation 77. (Gazette 85/1990.)

(b) Food Standards Code (Adoption) Regulation 1989—clause 3, amendments of clause 5. (Gazettes 62/1990, 85/1990.)

(c) Pure Food Regulations—amendment of headings to regulations, regulations 1AA, 5A, 51, 77, 78, 78A, 79, 79A, 80, 80A, 85, 86, 93, omission of regulations 1A, 82. (Gazette 62/1990.)

Health Administration Act 1982—Health Administration (Quality Assurance Committees) Regulation 1990—clauses 1 to 12, schedule 1. (Gazette 82/1990.)

Human Tissue Act 1983—Human Tissue Regulation 1984—clauses 10 to 16, schedules 2, 3, amendment of schedule 1. (Gazette 71/1990.)

Mental Health Act 1990—Mental Health Regulation 1990—clauses 1 to 44, schedule 1. (Gazette 82/1990.)

Nursing Homes Act 1988—Nursing Homes Regulation 1990—clauses 1 to 17, schedules 1, 2. (Gazette 82/1990.)

Nurses Registration Act 1953—Nurses Registration Regulations—regulation 34A. (Gazette 51/1990.)

Podiatrists Act 1989—Podiatrists Regulation 1990—clauses 1 to 32. (Gazette 82/1990.)

Poisons Act 1966—

(a) Poisons Regulations—amendment of regulations 31E, 33B, 41A, 43, appendices B, D, E, G. (Gazettes 62/1990, 76/1990, 85/1990, 101/1990.)

(b) proclamations (2) amending the Poisons List. (Gazettes 62/1990, 106/1990.)

(c) order under Section 37. (Gazette 102/1989.)

Private Hospitals and Day Procedure Centres Act 1988—

(a) Day Procedure Centres Regulation 1990—clauses 1 to 18, schedules 1, 2. (Gazette 82/1990.)

(b) Private Hospitals Regulation 1990—clauses 1 to 19, schedules 1 to 3. (Gazette 82/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

Psychologists Act 1989—Psychologists Regulation 1990—clauses 1 to 25. (Gazette 82/1990.)

Public Health Act 1902—Public Health Regulations—substituted regulation 41, schedule 24A. (Gazettes 51/1990, 82/1990.)

Pure Food Act 1908—Food Standards Code (Adoption) Regulation 1989—amendment of schedule 1. (Gazette 117/1989.)

Referred to the Printing Committee.

(3) Mr Armstrong laid upon the Table—

Dairy Industry Act 1979—Dairy Industry (Pricing) Regulation 1984—amendment of clause 3, schedule 1. (Gazette 82/1990.)

Fisheries and Oyster Farms Act 1935—

(a) Fisheries and Oyster Farms (General) Regulation 1989—amendment of clauses 32, 34, 61. (Gazette 80/1990.)

(b) Fisheries and Oyster Farms (Nets and Other Fishing Gear) Regulation 1989—clause 3A. (Gazette 97/1990.)

Meat Industry Act 1978—

(a) Meat Industry (Elections) Regulation 1989—amendment of clauses 4, 15, 20, substituted clause 10. (Gazette 74/1990.)

(b) Meat Industry Levy Regulation 1985—clause 3A. (Gazette 82/1990.)

(c) Meat Industry (Licensing) Regulation 1980—amendment of clauses 6, 20, 28, 32, 34C, 38, 41, 42. (Gazette 80/1990.)

(d) Meat Industry (Nomination of Panel) Regulation 1978—amendment of clause 5. (Gazette 90/1990.)

Rural Lands Protection Act 1989—Rural Lands Protection Regulation 1990—clauses 1 to 137, schedules 1 to 10. (Gazette 76/1990.)

Stock Foods and Medicines Act 1940—Stock Foods and Medicines Regulations—amendment of schedule 2, substituted clause 1, omission of clause 1A. (Gazette 82/1990.)

Stock Medicines Act 1989—Stock Medicines Regulation 1990—clauses 1 to 20. (Gazette 80/1990.)

Referred to the Printing Committee.

(4) Mr Dowd laid upon the Table—

Report and Determination of the Legal Fees and Costs Board pursuant to section 13 of the Public Notaries Act 1985, dated 19 June 1990.

Bush Fires Act 1949—Bush Fires (District Fire Committees and Fire Prevention Associations) Regulation 1989—clauses 1 to 15. (Gazette 117/1989.)

District Court Act 1973—District Court Rules 1973—part 24B, amendment of parts 11, 12, 13, 24A, 24B, 51A. (Gazettes 68/1990, 106/1990.)

Drug Misuse and Trafficking Act 1985—amendment of schedule 1 of the Act. (Gazette 65/1990.)

Firearms Act 1989—Firearms Regulation 1990—clauses 1 to 99, schedules 1 to 6, amendment of clause 79, schedule 2. (Gazettes 68/1990, 76/1990.)

Justices Act 1902—

(a) Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazette 88/1990.)

(b) Maritime Services (Short Description of Offences) Regulation 1987—amendment of schedule 1. (Gazettes 71/1990, 82/1990.)

Legal Profession Act 1987—

(a) Barristers and Solicitors Admission Rules 1989—rule 77, amendment of rules 13, 30, 67, 68, 71, 75, 77, 107, 110, 111, schedules 1, 2, 3, omission of rule 76. (Gazettes 62/1990, 106/1990.)

(b) Legal Profession Regulation 1987—clause 29A. (Gazette 62/1990.)

Police Service Act 1990—Police Service Regulation 1990—clauses 1 to 114. (Gazette 82/1990.)

Prohibited Weapons Act 1989—Prohibited Weapons Regulation 1990—clauses 1 to 12, schedule 1. (Gazette 68/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

Public Trustee Act 1913—Public Trustee Regulations 1930—regulations 1AA, 29, 30, amendment of regulations 18, 19, 22, 23, substituted regulation 20, omission of regulation 14. (Gazette 82/1990.)

Second-hand Dealers and Collectors Act 1906—Second-hand Dealers and Collectors Regulations 1973—amendment of regulations 3, 11. (Gazette 117/1989.)

Supreme Court Act 1970—Supreme Court Rules—amendments 242, 243, 244, 245, 246, 247. (Gazettes 68/1990, 80/1990, 90/1990 (3), 108/1990.)

Victims Compensation Act 1987—

(a) Victims Compensation Regulation 1988—clauses 2A, 6 to 12, amendment of clause 2, schedule 1. (Gazettes 62/1990, 106/1990.)

(b) Victims Compensation Rule 1988—clause 5. (Gazette 62/1990.)

Referred to the Printing Committee.

(5) Mr Moore laid upon the Table—

Hunter Water Board Act 1988—

(a) Hunter Water Board (Special Areas) Regulation 1989—clause 12, amendment of clauses 2, 3, 5, 8, 10, 15, 16, 29, substituted clause 6. (Gazette 82/1990.)

(b) notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for sewerage purposes, at Kearsley. (Gazette 90/1990.)

Public Works Act 1912—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Act, for sewage pumping stations, at—

Blaxland. (Gazette 54/1990.)

Springwood. (Gazette 54/1990.)

Woronora. (Gazette 54/1990.)

Referred to the Printing Committee.

(6) Mr West laid upon the Table—

Report of the Sydney Cricket and Sports Ground Trust for the year ended 28 February 1990.

Greyhound Racing Control Board Act 1985—Greyhound Racing Control Board Rules—amendment of rules 10, 17, 97. (Gazette 97/1990.)

Surveyors Act 1929—Survey Practice Regulation 1990—clauses 1 to 60, schedule 1. (Gazette 82/1990.)

Sydney Turf Club Act 1943—The Sydney Turf Club By-law 1990—clauses 1 to 35. (Gazette 65/1990.)

Referred to the Printing Committee.

(7) Mr Peacocke laid upon the Table—

Report of Inspector on a special investigation into Rothwells Ltd pursuant to the Companies Code (W.A.) Part VII, Part 1.

Fair Trading Act 1987—

(a) Product Safety Regulation 1988—clauses 53, 54. (Gazettes 90/1990, 88/1990.)

(b) orders under section 31. (Gazettes 90/1990, 101/1990.)

Referred to the Printing Committee.

(8) Mr Pickard laid upon the Table—

Report of the Mines Rescue Board for 1989.

Coal Mines Regulation Act 1982—Coal Mines Regulation (Election of Check Inspectors, District Check Inspectors and Electrical Check Inspectors) Regulation 1984—amendment of clause 6. (Gazette 65/1990.)

Coal Ownership (Restitution) Act 1990—Coal Ownership (Restitution) Regulation 1990—clauses 1 to 8. (Gazette 80/1990.)

Electricity Commission Act 1950—notification of acquisition, appropriation and/or resumption of land and/or easements for the purposes of transmission lines between Mount Piper and Marulan. (Gazettes 68/1990 (2), 85 (4).)

Mining Act 1973—Mining Regulations 1974—amendment of schedule 1. (Gazette 68/1990.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

(9) Mr Fahey laid upon the Table—

Report of Avondale College for 1989.

Report of the Women's Advisory Council for the year ended 30 June 1990.

Charles Sturt University Act 1989—amendment of, and additions to, the by-laws of Charles Sturt University. (Gazette 101/1990.)

Education Reform Act 1990—Education Reform (Transitional) Regulation 1990—clauses 1 to 3. (Gazette 74/1990.)

Macquarie University Act 1989—amendment of, and additions to, the by-laws of Macquarie University. (Gazette 24/1990.)

University of New South Wales Act 1968—amendment of, and additions to, the by-laws of University of New South Wales. (Gazette 76/1990.)

Referred to the Printing Committee.

(10) Mr Causley laid upon the Table—

Report of the Murray-Darling Basin Commission for the year ended 30 June 1990.

Hay Irrigation Act 1902—Hay Irrigation (Former By-laws) Regulations 1926—amendment of regulations 4, 5, substituted regulations 8C, 8D. (Gazette 82/1990.)

Irrigation Act 1912—

(a) Buronga (Supply of Water for Irrigation) Regulations—substituted regulation 4. (Gazette 82/1990.)

(b) Coleambally (Supply of Water for Irrigation) Regulations—regulation 3A, amendment of regulations 1 to 20, substituted regulation 3. (Gazette 82/1990.)

(c) Coomealla (Supply of Water for Irrigation) Regulations—amendment of regulation 20, substituted regulation 3. (Gazette 82/1990.)

(d) Tullakool (Supply of Water) Regulations—amendment of regulation 19, substituted regulation 3. (Gazette 82/1990.)

(e) Yanco and Mirrool (Supply of Water for Irrigation) Regulations—amendment of regulation 20, substituted regulation 5. (Gazette 82/1990.)

Liquor Act 1982—repeal of the Liquor (Entertainment Areas) Regulation 1985. (Gazette 82/1990.)

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for the construction of regulators on Tumudgery Creek, Reed Bed Creek and Niemur Cutting. (Gazette 71/1990.)

Water Act 1912—

(a) Water (Part 2) Regulations—substituted 41B, 42. (Gazette 82/1990.)

(b) Water (Part 6) Regulations—amendment of regulation 5, schedule 1, substituted regulation 3. (Gazette 82/1990.)

(c) Water (Part 7) Regulations—amendment of regulation 4, substituted regulation 2, omission of schedule. (Gazette 82/1990.)

Wentworth Irrigation Act 1890—Wentworth Irrigation (Former By-laws) Regulations 1926—regulation 9B, amendment of regulations 4, 9A. (Gazette 82/1990.)

Auditor-General's report on the accounts of the Newcastle Lord Mayor's Relief Fund—earthquake appeal, dated 12 June 1990.

Referred to the Printing Committee.

MINISTERIAL STATEMENT—NEWCASTLE EARTHQUAKE APPEAL

Mr Causley made a ministerial statement concerning the Newcastle earthquake appeal.

Mr Carr also addressed the House.

(11) Mr Hay laid upon the Table—

Report of the Sydney Cove Redevelopment Authority for the year ended 31 March 1990.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

Report of the Special Inspection of Baulkham Hills Shire Council under section 212 of the Local Government Act, dated September 1990.

Animal Research Act 1985—Animal Research Regulation 1990—clauses 1 to 24, schedules 1, 2. (Gazette 82/1990.)

Local Government Act 1919—amendment of ordinances 4, 14, 30, 44, 52, 54, 65, 70, 80, repeal of ordinances 42, 56, 69. (Gazettes 68/1990, 80/1990 (3), 82/1990 (6), 88/1990.)

Prevention of Cruelty to Animals Act 1979—Prevention of Cruelty to Animals (General) Regulation 1981—amendment of schedule 1. (Gazette 76/1990.)

Swimming Pools Act 1990—Swimming Pools Regulation 1990—clauses 1 to 20, schedules 1, 2. (Gazette 82/1990.)

Theatres and Public Halls Act 1908—repeal of the Theatres and Public Halls (General) Regulation 1977. (Gazette 82/1990.)

Referred to the Printing Committee.

(12) Mr Yabsley laid upon the Table—

Report of the Offenders Review Board for the period 25 September 1989 to 31 December 1989.

Referred to the Printing Committee.

15 REPORTS RECEIVED BY THE CLERK

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

15 August 1990

Report of the Department of School Education for 1989.

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

14 June 1990

Report of the Trustees of the Anzac Memorial Building for 1989.

Report of the University of New England for 1989.

21 June 1990

Report of the Parramatta Stadium Trust for 1989.

12 July 1990

Report of the New South Wales Institute of the Arts for 1989.

30 July 1990

Report of the Murray Valley Citrus Marketing Board for 1989.

1 August 1990

Report of the Lake Illawarra Authority for the year ended 31 March 1990.

Report of the Board of Fire Commissioners of New South Wales for 1989.

8 August 1990

Report of the New South Wales Public Sector Executives Superannuation Board for the year ended 31 March 1990.

15 August 1990

Report of the Bushfire Council of New South Wales and Co-ordinating Committee for the year ended 31 March 1990.

Report of the Police Internal Affairs Branch for 1989.

21 August 1990

Report of the Far South Coast Regional Aboriginal Land Council for the period 1988-89.

31 August 1990

Report of the Council of Auctioneers and Agents for the year ended 31 March 1990.

Report of the Dried Fruits Board for 1989.

Report of the Fish Marketing Authority for the year ended 31 March 1990.

Report of the Homebush Abattoir Corporation for the year ended 31 March 1990.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

Report of the State Authorities Superannuation Board for the year ended 31 March 1990.

Report of the Sydney Market Authority for the year ended 31 March 1990.

Report of the Tobacco Leaf Marketing Board for 1989.

16 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

The Clerk, in accordance with the resolution of the Legislative Assembly on 24 May 1990, laid upon the Table—

Report of the Committee on the Independent Commission Against Corruption of an inquiry into a proposal for the televising of public hearings of the Independent Commission Against Corruption, dated June 1990, together with the minutes of proceedings.

17 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Kerr brought up and laid upon the Table—

(1) Discussion paper concerning Openness and Secrecy in Inquiries into Organised Crime and Corruption: Questions of Damage to Reputations, prepared for the Committee by the Honourable A. R. Moffitt, dated August 1990.

(2) Further Information about witnesses before the Independent Commission Against Corruption, correspondence between the Committee and the Commissioner, Mr Ian Temby, Q.C., dated June-August 1990.

Ordered to be Printed.

Mr Kerr (by leave), made a statement concerning the documents.

18 QUESTIONS

19 SUSPENSION OF STANDING ORDERS

Mrs Grusovin moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House censures the Attorney General for his mishandling of the Mr Bubbles child sexual assault case and calls upon the Premier to order a royal commission into this matter, child sexual assault generally, and paedophile networks in New South Wales.

Question put.

The House divided.

Ayes 48

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter

Mr Irwin
Mr Keegan
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelec
Mr McManus
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page

Mr Price
Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadan

Tellers

Mr Beckroge
Mr Christie

Noes 53

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Zammit

Tellers

Mr Beck
Mr Phillips

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

20 MINISTERIAL STATEMENT—PROPOSED OVERSEAS TELECOMMUNICATIONS COMMISSION AND TELECOM MERGER—

Mr Greiner made a ministerial statement concerning the proposed merger of the Overseas Telecommunications Commission and Telecom.

Mr Carr also addressed the House.

21 PLACING OR DISPOSAL OF BUSINESS

(1) Order of the Day No. 1 of Business of the House postponed, on the motion of Mr Dowd until 2 October 1990.

(2) Mr Page withdrew Notice of Motion No. 7 of General Business.

(3) Ms Allan (by leave), withdrew Question on Notice No. 1361.

22 PARLIAMENTARY LIBRARY GRANT BY THE LAW FOUNDATION

Mr Speaker informed the House that the Law Foundation of New South Wales had approved an application from the Parliamentary Library for a grant of \$17,000 to enable the Library to identify means whereby it can more effectively meet the needs of members for legal information and research.

23 PARLIAMENTARY LIBRARY ADDRESS OF CONGRATULATIONS

Mr Speaker informed the House that on Tuesday 21 August 1990, the Vice-Chancellors and University Librarians of the nine Universities in New South Wales presented the Honourable the President of the Legislative Council as Chairman of the Joint Library Committee, with an address of congratulations to the Parliamentary Library marking its sesquicentenary. Professor R. D. Guthrie, Vice-Chancellor of the University of Technology, Sydney, spoke on behalf of the Vice-Chancellors and University Librarians.

By leave, the text of the address was incorporated in Hansard.

24 TEMPORARY CHAIRMAN OF COMMITTEES

Mr Speaker, pursuant to standing order 28A, nominated Andrew Arnold Tink to act as Temporary Chairman of Committees during the present session, in place of Frederick Douglas Claude Caterson, resigned.

25 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND

Ordered, on motion of Mr Dowd (by leave), That in accordance with section 14 of the Parliamentary Contributory Superannuation Act 1971, Guy Andrew Yeomans be and is hereby appointed a Trustee of the Parliamentary Contributory Superannuation Fund in place of Frederick Douglas Claude Caterson, resigned.

26 HOUSE COMMITTEE

Ordered, on motion of Mr Dowd (by leave), That Michael Stephen Photios be appointed to serve on the House Committee in the place of Frederick Douglas Claude Caterson, resigned.

27 JOINT SELECT COMMITTEE UPON THE PROCESS AND FUNDING OF THE ELECTORAL SYSTEM

(1) Ordered, on motion of Mr Dowd (by leave), That the resolutions of 3 and 24 May 1990 appointing the Joint Select Committee upon the Process and Funding of the Electoral System be varied by inserting in paragraph 5 the following new sub-paragraph—

(2) That one or more members of the Committee have leave to append to a report of the Committee a statement of dissent in relation to any part of the report.

(2) Ordered on the motion of Mr Dowd, 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 resolutions of 3 and 24 May 1990 appointing the Joint Select Committee upon the Process and Funding of the Electoral System be varied by inserting in paragraph 5 the following new sub-paragraph—

(2) That one or more members of the Committee have leave to append to a report of the Committee a statement of dissent in relation to any part of the report.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

28 LIBRARY COMMITTEE

Ordered, on motion of Mr Dowd (by leave), That the Library Committee have leave to make a visit of inspection to the Australian Capital Territory.

29 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NEW ENGLAND

Ordered, on motion of Mr Dowd (by leave), That Raymond Francis Chappell, member for Northern Tablelands, be elected as the representative of the Legislative Assembly on the Board of Governors of the University of New England, in pursuance of the provisions of section 9 of the University of New England Act 1989.

30 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE COUNCIL OF THE UNIVERSITY OF NEWCASTLE

Ordered, on motion of Mr Dowd (by leave), That George Souris, member for Upper Hunter, be elected as the representative of the Legislative Assembly on the Council of the University of Newcastle, in pursuance of the provisions of section 9 of the University of Newcastle Act 1989.

31 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Royal Commissions (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.

32 ROYAL COMMISSIONS (AMENDMENT) BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Royal Commissions Act 1923 with respect to reports of royal commissions, the powers of certain commissioners who are Queen's Counsel and the punishment of contempt of royal commissions; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Greiner 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.

33 CRIMES (PUBLIC JUSTICE) AMENDMENT BILL

The Order of the Day having been 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 Crimes (Public Justice) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

34 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing and Sessional Orders be suspended as would preclude Private Members Statements being taken at 7.30 p.m. at this sitting.

35 NOTICES OF MOTIONS

After time prescribed by standing orders—Mr Dowd.

36 TRAFFIC (PHOTOGRAPHIC EVIDENCE) AMENDMENT BILL

The Order of the Day having been read, Mr Murray moved, That this bill be now read a second time.

And the question having been proposed—

Debate adjourned (Mr Langton) and the resumption of the debate made an Order of the Day for tomorrow.

37 SUPPLY BILL

Mr Baird moved, That leave be given to bring in a bill for an Act to apply certain sums out of the consolidated fund towards the services of the year 1990-91.

Question put and passed.

Bill presented and read a first time.

Mr Baird declared that the Supply Bill was an urgent bill.

Question—That the bill be considered an urgent bill—put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

Mr Baird 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 Baird, read a third time.

38 AGRICULTURAL TENANCIES BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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.

It being 4.45 p.m., the Assembly proceeded to Government House, there to present to the Governor their Address in acknowledgement of His Excellency's Message notifying his assumption of the administration of the Government of this State.

And being returned—

Mr Speaker resumed the Chair at 7.30 p.m.

Private members' statements proceeded with.

39 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

40 REAL PROPERTY (QUALIFIED TITLES) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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.

41 REPORT OF THE INDEPENDENT COMMISSION AGAINST
CORRUPTION ON INVESTIGATION INTO NORTH COAST LAND
DEVELOPMENT

The Order of the Day having been read for the consideration of the Legislative Council Message, dated 16 August 1990, a.m., concerning the Report of the Independent Commission Against Corruption on Investigation into North Coast Land Development.

(1) Mr Dowd moved, That this House—

(1) Notes the Legislative Council Message of 16 August 1990, a.m., concerning the Report of the Independent Commission Against Corruption on Investigation into North Coast Land Development.

(2) Refers the Report of the Independent Commission Against Corruption on Investigation into North Coast Land Development to the Joint Select Committee upon the Process and Funding of the Electoral System for consideration and report.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
5 September 1990

Debate ensued.

Question put and passed.

(2) Ordered, on the motion of Mr Dowd, 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—

(1) Notes the Legislative Council Message of 16 August 1990, a.m., concerning the Report of the Independent Commission Against Corruption on Investigation into North Coast Land Development.

(2) Refers the Report of the Independent Commission Against Corruption on Investigation into North Coast Land Development to the Joint Select Committee upon the Process and Funding of the Electoral System for consideration and report.

Legislative Assembly
5 September 1990

K. R. ROZZOLI
Speaker

42 GOVERNOR'S REPLY TO ADDRESS

Mr Speaker reported that the House had presented to the Governor their Address in acknowledgement of His Excellency's Message notifying his assumption of the administration of this State, and that His Excellency had been pleased to give the following answer—

Government House,
Sydney, 5 September 1990

The Honourable the Speaker and
Members of the Legislative Assembly
of New South Wales

I appreciate your Address and your kind comments upon my appointment by Her Majesty The Queen as Her representative in the State of New South Wales.

It shall be my endeavour always to strengthen the links between the Crown and the Parliament and the people of New South Wales. My wife and I shall expend our energies fully and willingly in the interests of the State, and trust that we shall be able to fulfil our part in the decisive years ahead.

I welcome this opportunity of meeting all Members of the Legislative Assembly today, and assure you of my close co-operation with you and of my earnest consideration of all matters which you may bring forward.

5 September 1990

P. R. Sinclair
Governor

43 CROWN AND OTHER ROADS BILL
MISCELLANEOUS ACTS (CROWN AND OTHER ROADS) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Causley, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr West, read a third time.

44 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 9.02 p.m., until tomorrow at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 30

THURSDAY 6 SEPTEMBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Price—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Beck, Mr Books, Ms Nori, Mr D. L. Page, Mr Park, Mr Rixon, Mr Wotton and Mr Yabsley—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Davoren—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr Books and Mr Davoren—from certain citizens requesting a public inquiry into sandmining and mineral sands processing on the North Coast.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr H. F. Moore—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Page—from certain citizens requesting the restoration of various rail services in New South Wales.

Mr Whelan—from certain citizens requesting the banning of electric shock treatment in New South Wales.

Mr Zammit—from certain citizens requesting amendment of the Anti-Discrimination Act 1977 to include age as a ground for discrimination.

Mr Beck—from certain citizens requesting consideration to certain flood mitigation works in Murwillumbah.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 September 1990

2 NOTICES OF MOTIONS

3 PAPER

Mr Moore laid upon the Table—

Report of the Waste Management Authority for the year ended 31 March 1990.

Referred to the Printing Committee.

4 SUSPENSION OF STANDING ORDERS—VOTE OF CENSURE—
MEMBER FOR HEFFRON

(1) Ordered on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of General Business—Notice of Motion No. 2.

(2) Mr Dowd moved, pursuant to notice, That this House censures the honourable member for Heffron for misleading the House in that she claimed a document in her possession was an "Attorney General's Department briefing note".

Debate ensued.

Mr Speaker, having warned Mrs Grusovin, the honourable member for Heffron, on several occasions to limit her remarks to the ambit of the motion, directed her to resume her seat.

Mr Phillips moved, That the Question be now put.

Question put.

The House divided.

Ayes 54

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton,
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 49

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin

Mr Keegan
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price

Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 September 1990

Papers: Mr Dowd laid upon the Table—

A copy of a letter from J. A. Longley, M.P., to the Attorney General, dated 25 August 1989.

A copy of a document concerning the Seabeach Kindergarten case released under the Freedom of Information Act by the Attorney General's Department.

A copy of a letter from the President of the New South Wales Bar Association to the President of the Legislative Council, dated 4 April 1990.

Referred to the Printing Committee.

Original Question put.

The House divided.

Ayes 59

Mr Andrews	Mr Hay	Mr Schipp
Mr Arkell	Mr Jeffery	Mr Schultz
Mr Armstrong	Mr Keegan	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Dr Metherell	Mr Webster
Mr Cochran	Mr Moore	Mr Welsh
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr White
Mr Dowd	Mr D. L. Page	Mr Wotton
Mr Downy	Mr Park	Mr Yabsley
Mr Fahey	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	
Mr Greiner	Mr Pickard	Tellers
Mr Griffiths	Ms Read	
Mr Hartcher	Mr Rixon	Mr Beck
Mr Hatton	Mr Roberts	Mr Phillips

Noes 43

Ms Allan	Mr Knowles	Mr Primrose
Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Carr	Mr Martin	Mr Unsworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Whelan
Mr Doyle	Ms Moore	Mr Yeadon
Mr Face	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hunter	Ms Nori	
Mr Irwin	Mr Page	Mr Beckroge
Mr Knight	Mr Price	Mr Christie

And so it was resolved in the affirmative.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS—HEAVY VEHICLE SAFETY

Mr Langton moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That the Minister for Roads be condemned for his failure to implement the heavy vehicle safety measures contained within the Traffic (Road Safety) Amendment Act 1989.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 September 1990

Ayes 48

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter

Mr Irwin
Mr Keegan
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelce
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page

Mr Price
Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Noes 53

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Zammit

Tellers

Mr Beck
Mr Phillips

And so it was resolved in the negative.

7 QUESTIONS (continuation of entry No. 5)

8 QUESTIONS AND ANSWERS PAPER

Mr Speaker brought to the attention of members the ever increasing number of written questions with notice and that during the current session of 29 sitting days since 21 February 1990, 1,956 questions have been placed on notice.

He stated that this large number had resulted in the voluminous nature of questions and answers for the first sitting day of each week and observed that, this week, the paper No. 27 for Tuesday 4 September 1990, was 294 pages in length which had led to not only difficulty in the production of the paper but also made the document physically cumbersome and awkward to use.

Mr Speaker informed the House that for the convenience of honourable members, and in an effort to reduce cost and wastage, he had approved the following new procedure including the titling of questions as follows—

On the first sitting day in each week the questions and answers paper will contain all unanswered questions by number and title only together with questions to which answers have been received on the previous sitting day and any new questions. On subsequent days, new questions will be printed as will questions to which answers were received the previous day.

Thus the full text of any question would be printed only twice: when notice is given; and when an answer was received.

Mr Speaker also sought the co-operation of Ministers when forwarding answers to include a copy of the text of the question for added reference and wherever possible to also provide answers on word processing disk together with the hard copy.

9 EMPLOYEES LIABILITY BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the liability of employees in respect of torts committed by them; and to repeal the Employee's Liability (Indemnification of Employer) Act 1982.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 September 1990

10 ADOPTION INFORMATION BILL

Mr Webster moved, pursuant to notice, That leave be given to bring in a bill for an Act to allow greater access to information relating to adoptions; and for other related matters.

Question put and passed.

Bill presented and read a first time.

Mr Webster moved, That this bill be now read a second time.

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

It being 2.15 p.m., General Business proceeded with.

11 PROPOSED CASTLEREAGH EXPRESS

Mr Tink moved, pursuant to notice, That this House expresses its concern about the Woodward Report on the construction of the proposed F2 Castlereagh Expressway in that:

- (1) It recommends Stage 1 not to be constructed;
- (2) It fails to recognise the traffic impact resulting from the Commissioner's recommendation that the Government upgrade the existing east/west road system; and
- (3) No appropriate opportunity was provided for the people affected by the upgrading proposal to make preliminary comment on that proposal.

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

12 PRINTING COMMITTEE

Mr Small brought up Report No. 9 of the Printing Committee.

13 ADJOURNMENT

Mr Pickard moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.16 p.m., until Tuesday 11 September 1990, at 2.30 p.m.

BY AUTHORITY

R. J. Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 31

TUESDAY 11 SEPTEMBER 1990

1 SPEAKER'S STATEMENT—TELEVISION OF THE BUDGET SPEECH

Mr Speaker informed the House that portions of the proceedings would be filmed for television library purposes at this sitting, including the Treasurer's Budget Speech, at which sound would be recorded.

2 ELECTORAL DISTRICT OF THE HILLS

Mr Speaker informed the House that his writ issued on 13 August 1990, for the election of a member to serve in the room of Frederick Douglas Claude Caterson, had been duly returned, with a certificate endorsed thereon by the returning officer of the election of Anthony Charles Packard, to serve as a member for the electoral district of The Hills.

Anthony Charles Packard was introduced, and having taken and subscribed the oath of allegiance and signed the roll of the House, took his seat as member for the electoral district of The Hills.

3 PETITIONS

The Acting Clerk announced that the following members had each lodged petitions for presentation—

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Beckroge, Mr Causley, Mr Chappell, Mr Longley, Mr Rogan and Mr Yabsley—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Rumble—from certain citizens requesting the installation of a right hand directional arrow at the intersection of Tongarra Road and Princes Highway at Albion Park Rail.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Park—from certain citizens requesting a referendum on capital punishment for people found guilty of violent crime.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Booth—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Martin—from certain citizens requesting the reservation of Crown Land between Mallabula and Lemon Tree Passage for nature purposes.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

11 September 1990

Mr Gibson—from certain citizens requesting the reintroduction of capital punishment.

Mr Glachan—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Packard—from certain citizens requesting the restoration of various rail services in New South Wales.

Mr Scully—from certain citizens opposing changes to the regulation of electrical inspection work.

Mr J. H. Murray—from certain citizens requesting the installation of an overhead pedestrian walkway at the intersection of Bland Street and Parramatta Road, Haberfield.

Mr Martin—from certain citizens opposing a proposed four-lane highway through Raymond Terrace.

Ms Allan and Mr Doyle—from certain citizens requesting the restriction of high-rise development along the Cronulla beachfront.

Mr Tink—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Tink—requesting increased control of the sale of adult videos in New South Wales.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Royal Commission into Aboriginal Deaths in Custody on the inquiry into the death of Thomas Carr.

Report of the Royal Commission into Aboriginal Deaths in Custody on the inquiry into the death of Clarence Alec Nean.

Public Finance and Audit Act 1983—variation of receipts and payments estimates and appropriations for 1989-90 in terms of section 26 of the Act.

Stamp Duties Act 1920—Stamp Duties Regulations 1934—regulation 68A, omission of regulations 54, 55, 58, 64, 65, forms Z, Z1, DD, ZL, ZL1. (Gazette 29/1990.)

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

Motor Vehicle Driving Instructors Act 1961—Motor Vehicle Driving Instructors Regulations 1962—substituted schedule C. (Gazette 90/1990.)

Motor Vehicles (Third Party Insurance) Act 1942—Motor Vehicles (Third Party Insurance) Regulations—schedule O, amendment of regulation 19. (Gazette 90/1990.)

Recreation Vehicles Act 1983—Recreation Vehicles (General) Regulation 1985—amendment of schedule 4. (Gazette 90/1990.)

State Roads Act 1986—

(a) notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes, at—

Alexandria. (Gazette 74/1990.)

Bellambi Creek. (Gazette 103/1990.)

Bombala. (Gazette 103/1990.)

Brewarrina. (Gazette 103/1990.)

Cooranbong. (Gazette 74/1990.)

Deepwater. (Gazette 99/1990.)

Fairy Meadow. (Gazette 74/1990.)

Flemington. (Gazette 90/1990.)

Frankfield. (Gazette 106/1990.)

Frenchs Forest. (Gazette 103/1990.)

Gwynneville. (Gazette 84/1990.)

Harris Park. (Gazette 99/1990.)

Nowra. (Gazette 99/1990.)

Observatory Hill. (Gazette 84/1990.)

Reidtown. (Gazette 99/1990.)

Robertson. (Gazette 74/1990.)

Silverwater and Granville. (Gazette 90/1990.)

Sutton. (Gazette 103/1990.)

Woonona. (Gazette 99/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 September 1990

(b) State Roads (Toll Works) Regulation 1988—substituted schedule 2. (Gazette 82/1990.)

Tow-truck Act 1967—Tow-truck Regulations 1969—substituted schedule E. (Gazette 90/1990.)

Traffic Act 1909—

(a) General Traffic (Pedestrian) Regulations 1937—amendment of regulation 7. (Gazette 82/1990.)

(b) Motor Traffic Regulations 1935—regulation 33B, schedule B, part 2A, amendment of regulations 9, 12, 54, 124, schedule A, substituted schedules A, K. (Gazettes 71/1990 (2), 82/1990 (2), 104/1990.)

(c) Motor Traffic Regulations 1935—amendment of Motor Traffic (Speed Limiting) Order 1990. (Gazette 76/1990.)

Transport Licensing Act 1931—Transport Licensing Regulations 1931—substituted schedule G.

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Fair Trading Act 1987—orders under section 31. (Gazettes 71/1990 (2), 82/1990.)

Permanent Building Societies Act 1967—Permanent Building Societies Regulations 1967—regulation 40A, amendment of regulation 39A, 39B, 40. (Gazette 65/1990.)

Registration of Interest in Goods Act 1986—Registration of Interests in Goods Regulation 1986—clauses 13, 14, amendment of clause 12. (Gazette 82/1990.)

Referred to the Printing Committee.

(4) Mr Pickard laid upon the Table—

Coal Mines Regulation Act 1982—Coal Mines Regulation (Approval of Items) Regulation 1984—clause 7A, amendment of clause 5. (Gazette 88/1990.)

Electricity Act 1945—Consumers' Electrical Installations (Safety) Regulations 1961—amendment of regulations 3, 5. (Gazettes 93/1990, 106/1990.)

Mining Act 1973—Mining Regulations 1974—regulation 56A, amendment of regulations 4, 7, 12A, 26, 27, 28, 30, 34A, 34B, 36, 38, 54, 58, schedule 1, substituted schedule 4, omission of regulations 27A, 27B, 49, 50. (Gazettes 88/1990, 90/1990.)

Referred to the Printing Committee.

(5) Mr Fahey laid upon the Table—

University of New England Act 1989—amendments of, and additions to, the by-laws of the University of New England. (Gazette 106/1990.)

Referred to the Printing Committee.

5 REPORT RECEIVED BY THE CLERK

6 September 1990.

The Acting Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1985, announced receipt of the Oilseeds Marketing Board for the year ended 31 October 1989.

6 QUESTIONS

7 ABORIGINAL LAND RIGHTS (AMENDMENT) BILL

(1) Ordered, on motion of Mr Dowd, the Order of the Day for the second reading of this bill be discharged.

(2) Ordered, on motion of Mr Dowd, That the bill be withdrawn.

8 LUNA PARK SITE BILL

The Order of the Day having been read—

Mr West, on behalf of Mr Greiner, moved, That this bill be now read a second time.

Debate adjourned (Mr Amery) and the resumption of the adjourned debate made an Order of the Day for Tomorrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 September 1990

9 TRAFFIC (PHOTOGRAPHIC EVIDENCE) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Nagle, (by leave), while speaking, 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.

10 APPROPRIATION BILL

(1) Mr Speaker laid upon the Table a copy of the Consolidated Fund Estimates 1990-91 (Budget Paper No. 3).

Ordered, That the Paper be printed and referred to the Committee of the Whole on the bill.

(2) Mr Greiner moved, That leave be given to bring in 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 1990-91 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 1989-90; and for certain other purposes.

Bill presented and read a first time.

(3) Mr Greiner moved, That this bill be now read a second time.

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

11 PAPERS—FINANCIAL STATEMENT

Mr Greiner laid upon the Table—

- (1) Copy of the Budget Speech delivered by him this day (Budget Paper No. 1).
- (2) Budget Information 1990-91 (Budget Paper No. 2).
- (3) Financial Arrangements between the Commonwealth and New South Wales 1990-91 (Budget Paper No. 4).
- (4) Capital Works Program 1989-90—List of Projects (Budget Paper No. 5).
- (5) State and Public Sector Outlays and Revenues Classified by Economic Type 1990-91 (Budget Paper No. 7).

Ordered to be printed.

It being 5.30 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 September 1990

13 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.05 p.m., until tomorrow, at 2.15 p.m.

BY AUTHORITY

R. J. Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 32

WEDNESDAY 12 SEPTEMBER 1990

1 VACANT SEAT—ELECTORAL DISTRICT OF COFFS HARBOUR

Mr Speaker informed the House that on 11 September 1990, he had received a letter from Matthew Singleton, resigning his seat as member for the electoral district of Coffs Harbour.

Ordered, on motion of Mr Greiner, That the seat of Matthew Singleton, member for the electoral district of Coffs Harbour, has become and is now vacant, by reason of the resignation therefrom by the said Matthew Singleton.

2 PETITIONS

The Acting Clerk announced that the following members had each lodged petitions for presentation—

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Chappell, Mr Cleary, Mr Davoren, Mr Hunter, Mr Keegan, Mr Langton, Mr Markham, Mr Schultz and Mr Shedden—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Rumble—from certain citizens requesting the installation of a right hand directional arrow at the intersection of Tongarra Road and Princes Highway at Albion Park Rail.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Books—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Books, Mr Matheson and Mr Peacocke—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr McManus—from certain citizens requesting the restoration of various rail services in New South Wales.

Mr Harrison, Mr Lovelee and Mr Peacocke—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1990

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Mills—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Christie—from certain citizens opposing the relocation of a waste transfer station to Powers Road, Seven Hills.

Mr Davoren—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr Hunter—from certain citizens requesting health funding and increased community involvement in the planning of services in the Hunter Valley.

Mr Books—from certain citizens requesting the adoption of pro-life legislation in New South Wales.

Mrs Cohen—from certain citizens requesting the construction of an Olympic swimming pool and other facilities at James Erskine School.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Hay laid upon the Table—

Darling Harbour Authority Act 1984—

(a) Darling Harbour Authority Regulation 1984—clause 20B, schedule 12, 13, amendment of clauses 7, 8, 28. (Gazettes 102/1989, 117/1989, 68/1990.)

(b) Darling Harbour (Monorail) Regulation 1988—clauses 1 to 44, amendment of clauses 3, 16, 34, 44, substituted part 2, omission of clause 18. (Gazettes 88/1988, 25/1989, 82/1990.)

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Report of the Law Reform Commission—Community Law Reform Program—Contribution Among Wrongdoers: Interim Report on Solidary Liability, dated July 1990.

Report of the Law Reform Commission—Community Law Reform Program—Damages for Vendor's Inability to Convey Good Title: The Rule in *Bain v. Fothergill*, dated July 1990.

Report of the Privacy Committee for 1989.

Referred to the Printing Committee.

5 QUESTIONS

6 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 12 September 1990, returning the Supply Bill without amendment.

7 JOINT SELECT COMMITTEE UPON THE PROCESS AND FUNDING OF THE ELECTORAL SYSTEM

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day taken into consideration the Legislative Assembly's message dated 5 September 1990, agrees to the Resolution varying the resolutions appointing the Joint Select Committee upon the Process and Funding of the Electoral System.

Legislative Council
12 September 1990

JOHN JOHNSON
President

8 ADJOURNMENT UNDER STANDING ORDER 49

Mr Speaker stated that he had received from the honourable member for Tamworth, Mr Park, a notice that he desired to move the adjournment of the House to discuss the current disturbances in prisons throughout the State of New South Wales, and the community concern regarding the disturbances.

Mr Park moved, That this House do now adjourn.

And the motion for the adjournment of the House being supported by five other honourable members—

Debate ensued.

Motion, by leave, withdrawn.

9 TRAFFIC (PHOTOGRAPHIC EVIDENCE) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

10 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

11 TRAFFIC (PHOTOGRAPHIC EVIDENCE) AMENDMENT BILL

Resumption of the interrupted debate, on motion of Mr Murray, That this bill be now read a second time.

Question put and passed.

Bill read a second time.

Leave granted for a third reading to be moved forthwith.

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

12 LIQUOR (FURTHER AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr West, that this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

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 without amendment.

On motion of Mr Causley, on behalf of Mr West, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

Bill, on motion of Mr Causley, read a third time

13 ADJOURNMENT

Mr Causley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.39 p.m., until tomorrow, at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 33

THURSDAY 13 SEPTEMBER 1990

1 PETITIONS

The Acting Clerk announced that the following members had each lodged petitions for presentation—

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Chappell, Mr Cleary, Mr Markham and Ms Read—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Rumble—from certain citizens requesting the installation of a right hand directional arrow at the traffic lights at the intersection of Tongarra Road and Princes Highway at Albion Park Rail.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Morris—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Aquilina, Mr Martin, Mr Morris and Mr Turner—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Davoren—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Mr Hunter—from certain citizens requesting funding and increased community involvement in the planning of health services in the Hunter Valley.

Mr Cochran—from certain citizens requesting the adoption of pro-life legislation in New South Wales.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Rogan—from certain citizens opposing changes to the regulation of electrical inspection work.

Mr Mills—from certain citizens requesting that the casualty out-patients department of Wallsend District Hospital remain open.

Mr Mills—from certain citizens requesting increased community services for the intellectually disabled.

Ms Nori—from certain citizens opposing the siting of a helipad at Pymont.

Mr Chappell—from certain citizens requesting the protection of Billilimbra and Washpool State Forests.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1990

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Remuneration of the Clerk of the Parliaments and the Clerk of the Legislative Assembly pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 28 August 1990.

Report on the Remuneration of Judges, Magistrates and Related Group of Office Holders pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 28 August 1990.

Report on the Tribunals, Court Officers and Related Group of Office Holders pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 28 August 1990.

Referred to the Printing Committee.

(2) Mr West laid upon the Table—

Auctioneers and Agents Act 1941—Auctioneers and Agents Regulations 1941—amendment of regulations 2, 54A, 55, 57, 58. (Gazette 82/1990.)

Community Land Development Act 1989—Community Land Development Regulation 1990—clauses 1 to 61. (Gazette 82/1990.)

Community Land Management Act 1989—Community Land Management Regulation 1990—clauses 1 to 21. (Gazette 82/1990.)

Conveyancing Act 1919—

(a) Conveyancing Act Regulations 1961—regulation 82A, substituted schedule 3. (Gazette 82/1990.)

(b) Conveyancing (Vendor Disclosure and Warranty) Regulation 1986—amendment of clause 4. (Gazette 82/1990.)

Real Property Act 1900—Real Property Act Regulations 1970—amendment of regulations 40, 41, 45, substituted schedule 3. (Gazette 88/1990.)

Strata Titles Act 1973—Strata Titles Act Regulations 1974—regulation 14A, regulation 71A, amendment of schedule 1, substituted regulations 52, 80. (Gazette 82/1990 (2).)

Strata Titles (Leasehold) Act 1986—Strata Titles (Leasehold) Regulation 1989—substituted clause 43. (Gazette 88/1990.)

Referred to the Printing Committee.

(3) Mr Baird laid upon the Table—

Commercial Vehicles Act 1979—

(a) Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986—substituted schedule 3. (Gazette 93/1990.)

(b) Commercial Vessels (Load Lines) Regulation 1986—amendment of schedule 2. (Gazette 93/1990.)

(c) Commercial Vessels (Permits) Regulation 1986—amendment of schedule 3. (Gazette 93/1990.)

Marine Pollution Act 1987—Marine Pollution Regulation 1990—clauses 1 to 23, schedules 1 to 3. (Gazette 57/1990.)

Marine Port Charges Act 1989—Marine Port Charges Regulation 1990—clauses 1 to 21. (Gazette 80/1990.)

Maritime Services Act 1935—

(a) Management of Waters and Waterside Lands Regulations—N.S.W.—regulation 17B, amendment of schedule 5. (Gazette 74/1990.)

(b) Port Boundaries Regulation 1978—amendment of schedule 1. (Gazette 80/1990.)

(c) Water Traffic Regulations—N.S.W.—amendment of regulation 14. (Gazette 82/1990.)

Passenger Transport Act 1990—Passenger Transport Regulation 1990—clauses 1 to 76, 15A, 31A, 31B, 31C, schedule 1, amendment of clauses 7, 68, schedule 1. (Gazettes 82/1990, 88/1990.)

Pilotage Act 1971—Pilotage and Rates Regulations—N.S.W.—omission of regulations 10, 11, 13, schedule 2. (Gazette 80/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1990

Sydney Harbour Trust Act 1990 and Maritime Services Act 1935—Port of Sydney Regulations—amendment of regulation 75A, substituted regulation 238. (Gazettes 74/1990, 104/1990.)

Referred to the Printing Committee.

(4) Mr Peacocke laid upon the Table—

Friendly Societies Act 1989—Friendly Societies General Regulation 1990—clauses 1 to 33, schedules 1 to 4. (Gazette 82/1990.)

Growth Centres (Development Corporations) Act 1974—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for growth centre purposes, at Minto. (Gazette 97/1990.)

Motor Dealers Act 1974—Motor Dealers Regulation 1986—clauses 9A, 11A, 11B, 37A, 37B, amendment of clauses 4, 5, 7, 9, 10, 16, 17, 18, 21, 27, 41, schedule 1, substituted clauses 13, 15, 42, 45. (Gazette 93/1990 (2).)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS—CHAIRMANSHIP OF THE MARITIME SERVICES BOARD

Mr Carr moved, That so much of the Standing Orders¹ be suspended as would preclude the consideration forthwith of the following motion, That this House calls on the Minister for Transport to remove Mr James Yonge from the Chairmanship of the Maritime Services Board.

Question put.

The House divided.

Ayes 40

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight

Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Mills
Mr H. F. Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose
Dr Refshauge

Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Noes 60

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Miss Fraser
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Ms Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Ms Read

Mr Rixon
Mr Roberts
Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr Welsh
Mr West
Mr White
Mr Wotton
Mr Yabsley

Tellers

Mr Beck
Mr Booth

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1990

6 QUESTIONS (continuation of entry No. 4)

7 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the—

Coptic Orthodox Church (N.S.W.) Property Trust Bill; and
Judicial Officers 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.

8 ABORIGINAL LAND RIGHTS (AMENDMENT) BILL (No. 2)

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Aboriginal Land Rights Act 1983 to make further provision with respect to the membership of the New South Wales Aboriginal Land Council, the functions of Aboriginal Land Councils, the disposal of Aboriginal land and the financial management and accountability of Aboriginal Land Councils; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Greiner moved, That this bill be now read a second time.

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

9 JUDICIAL OFFICERS LEGISLATION (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Judicial Officers Act 1986 and various other Acts to increase the retirement age for certain judicial officers; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

10 COPTIC ORTHODOX CHURCH (N.S.W.) PROPERTY TRUST BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to constitute the Coptic Orthodox Church (N.S.W.) Property Trust and to specify its functions, and to provide for the vesting of certain property in the Trust.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 future day.

11 ROYAL COMMISSIONS (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Greiner, that this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Dowd, on behalf of Mr Greiner, read a third time.

It being 2.15 p.m., General Business proceeded with.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1990

12 UNDER-AGE DRINKING

Mr Face moved, pursuant to notice, That this House expresses concern regarding the serious problem of under-age drinking and the availability of alcohol to juveniles in New South Wales.

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

13 PRINTING COMMITTEE

Mr Small brought up Report No. 10 of the Printing Committee.

14 ADJOURNMENT

Mr Causley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.16 p.m., until 18 September 1990, at 2.15 p.m.

BY AUTHORITY

R. J. Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 34

TUESDAY 18 SEPTEMBER 1990

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

18 September 1990

Crimes (Public Justice) Amendment Bill
Supply Bill.

2 PETITIONS

The Acting Clerk announced that the following members had each lodged petitions for presentation—

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Booth, Mr Cleary, Mr Face, Mr Gibson, Mr Greiner, Mr Hunter, Mr Lovelee, Mr Markham, Mr Mills, Mr Nagle, Mr Page, Mr Petch, Mr Photios, Mr Primrose, Mr West and Mr Yeadon—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Packard and Mr Webster—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Arkell and Mr Photios—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Greiner and Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mrs Cohen, Mr D. L. Page and Mr Zammit—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Nagle—from certain citizens requesting the restoration of various rail services in New South Wales.

Mr Christie—from certain citizens opposing the relocation of a waste transfer station to Powers Road, Seven Hills.

Mr Doyle—from certain citizens requesting the restriction of high-rise development along the Cronulla beachfront.

Mr Face and Mr Mills—from certain citizens opposing the relocation of the Dudley Mens Unit.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Price—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 September 1990

3 NOTICES OF MOTIONS

4 PAPERS

Mr Baird laid upon the Table—

Transport Authorities Act 1980—

(a) notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes at Mount Murray. (Gazette 104/1990.)

(b) notification to rescind the notification of acquisition of land under the Public Works Act 1912, for railway purposes at Mount Murray. (Gazette 104/1990.)

5 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that during the absence of the Honourable Timothy John Moore, Minister for the Environment, he would be answering questions on behalf of the Minister.

6 SUSPENSION OF STANDING ORDERS—AUSTRALIAN MARITIME SAFETY AUTHORITY

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion, That this House strongly condemns the Federal Government¹ for its decision not to proceed with the transfer of the Australian Maritime Safety Authority from Canberra to Newcastle and calls upon the Federal Government to reverse its decision, notice of which was given by the honourable member for Wallsend this day for tomorrow.

Debate ensued.

Question put and passed.

Mr Mills moved, pursuant to notice, That this House strongly condemns the Federal Government for its decision not to proceed with the transfer of the Australian Maritime Safety Authority from Canberra to Newcastle and calls upon the Federal Government to reverse its decision.

Mr Phillips moved, That the question be now put.

The House divided.

Ayes 52

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths

Mr Hartcher
Mr Hay
Mr Jeffery
Mr Kerr
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley

Tellers

Mr Beck
Mr Phillips

Noes 48

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin

Mr Keegan
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page

Mr Price
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Pairs

Mr Moore
Mr Zammit

Ms Allan
Mr Primrose

And so it was resolved in the affirmative.

Original question put and passed.

7 QUESTIONS

8 SUSPENSION OF STANDING ORDERS—HOSPITAL WAITING LISTS

Dr Refshauge moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Minister for Health for presiding over increasing and inequitable waiting times for key health services and for failing to keep promises to regularly release hospital waiting lists.

Question put and passed.

Dr Refshauge moved, That this House condemns the Minister for Health for presiding over increasing and inequitable waiting times for key health services and for failing to keep promises to regularly release hospital waiting lists.

Debate ensued.

Mr Berry moved, That the question be amended by leaving out the words after "That", with a view to inserting the following words—

"this House congratulates the Minister for Health for the range of measures he has introduced to reduce the former Labor Government's inequitable waiting times for key health services".

Question proposed—That the amendment be agreed to.

Mrs Cohen 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.

9 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Kerr 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.

It being 5.30 p.m., private members' statements proceeded with.

10 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

11 HOSPITAL WAITING LISTS

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Dr Refshauge, That this House condemns the Minister for Health for presiding over increasing and inequitable waiting times for key health services and for failing to keep promises to regularly release hospital waiting lists.

Upon which Mr Berry had moved, That the question be amended by leaving out the words after "That", with a view to inserting the following words—

"this House congratulates the Minister for Health for the range of measures he has introduced to reduce the former Labor Government's inequitable waiting times for key health services".

And the question being again proposed—That the amendment be agreed to.

The House resumed the said adjourned debate.

Question put—That the amendment be agreed to.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 September 1990

The House divided.

Ayes 53

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths

Mr Hartcher
Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley

Tellers

Mr Beck
Mr Phillips

Noes 42

Mr Amery
Mr Anderson
Mr Aquilina
Mr Davoren
Mr Doyle
Mr Pace
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin
Mr Knight
Mr Knowles

Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Ms Read

Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Pairs

Mr Moore
Mr Zammit

Ms Allan
Mr Primrose

And so it was resolved in the affirmative.

Question put, That the motion, as amended, be agreed to.

The House divided.

Ayes 53

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Keegan	Mr Smiles
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Dr Metherell	Mr Webster
Mr Cochran	Mr Morris	Mr West
Mrs Cohen	Mr Murray	Mr White
Mr Collins	Mr Packard	Mr Wotton
Mr Cruickshank	Mr D. L. Page	Mr Yabsley
Mr Dowd	Mr Park	
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Petch	Tellers
Mr Glachan	Mr Pickard	
Mr Graham	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 42

Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelec	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr Davoren	Mr Markham	Mr Scully
Mr Doyte	Mr Martin	Mr Shedden
Mr Face	Mr Mills	Mr Unsworth
Miss Fraser	Mr H. F. Moore	Mr Walsh
Mr Gibson	Mr Moss	Mr Welsh
Mrs Grusovin	Mr J. H. Murray	Mr Whelan
Mr Harrison	Mr Nagle	Mr Yeadon
Mr Hatton	Mr Newman	
Mr Hunter	Ms Nori	Tellers
Mr Irwin	Mr Page	
Mr Knight	Mr Price	Mr Beckroge
Mr Knowles	Ms Read	Mr Christie

Pairs

Mr Moore
Mr Zammit

Ms Allan
Mr Primrose

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 September 1990

12 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Barwon, Mr Murray, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for South Coast, Mr Hatton, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Davidson, Dr Metherell, be allowed to continue his speech for a further period of ten minutes.

Mr Griffiths 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 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Acting Speaker Tink reported messages from the Legislative Council returning the following bills without amendment:

18 September 1990

Crown and Other Roads Bill
Miscellaneous Acts (Crown and Other Roads) Amendment Bill
Real Property (Qualified Titles) Amendment Bill.

14 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.19 p.m., until tomorrow, at 2.15 p.m.

BY AUTHORITY

R. J. Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 35

WEDNESDAY 19 SEPTEMBER 1990

1 PETITIONS

The Acting Clerk announced that the following members had each lodged petitions for presentation—

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Hunter, Mr Lovelee, Mr Markham, Mr Page, Mr Park, Ms Read, Mr Schultz and Mr Tink—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Christie—from certain citizens opposing the relocation of a waste transfer station to Powers Road, Seven Hills.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Davoren—from certain citizens opposing a proposal to concentrate older style trains on the Canterbury/Bankstown railway line.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Beckroge—from certain citizens requesting the maintenance and extension of Broken Hill Gaol.

Mr Anderson—from certain citizens requesting that the Emu Plains Training Centre be maintained in its present form.

Mr Hatton—from certain citizens opposing the proposed amalgamation of Ulladulla and Nowra Home Care Offices.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Armstrong laid upon the Table—

Fisheries and Oyster Farms Act 1935—Fisheries and Oyster Farms (General) Regulation 1989—clause 20A, 22A, amendment of clauses 17, 19, 20, 55, substituted forms 22, 23. (Gazette 104/1990.)

Pastures Protection Act 1934—Pastures Protection Regulations—amendment of regulation 38. (Gazette 62/1990.)

Pesticides Act 1978—Pesticides and Allied Chemicals Regulation 1979—amendment of headings to regulation, headings to schedules, clauses 1, 4, 40, schedule 1. (Gazette 62/1990.)

Referred to the Printing Committee.

(2) Mr Peacocke laid upon the Table—

Fair Trading Act 1987—orders under section 31. (Gazette 106/1990.)

Referred to the Printing Committee.

(3) Mr Hay laid upon the Table—

Environmental Planning and Assessment Act 1979—¹

(a) Environmental Planning and Assessment Regulation 1980—amendment of clause 40. (Gazette 173/1987.)

(b) notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for passive recreational purposes, at—

Ashbury. (Gazette 124/1989.)

Blackheath. (Gazettes 11/1990 (4), 31/1990.)

Castle Cove. (Gazette 71/1990.)

Charmhaven. (Gazette 41/1990.)

Collaroy. (Gazette 41/1990.)

Croydon Park. (Gazettes 49/1990, 57/1990.)

Engadine. (Gazette 41/1990.)

Enfield. (Gazette 99/1989.)

Erskine Park. (Gazette 99/1989.)

Horsley Park. (Gazette 64/1989.)

Illawong. (Gazettes 44/1989, 83/1989 (2), 84/1989 (3), 99/1989.)
 Ingleburn. (Gazette 111/1989.)
 Kurnell. (Gazette 48/1989.)
 Linden. (Gazette 102/1990.)
 Mort Bay. (Gazette 69/1989.)
 Mortlake Point. (Gazette 90/1990.)
 Mount Druitt. (Gazette 71/1990.)
 Narara. (Gazette 85/1990.)
 Pearl Beach. (Gazette 59/1989.)
 Penrith. (Gazette 65/1990.)
 Sandringham. (Gazette 48/1989.)
 Sans Souci. (Gazette 18/1990.)
 St Helens Park. (Gazette 44/1990.)
 St Marys. (Gazette 44/1990.)
 Stanmore. (Gazette 85/1989.)
 Sutherland. (Gazettes 64/1989 (2), 11/1990.)
 Terrigal. (Gazette 76/1990.)
 Tuggerah. (Gazette 92/1989.)
 Wentworth Falls. (Gazettes 59/1989, 11/1990, 14/1990, 31/1990, 92/1990, 93/1990, 102/1990.)
 Woronora River. (Gazettes 59/1989, 84/1989 (2), 93/1989, 111/1989, 117/1989, 21/1990, 44/1990, 80/1990.)

(c) notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for the purpose of promoting and co-ordinating environmental planning and assessment, at Granville. (Gazette 76/1990.)

Referred to the Printing Committee.

4 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up and laid upon the Table Report No. 9 of the Regulation Review Committee in relation to the systematic review of regulations under the Subordinate Legislation Act 1989, dated September 1990.

Mr Cruickshank (by leave) made a statement concerning the report.

5 MINISTERIAL STATEMENT—REPORT OF THE REGULATION REVIEW COMMITTEE

Mr Greiner made a ministerial statement concerning the report of the Regulation Review Committee in relation to the systematic review of regulations under the Subordinate Legislation Act 1989, dated September 1990.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

6 QUESTIONS

Disorder: By direction of Mr Speaker, the honourable member for McKell, Ms Nori, was removed from the Chamber by the Serjeant-at-Arms.

And the honourable member for McKell having sent a message of apology to the Speaker—

Mr Speaker made some observations, accepted the apology of the honourable member for McKell and directed that the member be re-admitted.

7 SUSPENSION OF STANDING ORDERS—LEADER OF THE
OPPOSITION

Mr Greiner moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Leader of the Opposition for his reckless use of forged material in the question asked by him earlier this day of the Minister for Local Government and Minister for Planning.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put—That the question be now put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

The House divided.

Ayes 52

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths

Mr Hartcher
Mr Hay
Mr Jeffery
Mr Kerr
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley

Tellers

Mr Beck
Mr Phillips

Noes 45

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyte
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price

Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Pairs

Mr Moore
Mr Zammit

Ms Allan
Mr Knowles

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

Question put—That the motion be agreed to.

The House divided.

Ayes 58

Mr Andrews	Mr Hatton	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Keegan	Mr Smiles
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Dr Metherell	Mr Webster
Mr Cochran	Ms Moore	Mr Welsh
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr White
Mr Cruickshank	Mr Packard	Mr Wotton
Mr Dowd	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Park	
Mr Fahey	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Ms Read	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

Noes 40

Mr Amery	Mr Langton	Dr Refshaug
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Carr	Mr Martin	Mr Shedden
Mr Cleary	Mr Mills	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Whelan
Mr Doyle	Mr Moss	Mr Yeadon
Mr Face	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mrs Grusovin	Mr Newman	
Mr Harrison	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

Pairs

Mr Moore
Mr Zammit

Ms Allan
Mr Knowles

And so it was resolved in the affirmative.

Mr Greiner moved, That this House condemns the Leader of the Opposition for his reckless use of forged material in the question asked by him earlier this day of the Minister for Local Government and Minister for Planning.

Debate ensued.

Mr Phillips moved, That the question be now put.

The House divided.

Ayes 51

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr Booth	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Turner
Mr Cochran	Mr Morris	Mr Webster
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr Packard	Mr White
Mr Cruickshank	Mr D. L. Page	Mr Wotton
Mr Downy	Mr Park	Mr Yabsley
Mr Fahey	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Pickard	
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 45

Mr Amery	Mr Keegan	Mr Price
Mr Anderson	Mr Knight	Mr Primrose
Mr Aquilina	Mr Langton	Ms Read
Mr A. S. Aquilina	Mr Lovelee	Mr Rogan
Mr Arkell	Mr McManus	Mr Rumble
Mr Carr	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Welsh
Mr Face	Ms Moore	Mr Whelan
Mr Gibson	Mr Moss	Mr Yeadon
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Nagle	Tellers
Mr Hatton	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

Pairs

Mr Moore
Mr Zammit

Ms Allan
Mr Knowles

And so it was resolved in the affirmative.

And Mr Greiner speaking in reply—

Mr Beckroge moved, That the honourable member for Ku-ring-gai, Mr Greiner, be not further heard.

Question put.

The House divided.

Ayes 40

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight

Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose

Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Noes 57

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hatton
Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Ms Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Ms Read
Mr Rixon

Mr Roberts
Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr Welsh
Mr West
Mr White
Mr Wotton
Mr Yabsley

Tellers

Mr Beck
Mr Phillips

Pairs

Mr Moore
Mr Zammit

Ms Allan
Mr Knowles

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

Original question put.

The House divided.

Ayes 51

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr Booth	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Turner
Mr Cochran	Mr Morris	Mr Webster
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr Packard	Mr White
Mr Cruickshank	Mr D. L. Page	Mr Wotton
Mr Downy	Mr Park	Mr Yabsley
Mr Fahey	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Pickard	
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 46

Mr Amery	Mr Knight	Mr Primrose
Mr Anderson	Mr Knowles	Ms Read
Mr Aquilina	Mr Langton	Dr Refshauge
Mr A. S. Aquilina	Mr Lovelee	Mr Rogan
Mr Arkell	Mr McManus	Mr Rumble
Mr Carr	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Ms Moore	Mr Yeadon
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Nagle	
Mr Hatton	Mr Newman	Tellers
Mr Hunter	Ms Nori	
Mr Irwin	Mr Page	Mr Beckroge
Mr Keegan	Mr Price	Mr Christie

Pairs

Mr Moore	Ms Allan
Mr Zammit	Mr Walsh

And so it was resolved in the affirmative.

8 LEAVE OF ABSENCE

Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to Pamela Diane Allan, member for Wentworthville, on account of absence from the State.

9 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Collins, That so much of the Standing Orders be suspended as would preclude the Meat Industry (Game Meat) 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.

10 MEAT INDUSTRY (GAME MEAT) AMENDMENT BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Meat Industry Act 1978 to provide for the processing and sale of game meat for human consumption; and for other purposes.

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 Amery) and the resumption of the adjourned debate made an Order of the Day for a future day.

11 LUNA PARK SITE BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Greiner, that this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

It being 5.30 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 LUNA PARK SITE BILL

Resumption of the interrupted debate, on motion of Mr Greiner, That this bill be now read a second time.

Mr Phillips moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate be set down as an Order of the Day for a later hour.

14 JUDICIAL OFFICERS LEGISLATION (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

15 LUNA PARK SITE BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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 Greiner, read a third time.

16 POLICE REGULATION (ALLEGATIONS OF MISCONDUCT)
AMENDMENT BILL

Madam 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 Police Regulation (Allegations of Misconduct) Act 1978 with respect to the constitution, jurisdiction and powers of the Police Tribunal established under that Act; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
19 September 1990

JOHN JOHNSON
President

Bill read a first time.

Mr Dowd 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

17 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Smithfield, Mr Scully, be allowed to continue his speech for a further period of ten minutes.

Mr Griffiths 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 ABORIGINAL LAND RIGHTS (AMENDMENT) BILL (No. 2)

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Markham moved, That the question be amended by leaving out the word "now" with a view to adding the words "this day one month".

Question proposed, That the word proposed to be left out stand part of the question.

Debate continued.

Question put.

The House divided.

Ayes 49

Mr Andrews
Mr Baird
Mr Berry
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hay

Mr Jeffery
Mr Keegan
Mr Kerr
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Welsh
Mr West
Mr White
Mr Wotton
Mr Yabsley

Tellers
Mr Beck
Mr Phillips

Noes 42

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Davoren
Mr Doyle
Mr Face
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight
Mr Knowles

Mr Langton
Mr Lovelec
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price

Mr Primrose
Ms Read
Dr Refsbaug
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Pairs

Mr Moore
Mr Zammit

Ms Allan
Mr Carr

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1990

Original question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Baird, on behalf of Mr Greiner, read a third time.

19 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.36 p.m., until tomorrow, at 10.30 a.m.

BY AUTHORITY

R. J. Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 36

THURSDAY 20 SEPTEMBER 1990

1. PETITIONS

The Acting Clerk announced that the following members had each lodged petitions for presentation—

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Mills, Mr Park and Mr Rumble—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Mr Anderson—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Face—from certain citizens opposing the relocation of the Dudley Mens Unit.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

2 NOTICES OF MOTIONS

3 AUDITOR-GENERAL'S REPORT

Mr Speaker laid upon the Table—

Report of the Auditor-General for 1989-90 upon the---

(1) Auditor-General's Office for the year ended 30 June 1990.

(2) Public Accounts prepared by the Treasurer for the year ended 30 June 1990, Volume two, dated September 1990.

Ordered to be printed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1990

4 INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker laid upon the Table—

Report of the Independent Commission Against Corruption for the year ended 30 June 1990.

Ordered to be printed.

5 PAPER

Mr Greiner laid upon the Table—

The Public Accounts for 1989-90.

Referred to the Printing Committee.

6 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that during the absence of the Honourable Ian Morton Armstrong, Minister for Agriculture, the Honourable Wallace Telford John Murray, Deputy Premier, Minister for Public Works and Minister for Roads would be answering questions on behalf of the Minister.

7 QUESTIONS

8 SUSPENSION OF STANDING ORDERS—TECHNICAL AND FURTHER EDUCATION

Mr Aquilina moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Minister for Industrial Relations and Minister for Further Education, Training and Employment for his failure to properly administer all aspects of technical and further education in New South Wales.

Question put and passed.

Motion (by leave), to be moved at the conclusion of Question Time.

9 QUESTIONS (continuation of entry No. 7)

10 TECHNICAL AND FURTHER EDUCATION

Mr Aquilina moved, That this House condemns the Minister for Industrial Relations and Minister for Further Education, Training and Employment for his failure to properly administer all aspects of technical and further education in New South Wales.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 48

Mr Andrews
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner

Mr Griffiths
Mr Hartcher
Mr Hay
Mr Jeffery
Mr Kerr
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon

Mr Roberts
Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Turner
Mr West
Mr White
Mr Wotton
Mr Yabsley

Tellers

Mr Beck
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1990

Noes 46

Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr Lovelee	Mr Rumble
Mr A. S. Aquilina	Mr McManus	Mr Scully
Mr Arkell	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Welsh
Miss Fraser	Ms Moore	Mr Whelan
Mr Gibson	Mr J. H. Murray	Mr Yeadon
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	
Mr Keegan	Mr Primrose	Mr Beckroge
Mr Knight	Ms Read	Mr Christie

Pairs

Mr Armstrong	Ms Allan
Mr Moore	Mr Car
Mr Zammit	Mr Moss

And so it was resolved in the affirmative.

Original question put.

The House divided.

Ayes 39

Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Walsh
Mr Gibson	Mr J. H. Murray	Mr Whelan
Mrs Grusovin	Mr Nagle	Mr Yeadon
Mr Harrison	Mr Newman	
Mr Hunter	Ms Nori	Tellers
Mr Irwin	Mr Page	
Mr Knight	Mr Price	
Mr Knowles	Mr Primrose	Mr Beckroge
		Mr Christie

Noes 54

Mr Andrews	Mr Hartcher	Mr Rixon
Mr Arkell	Mr Hatton	Mr Roberts
Mr Baird	Mr Hay	Mr Schipp
Mr Berry	Mr Jeffery	Mr Schultz
Mr Books	Mr Keegan	Mr Small
Mr Booth	Mr Kerr	Mr Smiles
Mr Causley	Miss Machin	Mr Smith
Mr Chappell	Mr Matheson	Mr Souris
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Dr Metherell	Mr Welsh
Mr Collins	Ms Moore	Mr West
Mr Cruickshank	Mr Murray	Mr White
Mr Dowd	Mr Packard	Mr Wotton
Mr Downy	Mr D. L. Page	Mr Yabsley
Mr Fahey	Mr Park	
Mr Giachan	Mr Peacocke	Tellers
Mr Graham	Mr Petch	
Mr Greiner	Mr Pickard	Mr Beck
Mr Griffiths	Ms Read	Mr Phillips

Pairs

Mr Armstrong	Ms Allan
Mr Moore	Mr Carr
Mr Zammit	Mr Moss

And so it passed in the negative.

11 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 20 September 1990, returning the Judicial Officers Legislation (Amendment) Bill, without amendment.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1990

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Royal Commissions Act 1923 with respect to reports of royal commissions, the powers of certain commissioners who are Queen's Counsel and the punishment of contempt of royal commissions; and for other purposes" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
20 September 1990

JOHN JOHNSON
President

ROYAL COMMISSIONS (AMENDMENT) BILL 1990

Schedule of the amendments referred to in Message of 20 September 1990.

JOHN EVANS
Clerk of the Parliaments

-
- No. 1 Page 3, Schedule 1 (1). Proposed section 14B (1). Omit "the Clerk of either House", insert instead "the Clerks of both Houses".
- No. 2 Page 3, Schedule 1 (1). Proposed section 14B (2). Omit "Clerk" where firstly occurring, insert instead "Clerks".
- No. 3 Page 3, Schedule 1 (1). Proposed section 14B (2) (a) and (b). Omit "the House" wherever occurring, insert instead "each House".
- No. 4 Page 3, Schedule 1 (1). Proposed section 14B (2) (c). Omit "the Clerk", insert instead "either or both of the Clerks".
- No. 5 Page 3, Schedule 1 (1). Proposed section 14B (3). Omit "the Clerk of either House", insert instead "the Clerks of both Houses".

No. 6 Page 3, Schedule 1 (1). After proposed section 14B (3), insert:

(4) The report is required to be recorded in the Minutes of Proceedings or Votes and Proceedings of the House on the first sitting day after it was presented to and received by the Clerk of the House.

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the amendments made by the Legislative Council in this bill be taken into consideration forthwith.

12 ROYAL COMMISSIONS (AMENDMENT) BILL

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 bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

13 SPECIAL ADJOURNMENT

Ordered, on motion of Mr Dowd, That this House at its rising this day do adjourn until Tuesday 9 October 1990, at 2.15 p.m.

It being 2.15 p.m., General Business proceeded with.

14 GRIEVANCE DEBATE

Question proposed—That grievances be noted.

Debate ensued.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1990

15 PRINTING COMMITTEE

Mr Small brought up Report No. 11 of the Printing Committee.

16 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.16 p.m., until Tuesday 9 October 1990,
at 2.15 p.m.

BY AUTHORITY

R. J. Milligan (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 37

TUESDAY 9 OCTOBER 1990

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

21 September 1990

Traffic (Photographic Evidence) Amendment Bill.

26 September 1990

Crown and Other Roads Bill
Miscellaneous Acts (Crown and Other Roads) Amendment Bill
Judicial Officers Legislation (Amendment) Bill
Real Property (Qualified Titles) Amendment Bill
Royal Commissions (Amendment) Bill.

28 September 1990

Luna Park Site Bill.

2 CLERK OF THE LEGISLATIVE ASSEMBLY

Mr Speaker reported that he had received a Commission in favour of Mr Russell David Grove, who was appointed Clerk of the Legislative Assembly by His Excellency the Governor and the Executive Council as on and from 8 September 1990.

Mr Speaker also reported that the Oaths of Allegiance and of Office were duly administered to Mr Grove by His Excellency the Governor on 27 September 1990.

3 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Causley and Mr Cruickshank—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Chappell, Mr Cleary, Mr Dowd, Miss Fraser, Mr Greiner, Mr Hunter, Mr Markham, Mr Page, Ms Read, Mr Souris, Mr Turner and Mr Whelan—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 October 1990

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Beckroge—from certain citizens requesting the maintenance and extension of Broken Hill Gaol.

Mr Cruickshank—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Smith—from certain citizens requesting that Diamond Creek be included in the Deua National Park.

Mr Longley—from certain citizens requesting that casinos not be legalised.

Mr Hunter—from certain citizens requesting the reintroduction of capital punishment.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Mr Face—from certain citizens requesting the restoration of assistance for enrolments at community preschool.

Ms Read—from certain citizens requesting the preservation of the dingo.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Primrose—from certain citizens requesting the enrolment of children from Kearns from attendance at the Robert Townson High School.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Statistical Return in respect of the By-election in the Electoral District of Granville held on 23 June 1990.

Statistical Return in respect of the By-election in the Electoral District of Heffron held on 23 June 1990.

Statistical Return in respect of the By-election in the Electoral District of Smithfield held on 23 June 1990.

Report and Determination on the remuneration of the Chairman of the Council of Auctioneers and Agents, pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 5 September 1990.

Public Authorities (Financial Arrangements) Act 1987—Public Authorities (Financial Arrangements) General Regulation 1990—clauses 1 to 3. (Gazette 115/1990.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 October 1990

(2) Mr Dowd laid upon the Table—

Report of the State Drug Crime Commission of New South Wales for year ended 30 June 1990.

Drug Trafficking (Civil Proceedings) Act 1990—Drug Trafficking (Civil Proceedings) Regulation 1990—clauses 1 to 7. (Gazette 97/1990.)

Firearms Act 1989—Firearms Regulation 1990—amendment of schedule 5. (Gazette 113/1990.)

Prohibited Weapons Act 1989—Prohibited Weapons Regulation 1990—amendment of schedule 1. (Gazette 113/1990.)

Referred to the Printing Committee.

(3) Mr Baird laid upon the Table—

Commercial Vessels Act 1979—

(a) Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986—substituted schedule 3. (Gazette 81/1989.)

(b) Commercial Vessels (Permits) Regulation 1986—amendment of schedule 3. (Gazette 81/1989.)

Maritime Services Act 1935—

(a) Management of Waters and Waterside Lands Regulations—N.S.W.—amendment of regulations 4, 35, 36, 37, 43A, 49, 119, substituted regulation 105. (Gazette 81/1989.)

(b) Water Traffic Regulations—N.S.W.—regulation 5A, amendment of regulations 2, 8, 11, 16. (Gazette 81/1989.)

Sydney Harbour Trust Act:1900 and Maritime Services Act 1935—Port of Sydney Regulations—amendment of regulations 74A, 75A. (Gazette 97/1989.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of schedule F. (Gazette 35/1990.)

Transport Administration Act 1988—

(a) Notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes, at—

Blackheath. (Gazette 104/1990.)
South Kyogle. (Gazette 111/1990.)

(b) Transport Administration (Dangerous Goods—S.R.A.) Regulation 1989—
clauses 1 to 5. (Gazette 14/1990.)

(c) Transport Administration (Penalty Notices) Regulation 1989—
amendment of clause 4. (Gazette 14/1990.)

Transport Licensing Act 1931—Transport Licensing Regulations 1931—
regulations 11, 56A, 58, 100A, amendment of regulations 33, 57, 88A, 99, 100,
101, 108, substituted regulation 76, omission of regulations 61, 103. (Gazette
35/1990.)

Referred to the Printing Committee.

(4) Mr Peacocke laid upon the Table—

Commercial Tribunal Act 1984—Commercial Tribunal Rules 1989—
amendment of rule 3. (Gazette 54/1990.)

Motor Dealers Act 1974—Motor Dealers Regulation 1986—amendment of
schedule 1. (Gazette 93/1990.)

Registration of Interests in Goods Act 1986—Registration of Interests in
Goods Regulation 1986—amendment of clause 5. (Gazette 113/1990.)

Referred to the Printing Committee.

6 PAPER

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 September 1990.

(b) Ordinary Returns as at 30 June 1990.

Ordered to be printed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 October 1990

7 INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker, pursuant to section 78 (1) of the Independent Commission Against Corruption Act 1988, announced receipt of the Report of the Independent Commission Against Corruption on investigation into dealings between Homfray Carpets and the Department of Housing, dated September 1990, made public pursuant to section 78 (3) of the Act on 3 October 1990.

8 MINISTERIAL STATEMENT—WOOL INDUSTRY

Mr Armstrong made a ministerial statement concerning the wool industry.

9 DISTINGUISHED VISITOR

Mr Speaker drew the attention of honourable members to the presence in the gallery of the Honourable Gavan John Troy, Minister for Productivity and Labour Relations, Minister Assisting the Minister for Education with TAFE, Minister Assisting the Minister for Public Sector Management of Western Australia.

10 QUESTIONS

DISTINGUISHED VISITOR: Mr Speaker drew the attention of honourable members to the presence in the gallery of Professor Dalibor Brozovic, Vice-President of Croatia.

11 SUSPENSION OF STANDING ORDERS—CENSURE OF PREMIER

Mr Knight moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House censures the Premier for appointing John Francis Lincoln as an Electoral Districts Commissioner and calls on the Premier to rescind that appointment forthwith.

Question put.

The House divided.

Ayes 46

Mr Amery	Mr Knight	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr Lovclee	Mr Rumble
Mr A. S. Aquilina	Mr McManus	Mr Scully
Mr Arkell	Mr Markham	Mr Shedden
Mr Carr	Mr Martin	Mr Unsworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Welsh
Mr Doyle	Mr Moss	Mr Whelan
Mr Face	Mr J. H. Murray	Mr Yeadon
Miss Fraser	Mr Nagle	
Mr Gibson	Mr Newman	
Mrs Grusovin	Ms Nori	
Mr Harrison	Mr Page	Tellers
Mr Hatton	Mr Price	
Mr Hunter-	Mr Primrose	Mr Beckroge
Mr Irwin	Ms Read	Mr Christie

Noes 57

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr Booth	Mr Matheson	Mr Souris
Mr Caustey	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Turner
Mr Cochran	Mr Moore	Mr Webster
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr White
Mr Cruickshank	Mr Packard	Mr Wotton
Mr Dowd	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Park	Mr Yeomans
Mr Fahey	Mr Peacocke	Mr Zammit
Mr Giachan	Mr Petch	
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 October 1990

12 POSTPONEMENT OF BUSINESS

Order of the Day No. 1 of Business of the House postponed, on motion of Mr Moore, on behalf of and with the consent of Mr Dowd, until 6 November 1990.

13 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Wallsend, Mr Mills, be allowed to continue his speech for a further period of ten minutes.

It being 5.30 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 APPROPRIATION BILL

Resumption of the interrupted debate, on motion of Mr Greiner, That this bill be now read a second time.

Ordered, That the honourable member for the Hills, Mr Packard, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Port Stephens, Mr Martin, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Castlereagh, Mr Wotton, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Burragorang, Mr McManus, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Dubbo, Mr Peacocke, be allowed to continue his speech for a further period of ten minutes.

Mr H. F. Moore 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.

16 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.44 p.m., until tomorrow, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 38

WEDNESDAY 10 OCTOBER 1990

1 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 10 October 1990 a.m., returning the Aboriginal Land Rights (Amendment) Bill, without amendment.

2 PETITIONS

Mr Markham, Ms Moore, Mr Petch, Mr Rozzoli and Mr Turner—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Souris and Mr Yeomans—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Primrose—from certain citizens requesting the enrolment of children from Kearns for attendance at the Robert Townson High School.

Mr Anderson—from certain citizens requesting the retention of the Emu Plains Training Centre in its present form and classification.

Mr Christie—from certain citizens opposing the relocation of a waste transfer station to Powers Road, Seven Hills.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 October 1990

Mr Hunter, Mr H. F. Moore and Mr Price—from certain citizens requesting that the casualty out-patients department of Wallsend District Hospital remain open.

Mr Turner—from certain citizens requesting that there be a twelve month moratorium and a referendum prior to the ratification of the United Nations Convention on the Rights of the Child.

Mr Yeomans—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Hunter—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Price—from certain citizens opposing the relocation of the Dudley Men's Unit.

Mr Tink—from certain citizens requesting the introduction of legislation to protect the environment and reduce ocean sewerage disposal.

Mr Nagle—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Mr Nagle—from certain citizens opposing cutbacks at Lidcombe State Hospital.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Moore laid upon the Table—

Supplementary information to Question on Notice No. 1348.

(See Questions and Answers, No. 38, page 2718—11 October 1990.)

(2) Mr West laid upon the Table—

Report of the Totalizator Agency Board of New South Wales for the year ended 30 June 1990.

Auctioneers and Agents Act 1941—Auctioneers and Agents Regulations—regulation 75, amendment of schedule 2, substituted regulation 74. (Gazette 115/1990.)

Conveyancing Act 1919—Conveyancing (Sale of Land) Regulation 1988—clause 6A, part 3, schedule 2, amendment of clause 3, substituted part 2, schedule 1. (Gazette 115/1990.)

Surveyors Act 1929—Survey Practice Regulation 1990—amendment of clauses 4, 33, 42. (Gazette 113/1990.)

Valuation of Land Act 1916—Regulation No. 2—amendment of clause 5. (Gazette 109/1990.)

Referred to the Printing Committee.

5 DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the gallery of the Honourable Tony Ila, M.P., Minister for Labour and Industry and the Honourable Galeng Lang, M.P., of Papua New Guinea, and Mr Ilinome Tarua, C.B.E., Consul General in Sydney for Papua New Guinea.

6 QUESTIONS

7 LEGAL AID COMMISSION (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Legal Aid Commission Act 1979 to make further provision with respect to the recovery of costs from persons granted legal aid and to validate certain matters; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 future day.

8 LOTTERIES AND ART UNIONS (AMENDMENT) BILL

Mr Causley 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 legalise the conduct of certain sweepstakes on designated occasions 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 Nagle) and the resumption of the adjourned debate made an Order of the Day for a future day.

9 ADOPTION INFORMATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

10 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

11 ADOPTION INFORMATION BILL

Resumption of the interrupted debate, on motion of Mr Webster, That this bill be now read a second time.

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 Booth, Temporary Chairman, reported the Adoption Information Bill with amendments.

Report adopted.

And the Acting Speaker, having consented to the third reading being taken forthwith.

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

12 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Disorder: By direction of Mr Tink, Acting Speaker, the honourable member for Peats, Mr Doyle, was removed from the Chamber by the Serjeant-at-Arms.

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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 October 1990

13 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.51 p.m., until tomorrow, at 10.30 a.m.

Authorised by the Parliament of New South Wales



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 39

THURSDAY 11 OCTOBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Andrews, Mr Davoren, Mr Dowd, Mr Hartcher, Mr Markham, Mr Martin, Ms Moore and Mr Page—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Hatton—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Mills and Mr H. F. Moore—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Davoren—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 October 1990

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Mr Christie—from certain citizens opposing the relocation of a waste transfer station to Powers Road, Seven Hills.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Davoren—from certain citizens requesting ramp access and 24-hour toilet facilities at Lakemba Railway Station.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Hunter—from certain citizens requesting the reintroduction of capital punishment.

Mr Hatton—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Hunter, Mr Mills and Mr Whelan—from certain citizens requesting increased community services for the intellectually disabled.

Mr Doyle—from certain citizens requesting the establishment of a 24-hour police station at Ettalong or Umina.

Mr Unsworth—from certain citizens opposing certain RTA traffic proposals for Rockdale and Banksia.

Mr Smiles—from certain citizens requesting the prevention of sewage pollution of coastal waters.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Director of Equal Opportunity in Public Employment for the year ended 30 June 1990.

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes, at—

Bookham. (Gazette 120/1990.)
Chifley. (Gazette 109/1990.)
Collector. (Gazette 109/1990.)
Emu Plains. (Gazette 113/1990.)
Harris Park. (Gazette 120/1990.)
Manly. (Gazette 109/1990.)
Numeralla. (Gazette 113/1990.)
Smithfield. (Gazette 113/1990.)
Uralba. (Gazette 109/1990.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 31, 53I, schedule F, substituted regulation 7A. (Gazettes 115/1990, 120/1990 (3).)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS—CITYRAIL RESIGNALLING

Mr Langton moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Minister for Transport for delays and massive underspending on the crucial CityRail resignalling project.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 October 1990

Question put.

The House divided.

Ayes 41

Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Carr	Mr Martin	Mr Shedden
Mr Cleary	Mr Mills	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Walsh
Mr Doyle	Mr Moss	Mr Whelan
Mr Face	Mr J. H. Murray	Mr Yeadon
Mr Gibson	Mr Nagle	
Mrs Grusovin	Mr Newman	
Mr Harrison	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

Noes 63

Mr Andrews	Mr Hay	Mr Roberts
Mr Arkell	Mr Jeffery	Mr Schipp
Mr Armstrong	Mr Keegan	Mr Schultz
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr Booth	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Turner
Mr Cochran	Mr Moore	Mr Webster
Mrs Cohen	Ms Moore	Mr Welsh
Mr Cruickshank	Mr Morris	Mr West
Mr Dowd	Mr Murray	Mr White
Mr Downy	Mr Packard	Mr Wotton
Mr Fahey	Mr D. L. Page	Mr Yabsley
Miss Fraser	Mr Park	Mr Yeomans
Mr Glachan	Mr Peacocke	Mr Zammit
Mr Graham	Mr Petch	
Mr Greiner	Mr Photios	Tellers
Mr Griffiths	Mr Pickard	
Mr Hartcher	Ms Read	Mr Beck
Mr Hatton	Mr Rixon	Mr Phillips

And so it passed in the negative.

7 SUSPENSION OF STANDING ORDERS—FINANCIAL STATUS OF VICTORIA

Mr Longley moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the notice of motion, given by him this day for tomorrow, namely:

That this House expresses its grave concern at the financial status of Victoria and calls on the Federal Government to ensure:

- (1) That Loan Council guidelines are adhered to.
- (2) That the people of New South Wales and other states are not penalised as a result of the financial mismanagement of Victoria.

Question put and passed.

Mr Longley moved, That this House expresses its grave concern at the financial status of Victoria and calls on the Federal Government to ensure:

- (1) That Loan Council guidelines are adhered to.
- (2) That the people of New South Wales and other states are not penalised as a result of the financial mismanagement of Victoria.

Debate ensued.

Question put and passed.

**8 PAY-ROLL TAX (AMENDMENT) BILL
STAMP DUTIES (FURTHER AMENDMENT) BILL**

Mr Baird, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the Pay-roll Tax Act 1971 to make further provision with respect to the assessment and collection of pay-roll tax.
- (ii) A bill for an Act to amend the Stamp Duties Act 1920 to abolish stamp duty on cheques, to increase financial institutions duty and to make further provision concerning the First Home Purchase Scheme.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 October 1990

Bills presented and read a first time.

Mr Baird moved, That these bills be now read a second time.

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

9 LOCAL GOVERNMENT (PUBLIC INQUIRIES) AMENDMENT BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Local Government Act 1919 to require the holding of a public inquiry before the offices of all members of a council may be declared under section 86 of that Act.

Question put and passed.

Bill presented and read a first time.

Mr Hay moved, That this bill be now read a second time.

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

It being 2.15 p.m., General Business proceeded with.

10 NEW SOUTH WALES ECONOMY

Mr D. L. Page moved, pursuant to notice, That this House notes with concern the continuing disastrous impact of the policies of the Federal Government on the economy of New South Wales, especially the rural sector, and calls on the Federal Government to act immediately to:

(1) Reduce interest rates; and

(2) Adjust the exchange rate of the Australian dollar in order to make Australia's vital export industries more competitive on international markets.

Debate ensued.

And Mr D. L. Page speaking in reply—

Mr Beckroge moved, That the honourable member for Ballina, Mr D. L. Page, be not further heard.

Question put.

The House divided.

Ayes 31

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Cleary
Mr Hunter
Mr Irwin
Mr Knight
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham

Mr Martin
Mr Mills
Mr H. P. Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Mr Page
Mr Price
Mr Primrose
Dr Refshauge
Mr Rogan

Mr Scully
Mr Shedden
Mr Unsworth
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Noes 60

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Miss Fraser
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hatton
Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Ms Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Ms Read

Mr Rixon
Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 October 1990

It being 4.15 p.m., debate interrupted.

Motion lapsed.

11 VACANT SEAT—ELECTORAL DISTRICT OF MACQUARIE FIELDS

Mr Speaker informed the House that on 11 October 1990, he had received a letter from Stanley Alfred James Knowles, resigning his seat as member for the electoral district of Macquarie Fields.

Ordered, on motion of Mr Greiner, That the seat of Stanley Alfred James Knowles, member for the electoral district of Macquarie Fields, has become and is now vacant, by reason of the resignation therefrom by the said Stanley Alfred James Knowles.

12 PRINTING COMMITTEE

Mr Small brought up Report No. 12 of the Printing Committee.

13 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.25 p.m., until Tuesday, 16 October 1990, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 40

TUESDAY 16 OCTOBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Carr, Mr Markham and Mr Martin—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Chappell, Mr Peacocke and Mr Petch—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr H. F. Moore—from certain citizens requesting that the casualty out-patients department of Wallsend District Hospital remain open.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Peacocke—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Yeomans—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Nagle—from certain citizens opposing cutbacks at Lidcombe State Hospital.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 October 1990

Mr Anderson—from certain citizens requesting the retention of the Emu Plains Training Centre in its present form and classification.

Mr Carr—from certain citizens requesting the retention of Strickland House and grounds in the ownership of the people.

Mr Carr—from certain citizens requesting the highest priority for work on the North-South Motorway at Heathcote.

Mr Carr—from certain citizens requesting that Prince Henry Hospital not be closed or relocated.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Armstrong—from certain citizens requesting the service of renewal of driving licences and vehicle registrations at certain country postal agencies be maintained.

2 NOTICES OF MOTIONS

3 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that during the absence of the Honourable David Aberdeen Hay, Minister for Local Government and Minister for Planning, he would be answering questions on behalf of the Minister.

4 PAPERS

(1) Mr Greiner laid upon the Table—

Ombudsman Act 1974—Special Report of the Ombudsman under section 31, concerning the appointment of an Assistant Ombudsman, dated 2 October 1990.

Stamp Duties Act 1920—Stamp Duties Regulations 1934—amendment of regulation 68A. (Gazette 106/1990.)

State Owned Corporations Act 1989—NSW Grain Corporation Holdings Limited—

(a) approval of acquisition by NSW Grain Corporation Holdings Limited of all the shares held by or on behalf of eligible Ministers in NSW Grain Corporation Limited, pursuant to section 18 of the Act.

(b) notice for the purposes of section 19 (7) of the Act.

(c) changes to the memorandum and articles of association of NSW Grain Corporation Limited.

(d) articles of association of NSW Grain Corporation Holdings Limited.

(e) memorandum of association of NSW Grain Corporation Limited.

State Owned Corporations Act 1989—State Bank of New South Wales Limited—copy of the written approval given by the voting shareholders of the State Bank of New South Wales Limited, pursuant to section 26 of the Act, concerning the acquisition by the Bank of a subsidiary in the Act, to be known as Splendid Pty Limited, and the appointment of Bank officers nominated by the Managing Director as directors of that subsidiary.

Referred to the Printing Committee.

(2) Mr Peacocke laid upon the Table—

Report of the Department of Business and Consumer Affairs for the year ended 30 June 1990.

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Gas Act 1986—Gas and Electricity (Gas) Regulations 1936—amendment of regulations 1, 13A, 13B, 13C, 13D, 13E, 13F, 14, 17, 19A, 19B, 20, 24, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38, 40, 41, 42, 43, 44, 45, 49, schedules 1, 3, substituted part 2, omission of regulations 46, 47, schedule 2. (Gazette 115/1990.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 October 1990

(4) Mr Causley laid upon the Table—

Irrigation Act 1912—

(a) Coleambally (Supply of Water for Irrigation) Regulations—amendment of regulation 20. (Gazette 59/1989.)

(b) Tullakool (Supply of Water) Regulations—amendment of regulation 19. (Gazette 59/1989.)

(c) Yanco and Mirrool (Supply of Water for Irrigation) Regulations—amendment of regulation 20. (Gazette 59/1989.)

Wentworth Irrigation Act 1890—Wentworth Irrigation Regulations 1926—amendment of regulation 36, schedule A. (Gazette 109/1989.)

Referred to the Printing Committee.

5 QUESTIONS

Paper: Mr Pickard laid upon the Table—

Report of an Investigation into Ethanol and Alternative Transport Fuels in New South Wales, dated August 1990.

Referred to the Printing Committee.

6 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message from His Excellency the Governor dated 11 October 1990, assenting to the Aboriginal Land Rights (Amendment) Bill.

7 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Goulburn, Mr Webster, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Waverley, Mr Page, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for North Shore, Ms Read, be allowed to continue her speech for a further period of ten minutes.

Ordered, That the honourable member for Drummoyne, Mr J. H. Murray, be allowed to continue his speech for a further period of ten minutes.

Mr Photios 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.

It being 5.30 p.m., private members' statements proceeded with.

8 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

9 LOTTERIES AND ART UNIONS (AMENDMENT) BILL

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 October 1990

And the question being again proposed—

The House resumed the said adjourned debate.

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.

10 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Broken Hill, Mr Beckroge, be allowed to continue his speech for a further period of ten minutes.

Mr Tink 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.

11 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Tink, Acting Speaker, reported a message from the Legislative Council dated 16 October 1990, returning the Liquor (Further Amendment) Bill, without amendment.

12 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.02 p.m., until tomorrow, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 40

TUESDAY 16 OCTOBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Carr, Mr Markham and Mr Martin—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Chappell, Mr Peacocke and Mr Petch—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr H. F. Moore—from certain citizens requesting that the casualty out-patients department of Wallsend District Hospital remain open.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Peacocke—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Yeomans—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Nagle—from certain citizens opposing cutbacks at Lidcombe State Hospital.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 October 1990

Mr Anderson—from certain citizens requesting the retention of the Emu Plains Training Centre in its present form and classification.

Mr Carr—from certain citizens requesting the retention of Strickland House and grounds in the ownership of the people.

Mr Carr—from certain citizens requesting the highest priority for work on the North-South Motorway at Heathcote.

Mr Carr—from certain citizens requesting that Prince Henry Hospital not be closed or relocated.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Armstrong—from certain citizens requesting the service of renewal of driving licences and vehicle registrations at certain country postal agencies be maintained.

2 NOTICES OF MOTIONS

3 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that during the absence of the Honourable David Aberdeen Hay, Minister for Local Government and Minister for Planning, he would be answering questions on behalf of the Minister.

4 PAPERS

(1) Mr Greiner laid upon the Table—

Ombudsman Act 1974—Special Report of the Ombudsman under section 31, concerning the appointment of an Assistant Ombudsman, dated 2 October 1990.

Stamp Duties Act 1920—Stamp Duties Regulations 1934—amendment of regulation 68A. (Gazette 106/1990.)

State Owned Corporations Act 1989—NSW Grain Corporation Holdings Limited—

(a) approval of acquisition by NSW Grain Corporation Holdings Limited of all the shares held by or on behalf of eligible Ministers in NSW Grain Corporation Limited, pursuant to section 18 of the Act.

(b) notice for the purposes of section 19 (7) of the Act.

(c) changes to the memorandum and articles of association of NSW Grain Corporation Limited.

(d) articles of association of NSW Grain Corporation Holdings Limited.

(e) memorandum of association of NSW Grain Corporation Limited.

State Owned Corporations Act 1989—State Bank of New South Wales Limited—copy of the written approval given by the voting shareholders of the State Bank of New South Wales Limited, pursuant to section 26 of the Act, concerning the acquisition by the Bank of a subsidiary in the Act, to be known as Splendid Pty Limited, and the appointment of Bank officers nominated by the Managing Director as directors of that subsidiary.

Referred to the Printing Committee.

(2) Mr Peacocke laid upon the Table—

Report of the Department of Business and Consumer Affairs for the year ended 30 June 1990.

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Gas Act 1986—Gas and Electricity (Gas) Regulations 1936—amendment of regulations 1, 13A, 13B, 13C, 13D, 13E, 13F, 14, 17, 19A, 19B, 20, 24, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38, 40, 41, 42, 43, 44, 45, 49, schedules 1, 3, substituted part 2, omission of regulations 46, 47, schedule 2. (Gazette 115/1990.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 October 1990

(4) Mr Causley laid upon the Table—

Irrigation Act 1912—

(a) Coleambally (Supply of Water for Irrigation) Regulations—amendment of regulation 20. (Gazette 59/1989.)

(b) Tullakool (Supply of Water) Regulations—amendment of regulation 19. (Gazette 59/1989.)

(c) Yanco and Mirrool (Supply of Water for Irrigation) Regulations—amendment of regulation 20. (Gazette 59/1989.)

Wentworth Irrigation Act 1890—Wentworth Irrigation Regulations 1926—amendment of regulation 36, schedule A. (Gazette 109/1989.)

Referred to the Printing Committee.

5 QUESTIONS

Paper: Mr Pickard laid upon the Table—

Report of an Investigation into Ethanol and Alternative Transport Fuels in New South Wales, dated August 1990.

Referred to the Printing Committee.

6 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message from His Excellency the Governor dated 11 October 1990, assenting to the Aboriginal Land Rights (Amendment) Bill.

7 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Goulburn, Mr Webster, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Waverley, Mr Page, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for North Shore, Ms Read, be allowed to continue her speech for a further period of ten minutes.

Ordered, That the honourable member for Drummoyne, Mr J. H. Murray, be allowed to continue his speech for a further period of ten minutes.

Mr Photios 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.

It being 5.30 p.m., private members' statements proceeded with.

8 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

9 LOTTERIES AND ART UNIONS (AMENDMENT) BILL

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 October 1990

And the question being again proposed—

The House resumed the said adjourned debate.

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.

10 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Broken Hill, Mr Beckroge, be allowed to continue his speech for a further period of ten minutes.

Mr Tink 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.

11 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Tink, Acting Speaker, reported a message from the Legislative Council dated 16 October 1990, returning the Liquor (Further Amendment) Bill, without amendment.

12 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.02 p.m., until tomorrow, at 2.15 p.m.

Authorised by the Parliament of New South Wales



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 41

WEDNESDAY 17 OCTOBER 1990

- 1 DEATH OF BLAKE RAYMOND PELLY, O.B.E., M.A.(CANTAB.), A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Speaker informed the House of the death of Blake Raymond Pelly, O.B.E., M.A.(Cantab.), a former member of the Legislative Assembly and that, on behalf of the House, he had extended to Mrs Pelly and family the deep sympathy of the members of the Legislative Assembly in the loss sustained.

Members and Officers of the House stood as a mark of respect.

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Gibson, Mr Markham, Mr Page and Mr Smith—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Gibson—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr H. F. Moore—from certain citizens requesting that the casualty out-patients department of Wallsend District Hospital remain open.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 October 1990

Mr Gibson—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Armstrong—from certain citizens requesting the service of renewal of driving licences and vehicle registrations at certain country postal agencies be maintained.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

Mr Mills—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Park—from certain citizens requesting mandatory deposits on beverage containers.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

3 PAPERS

(1) Mr Moore laid upon the Table—

Report of the Lord Howe Island Board for the year ended 30 June 1989.

Hunter Water Board Act 1988—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for sewerage purposes, at Salamander Bay. (Gazette 115/1990.)

Referred to the Printing Committee.

(2) Mr West laid upon the Table—

Forestry Act 1916—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for forestry purposes, at Kew State Forest. (Gazette 115/1990.)

Referred to the Printing Committee.

(3) Mr Hay laid upon the Table—

Local Government Act 1919—amendment of ordinance 30. (Gazette 125/1990.)

Referred to the Printing Committee.

4 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that during the absence of the Honourable Ian Morton Armstrong, Minister for Agriculture and Rural Affairs, the Honourable Wallace Telford John Murray, Deputy Premier, Minister for Public Works and Minister for Roads, would be answering questions on behalf of the Minister.

5 QUESTIONS

6 QUESTIONS ON NOTICE—STANLEY ALFRED JAMES KNOWLES

Mr Speaker informed the House that he intended to order the questions upon notice standing in the name of the former member for Macquarie Fields, Stanley Alfred James Knowles, resigned, to be struck from the Questions and Answers Paper, unless the House should direct otherwise. Accordingly, any honourable member might then give notice of any of these questions on notice.

There being no objection, Mr Speaker ordered that the questions upon notice standing in the name of the former member for Macquarie Fields, Stanley Alfred James Knowles, resigned, be struck from the Questions and Answers Paper.

7 NATIONAL PARKS AND WILDLIFE (MINING PROHIBITION) AMENDMENT BILL

Mr Moore 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 in connection with prospecting and mining in national parks and certain other lands reserved or dedicated under that Act.

Question put and passed.

Bill presented and read a first time.

Mr Moore moved, That this bill be now read a second time.

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

8 OCCUPATIONAL HEALTH AND SAFETY LEGISLATION
(AMENDMENT) BILL
WORKERS COMPENSATION (AMENDMENT) BILL

Mr Moore, on behalf of Mr Fahey, moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the Occupational Health and Safety Act 1983 and associated occupational health and safety legislation to increase penalties, and for other purposes.
- (ii) A bill for an Act to amend the Workers Compensation Act 1987 in relation to the rehabilitation of injured workers, retrospective common law claims and workers compensation insurers, 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 Whelan) and the resumption of the adjourned debate made an Order of the Day for a future day.

9 NEW SOUTH WALES LOTTERIES BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to constitute New South Wales Lotteries and to define its functions; and to repeal the State Lotteries Act 1930.

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 adjourned debate made an Order of the Day for a future day.

10 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 17 October 1990, returning the Lotteries and Art Unions (Amendment) Bill, without amendment.

11 COPTIC ORTHODOX CHURCH (N.S.W.) PROPERTY TRUST BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

12 LEGAL AID COMMISSION (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 October 1990

13 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Eastwood, Mr Tink, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Riverstone, Mr Amery, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Carlingford, Mr Merton, be allowed to continue his speech for a further period of ten minutes.

It being 5.30 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 APPROPRIATION BILL

Resumption of the interrupted debate, on motion of Mr Greiner, That this bill be now read a second time.

Ordered, That the honourable member for East Hills, Mr Rogan, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Manning, Miss Machin, be allowed to continue her speech for a further period of ten minutes.

Ordered, That the honourable member for Keira, Mr Markham, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Kiama, Mr Harrison, be allowed to continue his speech for a further period of ten 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 tomorrow.

16 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.31 p.m., until tomorrow, at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 42

THURSDAY 18 OCTOBER 1990

1 SPEAKER'S STATEMENT—TELEVISION OF PROCEEDINGS

Mr Speaker informed the House that for a short period during question time television cameras would be in the public gallery for the purpose of filming the presence of Master John Little, a beneficiary of the Starlight Foundation.

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr H. F. Moore—from certain citizens requesting that the casualty out-patients department of Wallsend District Hospital remain open.

Mr Face and Mr Hunter—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Nagle, Mr Shedden and Mr Yeadon—from certain citizens opposing cutbacks at Lidcombe State Hospital.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 October 1990

Ms Nori—from certain citizens opposing the siting of a helipad at Pymont.

Mr Yeadon—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Mr Martin—from certain citizens requesting a public inquiry into sandmining and mineral sands processing on the North Coast.

3 PAPERS

(1) Mr Greiner laid upon the Table—

Annual Reports (Departments) Act 1985—Annual Reports (Departments) Regulation 1986—amendment of clause 3. (Gazettes 111/1990, 118/1990.)

Annual Reports (Statutory Bodies) Act 1984—Annual Reports (Statutory Bodies) Regulation 1985—amendment of clauses 2A, 4. (Gazettes 74/1990, 111/1990, 118/1990.)

Public Finance and Audit Act 1983—

(a) Public Finance and Audit Regulation 1984—amendment of clause 3, substituted clause 5. (Gazettes 76/1990, 101/1990, 111/1990.)

(b) Public Finance and Audit (Departments) Regulation 1986—amendment of clause 3. (Gazette 111/1990.)

(c) Public Finance and Audit (Statutory Bodies) Regulation 1985—amendment of clause 4. (Gazette 111/1990.)

Referred to the Printing Committee.

(2) Mr West laid upon the Table—

Greyhound Racing Control Board Act 1985—Greyhound Racing Control Board Rules 1983—amendment of schedule 1. (Gazette 115/1990.)

Totalizator Act 1916—

(a) Superfecta Totalizator Regulation 1986—amendment of clause 7.
(Gazette 113/1990.)

(b) Superfecta Totalizator Rule 1986—clause 3A, amendment of clause 2, 4,
14 to 19. (Gazette 113/1990.)

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

Report of the Australian College of Physical Education for the year ended 30
June 1990.

Report of the Interim School Closures Review Committee dated August 1990.

Report of the National Institute of Dramatic Art for 1989.

Report of the Sydney College of Divinity to the Office of Higher Education
New South Wales for 1989.

Report of the University of Newcastle for the year ended 30 June 1988.

Bread Act 1969—Repeal of Bread (Hours of Work) Regulation 1986.
(Gazette 62/1989.)

Construction Safety Act 1912—Construction Safety Regulations 1950—
amendment of regulations 122, 157F, 157J, 157Q, schedule 2. (Gazette
82/1990.)

Dangerous Goods Act 1975—Dangerous Goods Regulation 1978—
amendment of clause 21. (Gazette 82/1990.)

Entertainment Industry Act 1989—Entertainment Industry Regulation 1990—
clauses 1 to 6. (Gazette 65/1990.)

Factories, Shops and Industries Act 1962—

(a) Boiler and Pressure Vessel Regulations—omission of regulation 87.
(Gazette 82/1990.)

(b) Factories (Health and Safety) General Regulations 1913—omission of
regulation 42. (Gazette 82/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 October 1990

- (c) Factories (Health and Safety - Hearing Conservation) Regulation 1979—amendment of clause 9. (Gazette 82/1990.)
- (d) Factories (Health and Safety - Spray Painting) Regulation 1977—amendment of clause 21. (Gazette 82/1990.)
- (e) Lead Regulations—amendment of regulation 14. (Gazette 82/1990.)
- (f) Luminous Radioactive Substances Regulations—amendment of regulation 20. (Gazette 82/1990.)
- (g) Rural Industries (Notification of Accidents) Regulations—repeal of the regulations. (Gazette 82/1990.)
- (h) Shops (Registration and Opening and Closing Hours) Regulations—amendment of schedule 2. (Gazette 85/1990.)
- (i) Timber Industry (Health and Safety) Regulation 1982—clause 10A, amendment of clauses 3, 8, 9, 10. (Gazette 159/1988.)

Industrial and Commercial Training Act 1989—Industrial and Commercial Training (Savings and Transitional) Regulation 1989—repeal of the regulation. (Gazette 44/1990.)

Industrial Arbitration Act 1940—Industrial Arbitration (General) Regulations—regulation 156E. (Gazette 102/1989.)

Occupational Health and Safety Act 1983—

- (a) Occupational Health and Safety (Confined Spaces) Regulation 1990—clauses 1 to 6. (Gazette 82/1990.)
- (b) Occupational Health and Safety (Floors, Passageways and Stairs) Regulation 1990—clauses 1 to 7. (Gazette 82/1990.)
- (c) Occupational Health and Safety (Notification of Accidents) Regulation—clauses 1 to 11. (Gazette 90/1990.)

State Authorities Superannuation Act 1987—

- (a) State Authorities Superannuation (Closed Local Government Schemes Transfer) Regulation 1990—clauses 1 to 27, schedules 1, 2. (Gazette 49/1990.)

-
- (b) State Authorities Superannuation (Government Railways Superannuation Scheme Transfer) Regulation 1990—clauses 1 to 29, schedules 1, 2. (Gazette 74/1990.)
- (c) State Authorities Superannuation (Hunter District Water Board Employees' Provident Fund Transfer) Regulation 1990—clauses 1 to 10. (Gazette 82/1990.)
- (d) State Authorities Superannuation (Transitional Provisions) Regulation 1988—amendment of clause 46, substituted part 7. (Gazette 44/1990.)
- (e) State Authorities Superannuation (Transport Officers' Gratuity Scheme Transfer) Regulation 1989—clause 10, substituted clause 9. (Gazette 44/1990.)

Superannuation Act 1916—Superannuation (Government Insurance Office Employees) Regulation 1990—clauses 1 to 5. (Gazette 82/1990.)

Superannuation Administration Act 1987—Superannuation Administration (Approved Deposit Fund) Regulation 1990—clauses 1 to 4. (Gazette 44/1990.)

Technical and Further Education Act 1974—Technical and Further Education Regulation 1975—amendment of clause 5. (Gazette 80/1990.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS—FINGER WHARF REDEVELOPMENT

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the improper conduct of the Minister for Tourism and Minister for Lands and Forests in his dealings with the developer Mr Peter Laurance over the Finger Wharf redevelopment and calls on him to admit his impropriety to the House and resign.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 October 1990

The House divided.

Ayes 44

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Irwin

Mr Knight
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Primrose

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Noes 57

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths

Mr Hartcher
Mr Hatton
Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard

Mr Rixon
Mr Roberts
Mr Schipp
Mr Schultz
Mr Small
Mr Smith
Mr Tink
Mr Turner
Mr Webster
Mr Welsh
Mr West
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

And so it passed in the negative.

6 QUESTIONS (continuation of entry No. 4)

7 MINISTERIAL STATEMENT—SWIMMING POOL CONSTRUCTOR

Mr Schipp made a ministerial statement concerning the swimming pool constructors trading as "Dip and Dive".

8 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 18 October 1990 a.m., returning the Adoption Information Bill, without amendment.

9 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Ashfield, Mr Whelan, be allowed to continue his speech for a further period of ten minutes.

Mr Speaker having previously called the attention of the honourable member for Ashfield, Mr Whelan, to restrict his comments in regard to specific matters of administrative detail that were beyond the leave of the bill, directed the member to resume his seat.

Ordered, That the honourable member for Monaro, Mr Cochran, be allowed to continue his speech for a further period of ten minutes.

Ordered, That the honourable member for Mulgoa, Mr A. S. Aquilina, be allowed to continue his speech for a further period of ten minutes.

Mr Phillips moved, That this debate be now adjourned.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 October 1990

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

It being 2.15 p.m., General Business proceeded with.

10 MOOMBA-SYDNEY GAS PIPELINE

Mr Rogan moved, pursuant to notice, That this House opposes the privatisation of the Moomba-Sydney gas pipeline.

Whereupon Mr Merton moved, That the question be amended by leaving out the word after "House" with a view to inserting the following words:

- "(1) opposes the Commonwealth Government's arbitrary and unjustified decision to increase gas haulage charges by way of two 25 per cent increases for the carriage of gas by the Pipeline Authority from Moomba to Sydney;
- (2) calls upon the Commonwealth to release all relevant background material upon which it has based its decision to raise such charges; and
- (3) calls upon the Commonwealth to defer any action to increase charges and sell the pipeline until adequate consultation with the New South Wales Government occurs."

Question proposed, That the amendment be agreed to.

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

11 PRINTING COMMITTEE

Mr Small brought up Report No. 13 of the Printing Committee.

12 ADJOURNMENT

Mr Schipp moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.16 p.m., until Tuesday, 23 October 1990, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 43

TUESDAY 23 OCTOBER 1990

1 DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the Speaker's Gallery of a Commonwealth Parliamentary Association Delegation, from the United Kingdom Branch, led by the Right Honourable Alfred Morris, Q.S.O., M.P.

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Keegan, Mr Smiles and Mr Whelan—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr H. F. Moore—from certain citizens requesting that the casualty out-patients department of Wallsend District Hospital remain open.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 October 1990

3 NOTICES OF MOTIONS

4 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that during the absence of the Honourable Robert James Webster, Minister for Family and Community Services and Minister for Administrative Services, the Honourable Ian Raymond Causley, Chief Secretary and Minister for Water Resources, would be answering questions on behalf of the Minister.

5 PAPERS

Mr Causley laid upon the Table—

Report of the Dams Safety Committee for the year ended 30 June 1990.

Report of the Upper Parramatta River Catchment Trust for the year ended 30 June 1990.

Referred to the Printing Committee.

6 QUESTIONS

7 SUSPENSION OF STANDING ORDERS—ATS RESOURCES

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Minister for Business and Consumer Affairs for his failure to launch criminal prosecutions against the directors of ATS Resources, despite repeated requests to do so by the National Companies and Securities Commission and for his failure to properly administer the statutory responsibilities of his Department.

Question put.

The House divided.

Ayes 38

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr Carr
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Hunter
Mr Irwin
Mr Knight

Mr Langton
Mr Lovelee
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Unsworth
Mr Walsh
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Noes 59

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Welsh
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Pair

Mr Whelan

Mr Webster

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 October 1990

- 8 QUESTIONS (continuation of entry No. 6)
- 9 PAY-ROLL TAX (AMENDMENT) BILL
STAMP DUTIES (FURTHER AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Greiner, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Baird, on behalf of Mr Greiner, read a third time.

10 APPROPRIATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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.

It being 5.30 p.m., consideration of the bill in Committee interrupted.

Mr Wotton, Acting Speaker, resumed the Chair and the Chairman reported progress.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 APPROPRIATION BILL

Resumption of the interrupted consideration of the bill in Committee.

Mr Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported progress and obtained leave to sit again tomorrow.

13 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 23 October 1990, returning the Agricultural Tenancies Bill, without amendment.

14 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Collins, on behalf of the Premier, gave notice of business to be dealt with on 24 October 1990 and 25 October 1990—

Appropriation Bill.

15 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.19 p.m., until tomorrow, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 44

WEDNESDAY 24 OCTOBER 1990

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

23 October 1990

Liquor (Further Amendment) Bill
Lotteries and Art Unions (Amendment) Bill.

2. PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Miss Fraser, Mr Hunter, Mr Moore, Mr Morris and Mr Smiles—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Hunter and Mr H. F. Moore—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 October 1990

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Mr Murray—from certain citizens requesting support for the closure of all brothels in New South Wales.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Murray—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Hunter and Mr Page—from certain citizens requesting increased community services for the intellectually disabled.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Stamp Duties Act 1920—Stamp Duties Regulations 1934—amendment of regulation 46. (Gazette 125/1990.)

Referred to the Printing Committee.

(2) Mr Baird laid upon the Table—

Report of the Maritime Services Board for the year ended 30 June 1990.

Passenger Transport Act 1990—Passenger Transport Regulation 1990—clause 47A, amendment of clauses 20, 21, 31A, 31B, 33, 45, 50, 52, schedule 1, omission of clause 31. (Gazette 125/1990.)

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Report of the Central West County Council for the year ended 30 June 1990.

Report of the North West County Council for the year ended 30 June 1990.

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Liquor Act 1982—Liquor Regulation 1983—clauses 37B, 37C, 57B, 57C, amendment of clauses 7, 10, 11, 12, 15A, 37, 41A, 41B, 57, 57A, 57B, omission of clauses 24, 33B, schedule 3. (Gazettes 85/1989, 35/1990 (2), 82/1990, 90/1990.)

Lotteries and Art Unions Act 1901—Lotteries and Games of Chance Regulations 1966—amendment of regulation 8. (Gazette 93/1990.)

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for the purpose of drainage and salinity works in the Lower Murray Irrigation Areas. (Gazette 120/1990.)

Registered Clubs Act 1976—Registered Clubs Regulation 1983—clauses 19A, 19B, 20N to 20Z, 20ZA to 20ZD, amendment of clauses 8, 15, 19, 27, schedule 2, substituted clause 20M, omission of clauses 24, 25. (Gazettes 35/1990, 82/1990, 85/1990, 90/1990, 120/1990.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 October 1990

5 REPORT RECEIVED BY THE CLERK

The Clerk, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the Report of the Kiwifruit Marketing Committee for the period 7 January 1988 to 31 December 1989.

Referred to the Printing Committee.

6 QUESTIONS

7 PAPERS

Mr Murray laid upon the Table—

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes, at—

Fairy Meadow. (Gazette 123/1990.)

Kiama. (Gazette 123/1990.)

Port Macquarie. (Gazette 123/1990.)

Woodburn. (Gazette 123/1990.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 2, 5, 111, 118, 137, schedules A, F. (Gazettes 111/1990, 125/1990 (3).)

Referred to the Printing Committee.

8 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported the following messages from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to restate and reform the law concerning industrial relations" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
23 October 1990

JOHN JOHNSON
President

INDUSTRIAL RELATIONS BILL

Schedule of the amendments referred to in Message of 23 October 1990.

JOHN EVANS
Clerk of the Parliaments

-
- No. 1 Page 3, clause 3. Insert after the eleventh object:
- * to encourage the organisation of representative bodies of employers and employees and their registration under this Act; and
- No. 2 Page 3, clause 4. From subclause (1), omit the definition of "Court".
- No. 3 Page 3, clause 4. From subclause (1), omit the definition of "employee", insert instead:
- "employee"** means a person employed in any industry, whether on salary or wages or piece-work rates, or as a member of a butty-gang, and includes an apprentice and a trainee, and any person who is, pursuant to any provision of this Act, taken to be an employee for the purposes of this Act, but does not include a member of a family employed by a parent. The fact that a person is working under a contract for labour only, or substantially for labour only, or as lessee of any tools or other implements of production, or as an outworker, or is working as a salesman, canvasser, collector, commercial traveller or insurance agent or in any other capacity in which the person is paid wholly or partly by commission, does not in itself prevent the person being taken to be an employee;
- No. 4 Page 3, clause 4. From subclause (1), omit the definition of "enterprise association".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 October 1990

No. 5 Pages 4-5, clause 4. From subclause (1), omit the definition of "industrial action", insert instead:

"industrial action" means:

- (a) conduct in breach of an order or award; or
- (b) refusal to comply with reasonable and lawful directions of an employer; or
- (c) a lock-out or (without limiting the scope of that term) a closing of a place of employment, or a suspension of work, or a refusal by an employer to employ any number of employees with a view to compelling those employees, or to aid another employer to accept, a condition of employment, unless it is an action by employees that has been authorised or agreed to by their employer or is an action by an employer that has been authorised or agreed to by the relevant industrial union representing employees of the employer;

No. 6 Page 6, clause 4. In subclause (1), in alphabetical order, insert:

"new matter", in relation to an award or agreement, means an industrial matter:

- (a) that was not determined by the award or agreement; or
- (b) that the Full Commission considers to be of such significance and urgency that it would be contrary to the public interest for the matter not to be dealt with by a variation of the award or agreement or by conciliation or arbitration; or
- (c) that the Full Commission considers to be associated with special and isolated circumstances; or
- (d) that was not the subject of conciliation or arbitration by the Commission in connection with the making of the award or agreement;

No. 7 Page 6, clause 4. In subclause (1), from the definition of "State employee organisation", omit "or enterprise association".

No. 8 Page 8, clause 9. Omit subclause 9 (1), insert instead:

(1) Nothing in this Act in any way alters any provisions of the Public Sector Management Act 1988 or of any regulations under that Act:

(a) prescribing or authorising a person to prescribe the passing of an examination or other test as a necessary condition for promotion of an officer or employee, not being an apprentice, to a higher class, grade or division; or

(b) providing that payment of increments of salary to an officer, not being an apprentice, as distinguished from adjustments of basic wages, is to be subject to the giving of a certificate by a person that the conduct of the officer and the discharge of the officer's duties warrant an increase of salary.

(2) In the event of the person refusing to give such a certificate, the officer is to be supplied with a written statement showing the reason why the certificate was refused.

No. 9 Page 13, clause 17. Omit subclause (8).

No. 10 Page 14, clause 17. From subclause (9), omit "(9) Except as provided by subsection (8), this", insert instead "(8) This".

No. 11 Page 16, clause 24. From subclause (1), omit "27 degrees Celsius", insert instead "26.75 degrees Celsius Wet Bulb".

No. 12 Page 16, clause 25. In subclause (2), after "agreement", insert "ordinary".

No. 13 Page 19, clause 30. Omit "or enterprise".

No. 14 Page 21, clause 36. After "allowed" in paragraph (b), insert "if so provided for by an agreement or award".

No. 15 Page 21, clause 37. Omit subclause (2).

No. 16 Page 21, clause 37. Insert after subclause (1):

(2) Nothing in this Part provides a defence to an employer or exempts any person from any liability in any action or other proceedings brought against the employer by any person, whether an employee or not, for the recovery of compensation for injuries or recovery of wages or for any other purposes.

No. 17 Page 21, clause 38. After clause 37, insert:

Overtime rates

38. Rates of pay for hours worked as overtime or in excess of ordinary working hours in any industry in respect of which overtime or work in excess of ordinary working hours is not prohibited by or under this Part must not be fixed by an award or agreement at less than the rates which were paid in the industry immediately before the commencement of the Industrial Arbitration (Forty Hours Week) Amendment Act 1947 either under award or agreement or by well-established practice in the industry.

No. 18 Pages 21-28, Division 4 of Part 2 (clauses 38-56). Omit the Division, insert instead:

Division 4—Parental leave

Subdivision 1—Operation of Division 4

Operation of Division 4

38. (1) Subject only to the provisions of this Division, employees are entitled to maternity, paternity and adoption leave and to work part-time in connection with the birth or adoption of a child.

(2) The provision by this Division of a penalty for the contravention of a provision of this Division does not operate to prejudice or affect any right or remedy in respect of such a contravention that an employee would have if such a penalty were not so provided.

Employer to inform employee¹ of requirements

39. (1) On becoming aware that an employee is pregnant, the employee's employer must inform the employee of:

(a) her entitlements under Subdivision 2; and

(b) her responsibility to notify the employer of those matters in respect of which Subdivision 2 requires the employee to notify the employer.

(2) On becoming aware that an employee's spouse is pregnant, the employee's employer must inform the employee of:

- (a) his entitlements under Subdivision 3; and
- (b) his responsibility to notify the employer of those matters in respect of which Subdivision 3 requires the employee to notify the employer.

(3) On becoming aware that a child has been placed with an employee for adoption purposes, the employee's employer must inform the employee of:

- (a) his or her entitlements under Subdivision 4; and
- (b) his or her responsibility to notify the employer of those matters in respect of which Subdivision 4 requires the employee to notify the employer.

(4) An employer is not entitled to rely on an employee's failure to produce a certificate or give a notice as required by this Division unless the employer establishes that this section has been complied with in relation to the employee.

Subdivision 2—Maternity leave

Nature of leave

40. Maternity leave is unpaid leave.

Definitions

41. For the purposes of this Subdivision:

"child" means a child of the employee under the age of one year;

"continuous service" means service under an unbroken contract of employment and includes:

- (a) any period of leave taken in accordance with this Subdivision; and

(b) any period of leave or absence authorised by the employer or by an award or agreement;

"employee" includes a part-time employee but does not include an employee engaged in casual or seasonal work;

"paternity leave" means leave of the type provided for by Subdivision 3, whether prescribed by an award or otherwise;

"spouse" includes a de facto spouse.

Eligibility for maternity leave

42. (1) An employee who becomes pregnant, on production to her employer of the certificate required by section 44, is entitled to a period of up to 52 weeks' maternity leave, provided that such leave does not extend beyond the child's first birthday. This entitlement is to be reduced by any period of paternity leave taken by the employee's spouse and, apart from paternity leave of up to one week at the time of confinement, is not to be taken concurrently with paternity leave.

(2) Subject to sections 46 and 49, the period of maternity leave is to be unbroken and must, immediately following confinement, include a period of 6 weeks compulsory leave.

(3) An employee must have had at least 12 months' continuous service with the employee's employer immediately preceding the date on which she commences such leave.

Certification

43. (1) When applying for maternity leave, an employee must produce to her employer a certificate from a registered medical practitioner stating that she is pregnant and the expected date of confinement.

(2) An employee must also produce to her employer a statutory declaration stating particulars of any period of paternity leave sought or taken by her spouse and that, for the period of maternity leave, she will not engage in any conduct inconsistent with her contract of employment.

Notice requirements

44. (1) An employee must, not less than 10 weeks before the presumed date of confinement, give notice in writing to her employer stating the presumed date of confinement.

(2) An employee must give not less than 4 weeks notice in writing to her employer of the date on which she proposes to commence maternity leave stating the period of leave to be taken.

(3) An employer, by not less than 14 days notice in writing to the employee, may require her to commence maternity leave at any time within the 6 weeks immediately prior to her presumed date of confinement.

(4) An employee is not in breach of this section as a consequence of failure to give the stipulated period of notice in accordance with subsection (2) if such failure is occasioned by the confinement occurring earlier than the presumed date.

Transfer to a safe job

45. (1) If, in the opinion of a registered medical practitioner, illness or risks arising out of the pregnancy or hazards connected with the work assigned to the employee make it inadvisable for the employee to continue at her present work, the employee must, if the employer deems it practicable, be transferred to a safe job at the rate and on the conditions attaching to that job until the commencement of maternity leave.

(2) If the transfer to a safe job is not practicable, the employee may, or the employer may require the employee to, take leave for such period as is certified necessary by a registered medical practitioner. Such leave shall be treated as maternity leave for the purposes of sections 50-54.

(3) An employer who does not comply with any obligation imposed on the employer by this section is guilty of an offence.

Maximum penalty (subsection (3)): 20 penalty units.

Variation of period of maternity leave

46. (1) Provided the maximum period of maternity leave does not exceed the period to which an employee is entitled under section 43:

(a) the period of maternity leave may be lengthened once only by the employee giving not less than 14 days' notice in writing stating the period by which the leave is to be lengthened; and

(b) the period may be further lengthened by agreement between the employer and the employee.

(2) The period of maternity leave may, with the consent of her employer, be shortened by the employee giving not less than 14 days' notice in writing stating the period by which the leave is to be shortened.

Cancellation of maternity leave

47. (1) Maternity leave, applied for but not commenced, is cancelled when the pregnancy of an employee terminates otherwise than by the birth of a living child.

(2) If the pregnancy of an employee then on maternity leave terminates otherwise than by the birth of a living child, it is the right of the employee to resume work at a time nominated by her employer which must not exceed 4 weeks from the date of notice in writing by the employee to the employer that she desires to resume work.

Special maternity leave and sick leave

48. (1) If the pregnancy of an employee not then on maternity leave terminates after 28 weeks otherwise than by the birth of a living child, then:

(a) she is entitled to such period of unpaid leave (to be known as special maternity leave) as a registered medical practitioner certifies to be necessary before her return to work; or

(b) for illness other than the normal consequences of confinement she is to be entitled, either instead of or in addition to special maternity leave, to such paid sick leave as she is then entitled to and as a registered medical practitioner certifies to be necessary before her return to work.

(2) If an employee not then on maternity leave suffers illness related to her pregnancy, she may take such paid sick leave as she is then entitled to and such further unpaid leave (to be known as special maternity leave) as a registered practitioner certifies to be necessary before her return to work, provided that the aggregate of paid sick leave, special maternity leave and maternity leave does not exceed the period to which the employee is entitled under section 43.

(3) For the purposes of sections 50-54, maternity leave includes special maternity leave.

(4) An employee returning to work after the completion of a period of leave taken pursuant to this section is entitled to the position which she held immediately before commencing such leave or, in the case of an employee who was transferred to a safe job pursuant to section 46, to the position she held immediately before such transfer.

(5) If such position no longer exists but there are other positions available which the employee is qualified for and is capable of performing she is entitled to a position as nearly as possible comparable in status and pay as that of her former position.

(6) An employer who does not make available to an employee a position to which the employee is entitled under this section is guilty of an offence.

Maximum penalty (subsection (6)): 20 penalty units.

Maternity leave and other leave entitlements

49. (1) Provided that the aggregate of any leave, including leave taken under this Subdivision, does not exceed the period to which the employee is entitled under section 43, an employee may, instead of or in conjunction with maternity leave, take any annual leave or long service leave or any part of it to which she is entitled.

(2) Paid sick leave or other paid absences authorised by an award or agreement (excluding annual leave or long service leave) are not available to an employee during her absence on maternity leave.

Effect of maternity leave on employment

50. Subject to this Subdivision, despite any award or other provision to the contrary, absence on maternity leave does not break the continuity of service of an employee but is not to be taken into account in calculating the period of service for any purpose of any relevant award or agreement.

Termination of employment

51. (1) An employee on maternity leave may terminate her employment at any time during the period of leave by notice given in accordance with any relevant award or agreement.

(2) An employer must not terminate the employment of an employee on the ground of her pregnancy or of her absence on maternity leave, but otherwise the rights of an employer in relation to termination of employment are not affected by this Subdivision.

Maximum penalty (subsection (2)): 20 penalty units.

Return to work after maternity leave

52. (1) An employee must confirm her intention of returning to work by notice in writing to the employer given not less than 4 weeks before the expiration of her period of maternity leave.

(2) An employee, on returning to work after maternity leave or expiration of the notice required by subsection (1), is entitled:

- (a) to the position which she held immediately before commencing maternity leave; or
- (b) in the case of an employee who was transferred to a safe job pursuant to section 46, to the position which she held immediately before the transfer; or
- (c) in the case of an employee who has worked part-time during the pregnancy, to the position she held immediately before commencing the part-time work.

(3) If the position no longer exists but there are other positions available which the employee is qualified for and is capable of performing, she is entitled to a position as nearly as possible comparable in status and pay to that of her former position.

(4) An employer who does not make available to an employee a position to which the employee is entitled under this section is guilty of an offence.

Maximum penalty (subsection (4)): 20 penalty units.

Replacement employees

53. (1) A replacement employee is an employee specifically engaged as a result of an employee proceeding on maternity leave.

(2) Before an employer engages a replacement employee, the employer must inform that person of the temporary nature of the employment and of the rights of the employee who is being replaced.

Maximum penalty: 20 penalty units.

(3) Before an employer engages a person to replace an employee temporarily promoted or transferred in order to replace an employee exercising her rights under this Subdivision, the employer must inform that person of the temporary nature of the promotion or transfer and of the rights of the employee who is being replaced.

Maximum penalty: 20 penalty units.

(4) Nothing in this Subdivision is to be construed as requiring an employer to engage a replacement employee.

Subdivision 3—Paternity leave

Nature of leave

54. Paternity leave is unpaid leave.

Definitions

55. For the purposes of this Subdivision:

"child" means a child of the employee's spouse under the age of one year;

"continuous service" means service under an unbroken contract of employment and includes:

(a) any period of leave taken in accordance with this Subdivision; and

(b) any period of leave or absence authorised by the employer or by an award or agreement;

"employee" includes a part-time employee, but does not include an employee engaged in casual or seasonal work;

"maternity leave" means leave of the type provided for by Subdivision 2 (and includes special maternity leave) whether prescribed by an award, or agreement or otherwise;

"primary care-giver" means a person who assumes the principal role of providing care and attention to a child;

"spouse" includes a de facto spouse.

Eligibility for paternity leave

56. (1) A male employee, upon production to his employer of the certificate required by section 58, is entitled to one or two periods of paternity leave, the total of which must not exceed 52 weeks, in the following circumstances:

(a) an unbroken period of up to one week at the time of confinement of his spouse;

(b) a further unbroken period of up to 51 weeks in order to be the primary care-giver of a child if the leave does not extend beyond the child's first birthday. This entitlement is to be reduced by any period of maternity leave taken by the employee's spouse and is not to be taken concurrently with that maternity leave.

(2) An employee must have had at least 12 months' continuous service with the employee's employer immediately preceding the date on which he commences either period of leave.

Certification

57. (1) When applying for paternity leave, the employee must produce to his employer a certificate from a registered medical practitioner which names his spouse, states that she is pregnant and the expected date of confinement or states the date on which the birth took place.

(2) In relation to any period to be taken under section 57 (1) (b), the employee must also produce a statutory declaration stating:

- (a) that he is seeking that period of paternity leave to become the primary care-giver of a child; and
- (b) particulars of any period of maternity leave sought or taken by his spouse; and
- (c) that, for the period of paternity leave, he will not engage in any conduct inconsistent with his contract of employment.

Notice requirements

58. (1) An employee must, not less than 10 weeks prior to each proposed period of leave, give the employer notice in writing stating the dates on which he proposes to start and finish the period or periods of leave and produce the certification required by section 58.

(2) An employee is not in breach of this section as a consequence of failure to give the notice required in subsection (1) if the failure is due to:

- (a) the birth occurring earlier than the expected date; or
- (b) the death of the mother of the child; or
- (c) other compelling circumstances.

(3) The employee must immediately notify his employer of any change in the information provided pursuant to section 58.

Variation of period of paternity leave

59. (1) Provided that the maximum period of paternity leave does not exceed the period to which the employee is entitled under section 57:

(a) the period of paternity leave provided by section 57 (1) (b) may be lengthened once only by the employee giving not less than 14 days notice in writing stating the period by which the leave is to be lengthened; and

(b) the period may be further lengthened by agreement between the employer and the employee.

(2) The period of paternity leave taken under section 57 (1) (b) may, with the consent of the employer, be shortened by the employee giving not less than 14 days notice in writing stating the period by which the leave is to be shortened.

Cancellation of paternity leave

60. Paternity leave, applied for under section 57 (1) (b) but not commenced, is cancelled when the pregnancy of the employee's spouse terminates otherwise than by the birth of a living child.

Paternity leave and other leave entitlements

61. (1) Provided the aggregate of any leave, including leave taken under this Subdivision, does not exceed the period to which the employee is entitled under section 57, an employee may, instead of or in conjunction with paternity leave, take any annual leave or long service leave or any part of it to which he is entitled.

(2) Paid sick leave or other paid absences authorised by an award or agreement (excluding annual leave or long service leave) is not available to an employee during his absence on paternity leave.

Effect of paternity leave on employment

62. Subject to this Subdivision, despite any award, agreement or other provision to the contrary, absence on paternity leave does not break the continuity of service of an employee but is not to be taken into account in calculating the period of service for any purpose of any relevant award or agreement.

Termination of employment

63. (1) An employee on paternity leave may terminate his employment at any time during the period of leave by notice given in accordance with any relevant award or agreement.

(2) An employer must not terminate the employment of an employee on the ground of his absence on paternity leave, but otherwise the rights of an employer in relation to termination of employment are not affected by this Subdivision.

Maximum penalty (subsection (2)): 20 penalty units.

Return to work after paternity leave

64. (1) An employee must confirm his intention of returning to work by notice in writing to the employer given not less than 4 weeks prior to the expiration of the period of paternity leave provided by section 57 (1) (b).

(2) An employee, on returning to work after paternity leave or expiration of the notice required by subsection (1):

(a) is entitled to the position which he held immediately before proceeding on paternity leave; or

(b) in the case of an employee who has worked part-time under this Division, to the position he held immediately before commencing the part-time work.

(3) If the position no longer exists but there are other positions available which the employee is qualified for and is capable of performing, he is entitled to a position as nearly as possible comparable in status and pay to that of his former position.

(4) An employer who does not make available to an employee a position to which the employee is entitled under this section is guilty of an offence.

Maximum penalty (subsection (4)): 20 penalty units.

Replacement employees

65. (1) A replacement employee is an employee specifically engaged as a result of an employee proceeding on paternity leave.

(2) Before an employer engages a replacement employee, the employer must inform that person of the temporary nature of the employment and of the rights of the employee who is being replaced.

Maximum penalty: 20 penalty units.

(3) Before an employer engages a person to replace an employee temporarily promoted or transferred in order to replace an employee exercising his rights under this Subdivision, the employer must inform that person of the temporary nature of the promotion or transfer and of the rights of the employee who is being replaced.

Maximum penalty: 20 penalty units.

(4) Nothing in this Subdivision is to be construed as requiring an employer to engage a replacement employee.

Subdivision 4—Adoption leave

Nature of leave

66. Adoption leave is unpaid leave.

Definitions

67. For the purposes of this Subdivision:

"child" means a person under the age of 5 years who has not previously lived continuously with the employee concerned for a period of 6 months, or who is not a child or step-child of the employee or of the spouse of the employee, and is placed with the employee for the purposes of adoption;

"continuous service" means service under an unbroken contract of employment and includes:

- (a) any period of leave taken in accordance with this Subdivision;
- and

(b) any period of leave or absence authorised by the employer or by any relevant award or agreement;

"employee" includes a part-time employee, but not an employee engaged upon casual or seasonal work;

"primary care-giver" means a person who assumes the principal role of providing care and attention to a child;

"relative adoption" occurs where a child is adopted by a parent, a spouse of a parent or another relative, being a grandparent, brother, sister, aunt or uncle (whether of the whole blood or half blood or by marriage);

"spouse" includes a de facto spouse.

Eligibility

68. (1) An employee, upon production to the employer of the documentation required by section 70, is entitled to one or two periods of adoption leave, the total of which must not exceed 52 weeks, in the following circumstances:

(a) an unbroken period of up to 3 weeks at the time of the placement of the child;

(b) an unbroken period of up to 52 weeks from the time of its placement in order to be the primary care-giver of the child. This entitlement is to be reduced by:

(i) any period of leave taken pursuant to paragraph (a); and

(ii) the aggregate of any periods of adoption leave taken or to be taken by the employee's spouse,

but such leave is not to extend beyond one year after the placement of the child and is not to be taken concurrently with adoption leave taken by the employee's spouse.

(2) The employee must have had at least 12 months continuous service with that employer immediately preceding the date on which he or she proceeds upon such leave in either case.

Certification

69. (1) Before taking adoption leave, the employee must produce to the employer:

- (a) a statement from an adoption agency or another appropriate body of the presumed date of placement of the child with the employee for adoption purposes; or
- (b) a statement from the appropriate government authority confirming that the employee is to have custody of the child pending application for an adoption order.

(2) In relation to any period to be taken under section 69 (1) (b), a statutory declaration stating:

- (a) that the employee is seeking adoption leave to become the primary care-giver of the child; and
- (b) particulars of any period of adoption leave sought or taken by the employee's spouse; and
- (c) that, for the period of adoption leave, the employee will not engage in any conduct inconsistent with his or her contract of employment.

Notice requirements

70. (1) On receiving notice of approval for adoption purposes, an employee must notify the employer of the approval and within 2 months of the approval must further notify the employer of the period or periods of adoption leave the employee proposes to take. In the case of a relative adoption, the employee must so notify the employer on deciding to take a child into custody pending an application for an adoption order.

(2) An employee who commences employment with an employer after the date of approval for adoption purposes must notify the employer of that date on commencing employment and of the period or periods of adoption leave which the employee proposes to take. Such an employee is not entitled to adoption leave unless the employee has not less than 12 months continuous service with that employer immediately preceding the date on which he or she proceeds on the leave.

(3) An employee must, as soon as the employee is aware of the presumed date of placement of a child for adoption purposes but no later than 14 days before the placement, give notice in writing to the employer of that date, and of the date of commencement of any period of leave to be taken under section 69 (1) (a).

(4) An employee must, 10 weeks before the proposed date of commencing any leave to be taken under section 69 (1) (b) give notice in writing to the employer of the date of commencing leave and the period of leave to be taken.

(5) An employee is not in breach of this Subdivision, as a consequence of failure to give the stipulated period of notice in accordance with subsections (3) and (4) if the failure is occasioned by the requirement of an adoption agency for the employee to accept earlier or later placement of a child, the death of the spouse or other compelling circumstances.

Variation of period of adoption leave

71. (1) Provided the maximum period of adoption leave does not exceed the period to which the employee is entitled under section 69:

(a) the period of leave taken under section 69 (1) (b) may be lengthened once only by the employee giving not less than 14 days notice in writing stating the period by which the leave is to be lengthened; and

(b) the period may be further lengthened by agreement between the employer and employee.

(2) The period of adoption leave taken under section 69 (1) (b) may, with the consent of the employer, be shortened by the employee giving not less than 14 days notice in writing stating the period by which the leave is to be shortened.

Cancellation of adoption leave

72. (1) Adoption leave, applied for but not commenced, is cancelled should the placement of the child not proceed.

(2) Where the placement of a child for adoption purposes with an employee then on adoption leave does not proceed or continue, the employee must notify the employer forthwith and the employer must nominate a time not exceeding 4 weeks from receipt of notification for the employee's resumption of work.

Special leave

73. (1) The employer must grant to any employee who is seeking to adopt a child such unpaid leave not exceeding 2 days as is required by the employee to attend such compulsory interviews or examinations as are necessary as part of the adoption procedure.

(2) Where paid leave is available to the employee, the employer may require the employee to take such leave instead of special leave.

Adoption leave and other entitlements

74. (1) Provided the aggregate of any leave, including adoption leave taken under this Subdivision, does not exceed the period to which the employee is entitled under section 69, an employee may, instead of or in conjunction with adoption leave, take any annual leave or long service leave or any part of it to which he or she is entitled.

(2) Paid sick leave or other paid absences authorised by an award or agreement (excluding annual leave or long service leave), are not available to an employee during the employee's absence on adoption leave.

Effect of adoption leave on employment

75. Subject to this Subdivision, despite any award, agreement or other provision to the contrary, absence on adoption leave does not break the continuity of service of an employee but is not to be taken into account in calculating the period of service for any purpose of any relevant award or agreement.

Termination of employment

76. (1) An employee on adoption leave may terminate the employment at any time during the period of leave by notice given in accordance with this Subdivision.

(2) An employer must not terminate the employment of an employee on the ground of the employee's application to adopt a child or absence on adoption leave, but otherwise the rights of an employer in relation to termination of employment are not affected by this Subdivision.

Maximum penalty (subsection (2)): 20 penalty units.

Return to work after adoption leave

77. (1) An employee must confirm the intention of returning to work by notice in writing to the employer given not less than 4 weeks prior to the expiration of the period of adoption leave provided by section 69 (1) (b).

(2) An employee, on returning to work after adoption leave, is entitled to:

(a) the position held immediately before proceeding on such leave; or

(b) in the case of an employee who has worked part-time under this Subdivision, the position held immediately before commencing such part-time work.

(3) Where such a position no longer exists but there are other positions available which the employee is qualified for and is capable of performing, the employee is entitled to a position as nearly as possible comparable in status and pay to that of the employee's former position.

(4) An employer who does not make available to an employee a position to which the employee is entitled under this clause is guilty of an offence.

Maximum penalty (subsection (4)): 20 penalty units.

Replacement employees

78. (1) A replacement employee is an employee specifically engaged as a result of an employee proceeding on adoption leave.

(2) Before an employer engages a replacement employee, the employer must inform that person of the temporary nature of the employment and of the rights of the employee who is being replaced.

Maximum penalty: 20 penalty units.

(3) Before an employer engages a person to replace an employee temporarily promoted or transferred in order to replace an employee exercising rights under this Subdivision, the employer must inform that person of the temporary nature of the promotion or transfer and of the rights of the employee who is being replaced.

Maximum penalty: 20 penalty units.

(4) Nothing in this Subdivision is to be construed as requiring an employer to engage a replacement employee.

Subdivision 5—Part-time work

Definitions

79. For the purposes of this Subdivision:

"continuous service" means service under an unbroken contract of employment and includes:

(a) any period of leave taken in accordance with this Subdivision; and

(b) any period of leave or absence authorised by the employer or by any relevant award or agreement;

"female employee" means an employed female who is pregnant or is caring for a child she has borne or a child who has been placed with her for adoption purposes;

"former position" means the position held by a female or male employee immediately before proceeding on leave or part-time employment under this Subdivision, whichever first occurs, or, if such position no longer exists but there are other positions available for which the employee is qualified and the duties of which he or she is capable of performing, a position as nearly as possible comparable in status and pay to that of the position first mentioned in this definition;

"male employee" means an employed male who is caring for a child born of his spouse or a child placed with the employee for adoption purposes;

"spouse" includes a de facto spouse.

Entitlement

80. With the agreement of the employer:

- (a) a male employee may work part-time in one or more periods at any time from the date of birth of the child until its fifth birthday or, in the case of an adoption, from the date of the placement of the child until its fifth birthday or the second anniversary of the placement (whichever occurs later); and
- (b) a female employee may work part-time in one or more periods while she is pregnant where part-time employment is, because of the pregnancy, necessary or desirable; and
- (c) a female employee may work part-time in one or more periods at any time from the seventh week after the date of birth of the child until its fifth birthday; and
- (d) in the case of an adoption, a female employee may work part-time in one or more periods at any time from the date of the placement of the child until its fifth birthday or the second anniversary of the placement (whichever occurs later).

Return to former position

81. (1) An employee who has had at least 12 months continuous service with an employer immediately before commencing part-time employment after the birth or placement of a child has, at the expiration of the period of such part-time employment or the first period, if there is more than one, the right to return to his or her former position.

(2) Nothing in subsection (1) prevents the employer from permitting the employee to return to his or her former position after a second or subsequent period of part-time employment.

(3) An employer who does not make available to an employee a position to which the employee is entitled under this section is guilty of an offence.

Maximum penalty (subclause (3)): 20 penalty units.

Pro rata entitlements

82. Subject to the provisions of this Subdivision and the matters agreed to in accordance with section 84, part-time employment is to be in accordance with the provisions of this Subdivision which are to apply pro rata.

Part-time work agreement

83. (1) Before commencing a period of part-time employment under this Subdivision, the employee and the employer must agree:

- (a) that the employee may work part-time; and
- (b) on the hours to be worked by the employee, the days on which they will be worked and commencing times for the work; and
- (c) on the classification applying to the work to be performed; and
- (d) on the period of part-time employment.

(2) The terms of the agreement may be varied by consent.

(3) The terms of the agreement or any variation to it are to be reduced to writing and retained by the employer. A copy of the agreement and any variation to it must be provided to the employee by the employer.

(4) The terms of the agreement apply to the part-time employment.

Termination of employment

84. The employment of a part-time employee under this Division may be terminated in accordance with the provisions of this Subdivision but must not be terminated by the employer because the employee has exercised or proposes to exercise any rights arising under this Division or has enjoyed or proposes to enjoy any benefits arising under this Division.

Maximum penalty: 20 penalty units.

Overtime

85. An employer may request, but not require, an employee working part-time under this Subdivision to work overtime.

Nature of part-time work

86. The work to be performed part-time need not be the work performed by the employee in his or her former position but must be work otherwise performed under any relevant award or agreement.

Inconsistent award provisions

87. An employee may work part-time under this Subdivision despite any other provision of any relevant award or agreement which limits or restricts the circumstances in which part-time employment may be worked or the terms upon which it may be worked, including provisions:

- (a) limiting the number of employees who may work part-time; or
- (b) establishing quotas as to the ratio of part-time to full-time employees; or
- (c) prescribing a minimum or maximum number of hours a part-time employee may work,

and such provisions do not apply to part-time work under this Subdivision.

Replacement employees

88. (1) A replacement employee is an employee specifically engaged as a result of an employee working part-time under this Subdivision.

(2) A replacement employee may be employed part-time. Subject to this section, sections 83, 84, 85 and 88 apply to the part-time employment of a replacement employee.

(3) Before an employer engages a replacement employee under this Subdivision, the employer must inform the person of the temporary nature of the employment and of the rights of the employee who is being replaced.

Maximum penalty: 20 penalty units.

(4) Unbroken service as a replacement employee is to be treated as continuous service for the purposes of this Subdivision.

No. 19 Page 33, Part 2, Division 5, Subdivision 5. After clause 70, insert:

Subdivision 5—Superannuation

Orders concerning superannuation contributions to a particular fund

71. (1) Without derogating from the general powers of the Commission in relation to superannuation, if an industrial matter relates to an allegation that an employer has been, or is, making contribution on behalf of eligible employees to an occupational superannuation scheme or fund at a level required by any relevant award or industrial agreement but the scheme or fund is not required by the relevant award or agreement to be used for that purpose, the Commission:

- (a) on its own initiative; or
- (b) on the application of a State registered organisation, the employee concerned or the Crown,

may determine to which occupational superannuation scheme or fund the employer should have been, or should be, making such contribution to comply with the relevant award or agreement and may order the employer to make such contribution accordingly.

(2) The Commission may make an order under this section to operate from the date on which any particular employee or employees became eligible for payment by the employer of contribution to the scheme or fund determined by the Commission, if the Commission considers it just to do so.

(3) In exercising its powers under subsection (1), the Commission may recognise all or any of the contribution made by an employer to an occupational superannuation scheme or fund on behalf of the employees up to and including the date of the Commission's determination under that subsection as having met the requirements, or any part of them, of any relevant award or industrial agreement, relating to employers' contribution to an occupational superannuation scheme or fund on behalf of eligible employees.

No. 20 Page 36, clause 78. In subclause (1) (a), after "benefits that", insert
", when aggregated,".

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- No. 21 Page 36, clause 78. From subclause (1), omit ", or that it is in the interests of the employees concerned and their employer and not contrary to the public interest that the exemption should be granted".
- No. 22 Page 37. After clause 80, insert:

Crown employees

81. (1) The Commission, in making an award for employees of the Crown, must have regard to (but is not obliged to adopt) the conditions of employment awarded to other employees doing substantially the same class of work.

(2) The Commission is not to award any rates of wages or other payments or any other conditions of employment for employees of the Crown less favourable to those employees than those awarded by a corresponding award to other employees doing substantially the same kind of work, unless the Commission finds that there is sufficient reason to do so.

(3) For the purposes of this section, the fact that employees of the Crown may be permanently employed or are allowed additional privileges is not by itself to be regarded as a significant difference.

- No. 23 Page 38, clause 81. After subclause (3), insert:

(4) Awards are:

- (a) to be expressed in clear terms, avoiding any unnecessary technicalities; and
- (b) to comply with such other requirements relating to form as may be made by the regulations.

- No. 24 Page 38, clause 81. In subclause (4) (b), after "Commission", insert ", because of the urgency or other exceptional circumstances of the case,".

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No. 25 Page 38, clause 81. After subclause (4) insert:

(5) When the Registrar receives minutes of an award as a consequence of a request made by the Commission, the Registrar may alter the wording or form of the minutes for the purpose of ensuring that the requirements made for awards by this section and the regulations may be complied with.

(6) If the Registrar alters the minutes, the Registrar must provide each of the parties concerned with a copy of the minutes in their altered form and take into account any submission made promptly by any of those parties about the alteration.

No. 26 Page 38, clause 81. From subclause (5), omit "sign minutes of the award and".

No. 27 Page 38, clause 82. From subclause (1), omit "commenced", insert instead "enforced".

No. 28 Page 39, clause 83. In subclause (4), after "12 months", insert "or more than 3 years specified in it as its nominal term".

No. 29 Page 39, clause 85. Omit the clause, insert instead:

Variation of awards

85. (1) The Commission may, without the consent of the parties to the making of an award, make an award varying the initial award during its nominal term, but only if the variation:

(a) is necessary to avoid a substantial risk of death or personal injury;
or

(b) relates to an industrial matter that is a new matter in relation to the initial award; or

(c) relates to a matter affecting the members of a State employer organisation or an industrial union that could have been a party to the making of the award but the Commission is satisfied was not such a party because of a failure to give notice to the organisation or union; or

(d) is, in the opinion of the Commission, appropriate because of exceptional circumstances.

(2) Nothing in this section limits the powers of the Commission to vary an award once its nominal term has expired.

No. 30 Page 39, clause 86. From subclause (1), omit "for the purpose of its being replaced by another award (whether or not a new award) or by an agreement".

No. 31 Page 40, clause 88. In subclause (2), after "the agreement", insert ", provided that the Commission has inserted in the award or order a provision exempting the parties to the agreement from the provisions of the award or order".

No. 32 Page 40, clause 88. Omit subclause (3).

No. 33 Page 41, clause 92. In subclause (5), after "12 months", insert "or more than 3 years specified in it as its normal term".

No. 34 Page 42, clause 94. After subclause (2) (a), insert:

(b) that the agreement was not entered into under duress; and

No. 35 Page 42, clause 94. At the end of subclause (2) (b), insert:

; and

(c) that the agreement is in the interests of the parties immediately concerned.

No. 36 Page 42, clause 94. Omit subclause (3), insert instead:

(3) If the Commission is of the opinion that the industrial agreement is in the interests of the parties immediately concerned, the Commission must, subject this section, approve the agreement for registration unless it is of the opinion that it would be contrary to the public interest for the industrial agreement to be registered.

(4) Registration of the industrial agreement is not contrary to the public interest merely because the agreement is inconsistent with general Full Commission principles.

(5) Despite subsection (8), if, in the opinion of the President, the agreement is inconsistent with general Full Commission principles, the functions of the Commission under this section are exercisable only by the Full Commission.

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No. 37 Page 42, clause 94. At the end of the clause, insert:

(9) In this section "general Full Commission principles" means principles established by the Full Commission that apply in relation to the determination of wages and conditions of employment, other than principles that apply in relation to registration of agreements under this section.

No. 38 Page 43, clause 96. Omit "conditions of employment specified in Schedule 3", insert instead "the minimum conditions of employment applicable to enterprise agreements initially determined by the Full Commission".

No. 39 Page 43, clause 96. Omit "regulations", insert instead "orders".

No. 40 Page 43, clause 98. In subclause (2), after "the enterprise agreement", insert ", provided that the Commission has inserted in the award, industrial agreement or order a provision exempting the parties to the enterprise agreement from the provisions of the award, industrial agreement or order".

No. 41 Page 43, clause 99. Omit paragraph (a).

No. 42 Page 43, clause 99. Omit paragraph (b), insert instead:

(b) one industrial union that represents persons employed in the enterprise or represents persons intending to be employed in the enterprise.

No. 43 Page 43, clause 99. At the end of the clause insert:

(2) If persons employed or intending to be employed in an enterprise are represented by more than one industrial union, the only industrial union that is eligible to make an enterprise agreement with the enterprise employer is the industrial union selected by agreement of all of those industrial unions.

No. 44 Page 45, clause 102. From subclause (3), omit "or all other parties".

No. 45 Page 46, clause 104. From subclause (3), omit "guidelines" wherever occurring, insert instead "principles".

No. 46 Page 45, clause 104. After subclause (3), insert:

(4) The Commission may obtain and take into account the views of any State peak organisation as to whether or not an enterprise agreement is contrary to the public interest.

No. 47 Page 46, clause 106. From subclause (1), omit "set out in Schedule 3", insert instead "those initially determined by the Full Commission".

No. 48 Page 46, clause 106. From subclause (1), omit "regulations", insert instead "orders".

No. 49 Page 47, clause 107. Omit "section 106", insert instead "section 141".

No. 50 Page 47, clause 108. Omit subclause (1), insert instead:

(1) The Commission is required, at yearly intervals after the commencement of this section, to review the adequacy or otherwise of all minimum conditions of employment of the kinds referred to in Schedule 3 and all other minimum conditions referred to in Schedule 3 applicable for the time being to full-time adult employees.

No. 51 Page 47, clause 108. Omit subclauses (2)-(5).

No. 52 Page 47, clause 108. After subclause (1), insert:

(2) On completion of the review as required by subsection (1), the Commission may make a general order or award setting new and higher minimum wages of the kinds referred to in Schedule 3.

No. 53 Page 48, clause 108. From subclause (6), omit "For the purpose of reviewing the percentage fixed for the time being for a casual employee and referred to in item (4) of Schedule 3," insert instead "If the minimum conditions of employment include a guaranteed average hourly rate of pay for casual employees (being employees not entitled to annual leave or sick leave) as a percentage of a guaranteed average hourly rate of pay for a part-time employee, then (when reviewing that percentage)".

No. 54 Page 48, clause 108. From subclause (6), omit "Minister is required to recommend the making of a regulation", insert instead "Commission is required to make a general order or award".

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- No. 55 Page 48, clause 108. From subclause (6), omit "by or under this Subdivision", insert instead "as a minimum condition of employment".
- No. 56 Page 48, clause 108. From subclause (7), omit "regulation made on the recommendation of the Minister", insert instead "general order or award made by the Commission".
- No. 57 Page 48, clause 108. From subclause (7), omit "by item (2), (3), (5) or (6) of", insert instead "of a kind specified in".
- No. 58 Page 48, clause 108. From subclause (8), omit "regulation recommended by the Minister", insert instead "general order or award made by the Commission".
- No. 59 Page 48, clause 109. Omit subclause (2), insert instead:
- (2) The first review required by this Subdivision is to be conducted in 1991.
- No. 60 Page 49, clause 110. Omit the clause.
- No. 61 Page 50, clause 114. From the definition of "contract of carriage", omit "section 116", insert instead "section 150".
- No. 62 Page 50, clause 114. From the definition of "principal contractor", omit "section 116 (4)" wherever occurring, insert instead "section 150 (4)".
- No. 63 Page 54, clause 118. Omit "Court" wherever occurring, insert instead "Commission".
- No. 64 Page 55, clause 120. From subclause (1), omit "section 119", insert instead "section 153".
- No. 65 Page 55, clause 121. Omit "section 119" wherever occurring, insert instead "section 153".
- No. 66 Page 57, clause 123. From subclause (4), omit "section 117", insert instead "section 151".
- No. 67 Page 66, clause 138. From subclause (3), omit "a Local Court", insert instead "an Industrial Magistrate".

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- No. 68 Page 66, clause 138. From subclause (3), omit ", in accordance with the rules of the Industrial Court, to the Industrial Court", insert instead "to the Commission".
- No. 69 Page 66, clause 138. From subclause (5), omit "Local Court or Industrial Court", insert instead "Industrial Magistrate or Commission".
- No. 70 Page 66, clause 138. After subclause (6), insert:
- (7) Where, in any proceedings under this section, the Industrial Magistrate or Commission finds that the employer has committed an offence under section 198 or 204, the Industrial Magistrate or Commission may, in addition to making any order under this section, impose a penalty which might have been imposed in proceedings for an offence under section 198 or 204.
- (8) Where the employer is a company and the company is wound-up prior to an order being made under subsection (3), the person may apply for orders under subsection (3) against a person who was a director of the company or who took part in the management of the company at the time the obligation under this section arose.
- (9) An order under subsection (3) against an employer which is a company may provide that, should the company have insufficient funds to comply with the order within a period of time determined by the Industrial Magistrate or Commission, some or all of the directors or persons who took part in the management of the company are personally liable for any amount outstanding under the order.
- No. 71 Page 67, clause 139. From subclause (1), omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 72 Page 67, clause 139. From subclause (1), omit ", in accordance with the rules of the Industrial Court, to the Industrial Court", insert instead "to the Commission".
- No. 73 Page 67, clause 139. From subclauses (2) and (3), omit "Local Court or Industrial Court" wherever occurring, insert instead "Industrial Magistrate or Commission".
- No. 74 Page 67, clause 139. From subclause (3) (b), omit "section 138", insert instead "section 172".

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- No. 75 Page 67, clause 139. From subclause (4), omit "in a Local Court or the Industrial Court", insert instead "before an Industrial Magistrate or the Commission".
- No. 76 Page 67, clause 139. From subclause (4), omit "section 138", insert instead "section 172".
- No. 77 Page 68, clause 140. From subclause (1), omit "section 138 (1)" wherever occurring, insert instead "section 172".
- No. 78 Page 68, clause 140. From subclause (1), omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 79 Page 68, clause 140. From subclause (1), omit ", in accordance with the rules of the Industrial Court, to the Industrial Court", insert instead "to the Commission".
- No. 80 Page 68, clause 140. From subclause (3), omit "a Local Court or the Industrial Court may make such order as it", insert instead "an Industrial Magistrate or the Commission may make such order as the Industrial Magistrate or the Commission".
- No. 81 Page 68, clause 140. From subclause (4), omit "section 138", insert instead "section 172".
- No. 82 Page 68, clause 141. From subclause (2), omit "20 penalty units", insert instead "50 penalty units".
- No. 83 Page 69, clause 143. From subclause (3), omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 84 Pages 69-70, clause 143. From subclauses (3)-(5), omit ", in accordance with the rules of the Industrial Court, to the Industrial Court" wherever occurring, insert instead "to the Commission".
- No. 85 Page 69, clause 143. From subclause (4), omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 86 Page 70, clause 143. From subclause (5), omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 87 Page 70, clause 143. From subclause (8), omit "a Local Court or the Industrial Court may make such order as the Court concerned", insert instead "an Industrial Magistrate or the Commission may make such order as the Industrial Magistrate or the Commission".

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- No. 88 Page 70, clause 144. Omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 89 Page 70, clause 144. Omit "the Local Court", insert instead "a Local Court".
- No. 90 Page 71, clause 146. From subclause (1), omit "a Local Court or", insert instead "an Industrial Magistrate".
- No. 91 Page 71, clause 146. From subclause (1), omit "Industrial Court", insert instead "Commission".
- No. 92 Page 71, clause 146. From subclause (2), omit "the Court", insert instead "the Commission".
- No. 93 Page 71, clause 146. From subclause (2), omit "Local Court or", insert instead "Industrial Magistrate".
- No. 94 Page 71, clause 148. Omit subclause (1), insert instead:
- (1) The secretary or (with the authority of the State registered organisation) another officer of a State employee organisation or State employer organisation concerned in the industry to which the proceedings relate may take or otherwise be a party to any proceedings under this Subdivision, but only with the written consent of the person otherwise entitled to take or to be a party to the proceedings.
- No. 95 Page 72, clause 149. From subclause (3), omit "Court" wherever occurring, insert instead "Industrial Magistrate".
- No. 96 Page 74, clause 152. From subclause (2), omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 97 Pages 74-75, clause 152. From subclauses (3)-(6), omit "A Local Court" wherever occurring, insert instead "An Industrial Magistrate".
- No. 98 Pages 74-75, clause 152. From subclauses (4)-(6), omit "the Court", wherever occurring, insert instead "the Industrial Magistrate".
- No. 99 Pages 74-75, clause 152. From subclauses (4) and (5), omit "the Local Court" wherever occurring, insert instead "the Industrial Magistrate".
- No. 100 Page 75, clause 152. From subclause (7), omit "Industrial Court" wherever occurring, insert instead "Commission".

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- No. 101 Page 75, clause 152. From subclause (7), omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 102 Page 75, clause 153. From subclause (1), omit "section 152", insert instead "section 186".
- No. 103 Page 75, clause 153. From subclause (1), omit "in a Local Court", insert instead "before an Industrial Magistrate".
- No. 104 Pages 75-76, clause 153. Omit "the Local Court" wherever occurring, insert instead "the Industrial Magistrate".
- No. 105 Pages 75-76, clause 153. From subclauses (3)-(5), omit "A Local Court" and "a Local Court" wherever occurring, insert instead "An Industrial Magistrate" and "an Industrial Magistrate", respectively.
- No. 106 Page 76, clause 153. After subclause (5), insert:
- (6) Despite anything else in this section, a person is entitled to be represented by an employee or officer of a State registered organisation.
- No. 107 Page 76, clause 155. In subclause (2) (c), after "credit union" insert "nominated by the employee".
- No. 108 Page 77, clause 155. Omit subclause (3), insert instead:
- (3) A payment is made with appropriate authority if the employer applies in writing to the Registrar for, and the Registrar issues to the employer, a certificate permitting the manner of payment.
- (4) The terms and conditions applying to the issuing of such certificates may be prescribed by the regulations.
- No. 109 Page 77, clause 155. In subclause (4), after "or by other means", insert ", subject to the employee's consent and the payment being made with appropriate authority under subsection (3)".
- No. 110 Page 77, clause 156. Omit subclause (2), insert instead:
- (2) If the employee at any time gives the employer written notice of withdrawal of such an authority, the employer must give effect to the notice as soon as is practicable.
- No. 111 Page 77, clause 158. In subclause (2), after "premises of the employer", insert ", except where such residence is essential to the duties the employee is required to perform".

No. 112 Page 78, clause 162. After clause 161, insert:

Unauthorised deductions prohibited

162. Without limiting the generality of this Subdivision, an employer must not unilaterally deduct any amounts from an employee's wages in relation to alleged overpayments, breakages or damage to goods or plant at work, or shortfalls in cash.

Maximum penalty: 50 penalty units.

No. 113 Page 79, clause 163. From subclause (1), omit "50 penalty units", insert instead:

(a) in the case of a corporation—100 penalty units and an additional penalty of 10 penalty units for each succeeding day during which the breach continues; or

(b) in any other case—10 penalty units and an additional penalty of 1 penalty unit for each succeeding day during which the breach continues.

No. 114 Page 79, clause 163. From subclauses (2) and (4), omit "Industrial Court" wherever occurring, insert instead "Commission".

No. 115 Page 79, clause 163. After subclause (5), insert:

(6) In this section, "award" includes orders made under this Act other than an order made under this section, section 177 or 404 or any section prescribed by the regulations, but does not include any order under any section of this Act for the contravention of which a penalty is expressly provided by this Act.

No. 116 Page 79, clause 164. From subclause (1), omit "section 163", insert instead "section 198".

No. 117 Pages 79-80, clause 164. From subclauses (1) and (3), omit "Industrial Court" wherever occurring, insert instead "Commission".

No. 118 Page 79, clause 164. From subclause (1), omit "the Court", insert instead "the Commission".

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- No. 119 Page 80, clause 164. From subclause (2), omit "50 penalty units", insert instead:
- (a) in the case of a corporation—100 penalty units and an additional penalty of 10 penalty units for each succeeding day during which the breach continues; or
 - (b) in any other case—10 penalty units and an additional penalty of 1 penalty unit for each succeeding day during which the breach continues.
- No. 120 Page 80, clause 165. From subclause (1), omit "of a State employee organisation", insert instead "or, with the written consent of the secretary, another officer of a State employee organisation or State employer organisation".
- No. 121 Page 80, clause 165. In subclause (4), after "Local Court", insert "or Commission".
- No. 122 Page 80, clause 165. In subclause (5), after "employee", insert "or employer".
- No. 123 Page 81, clause 167. Omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 124 Page 82, clause 168. From subclause (4), omit "20", insert instead "50".
- No. 125 Pages 83-84, clause 169. Omit "20" wherever occurring, insert instead "50".
- No. 126 Page 83, clause 169. In subclause (1), after "penalty units", insert "or, if the offence consisted of a wilful act or omission of an employer and was committed with the intention to deceive or defraud any person, 200 penalty units".
- No. 127 Page 83, clause 169. After subclause (1), insert:
- (2) An employer must ensure that false entries are not wilfully made, with the intention to deceive or defraud any person, in the records required to be kept under subsection (1).
- Maximum penalty: 200 penalty units.
- No. 128 Page 83, clause 169. From subclause (3), omit "subsection (1) or (2)", insert instead "subsection (1), (2) or (3)".

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- No. 129 Page 84, clause 170. In subclauses (1) and (2), after "Local Court", wherever occurring, insert "or Commission".
- No. 130 Page 84, clause 171. In subclause (1) (c), omit "representing such an employer", insert instead ", if members of the organisation are bound by the award or agreement".
- No. 131 Page 86, clause 174. Omit subclause (2).
- No. 132 Page 86, clause 174. After subclause (1), insert:
- (2) If a member of the Commission has attempted mediation in relation to a question, dispute or difficulty, arbitration powers in relation to the question, dispute or difficulty are to be exercised by a different member if a party to the arbitration proceedings so requires.
- No. 133 Page 86, clause 176. Omit "not determined by the award", insert instead "a new matter in relation to the award".
- No. 134 Page 86, clause 177. Omit subclauses (1)-(3), insert instead:
- (1) For the purposes of this Division, an industrial matter is a new matter only if the Commission has certified that it is a new matter.
- (2) This Division applies to industrial action concerning an industrial matter for which provision is made in an award or agreement the nominal term of which has not expired.
- (3) This Division does not apply to industrial action concerning an industrial matter that is a new matter in relation to an award or agreement, except as provided by subsection (4).
- (4) Even though industrial action concerns an industrial matter that is a new matter in relation to an award or agreement, this Division applies to the industrial action if:
- (a) it is in contravention of an award or agreement that is in force; or
- (b) it is in contravention of an order of the Commission; or
- (c) it can reasonably be attributed to the alleged or actual unfair dismissal of an employee.
- No. 135 Page 87, clause 178. From subclauses (1) and (4), omit "Court" wherever occurring, insert instead "Commission".

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No. 136 Page 87, clause 178. From subclause (3) (b), omit "other person", insert instead "employer".

No. 137 Page 87, clause 178. After subclause (4), insert:

(5) Despite any other provision of this Part, no injunction or other penalty is to be granted or imposed in relation to industrial action unless the Full Commission has certified that:

(a) the processes of conciliation and arbitration in relation to the causes of the industrial action have been attempted and that no reasonable purpose would be served either by continuing to attempt to conciliate or by arbitration; and

(b) the persons against whom the injunction would be directed or on whom the other penalty would be imposed are in substantial breach of directions, orders or awards made by the Commission.

(6) In subsection (5), a reference to a penalty does not include a reference to a penalty for a criminal offence that might be imposed if the act or omission giving rise to the offence had occurred in such circumstances as did not constitute industrial action.

No. 138 Page 88, clause 179. From subclause (1), omit "section 178", insert instead "section 213".

No. 139 Page 88, clause 179. From subclauses (1)-(3), omit "Court" wherever occurring, insert instead "Commission".

No. 140 Page 89, clause 179. In subclause (4) (a), before "corporation", insert "State registered organisation or any other".

No. 141 Page 89, clause 179. From subclause (4), omit "1,000 penalty units", "100 penalty units" wherever occurring, and "10 penalty units", insert instead "100 penalty units", "10 penalty units" and "1 penalty unit", respectively.

No. 142 Page 89, clause 180. From subclause (1), omit "section 179" wherever occurring, insert instead "section 214".

No. 143 Page 89, clause 180. From subclause (1), omit "Court" wherever occurring, insert instead "Commission".

No. 144 Page 90, clause 181. Omit ":", "(a)" and "; or".

No. 145 Page 90, clause 181. Omit paragraph (b).

No. 146 Page 90, clause 181. Omit "section 182", insert instead "section 217".

No. 147 Page 90, clause 182. Omit "section 181", insert instead "section 216".

No. 148 Page 91, clause 183. Omit subclause (2), insert instead:

(2) For the purposes of subsection (1), industrial action is unlawful, in any case, if it is based on a demarcation dispute in respect of which the Commission may make an order under section 257, 258 or 259.

No. 149 Page 91, clause 183. From subclause (3) (a), omit "State employee organisation or an employer", insert instead "State registered organisation or any other corporation".

No. 150 Page 91, clause 183. From subclause (3), omit "1,000 penalty units", "100 penalty units" wherever occurring, and "10 penalty units", insert instead "100 penalty units", "10 penalty units" and "1 penalty unit", respectively.

No. 151 Page 92, clause 185. Omit ", except as provided by section 183 (2)".

No. 152 Page 92, clause 186. Omit subclause (1) (a), insert instead:

(a) a President and a Vice-President; and

No. 153 Page 92, clause 186. After subclause (1), insert:

(2) The Minister may not recommend a person for appointment as a member of the Commission (other than as a Conciliation Commissioner) unless the person:

(a) is a Judge of the Supreme Court or of the Land and Environment Court; or

(b) is a barrister of not less than 5 years' standing or a solicitor of not less than 7 years' standing; or

(c) is a barrister or a solicitor of less than 5 years' or 7 years' standing, respectively, where at all times during a continuous period of not less than 7 years the person was on the roll of solicitors when not on the roll of barristers; or

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(d) is, in the opinion of the Governor, because of qualifications, experience and standing in the community, a fit and proper person to discharge the duties of a member of the Commission and:

(i) has had experience at a high level in industry, commerce, industrial relations or the service of a government or an authority of a government; or

(ii) has, not less than 5 years previously, obtained a degree of a university or an educational qualification of a similar standard, after studies in the field of law, economics or industrial relations or some other field of study considered by the Governor to have substantial relevance to the duties of a member of the Commission.

No. 154 Page 93, clause 186. From subclause (2), omit "member of the Commission", insert instead "Conciliation Commissioner".

No. 155 Page 93, clause 186. After subclause (2), insert:

(3) A person is qualified to be appointed as President or Vice-President only if the person possesses (or, immediately before appointment as a Presidential Member, possessed) a qualification specified in subsection (2) (a), (b) and (c).

No. 156 Page 93, clause 186. After subclause (3) (a), insert:

(b) the Vice-President;

No. 157 Page 93, clause 186. In subclause (4), omit "an additional Deputy President", insert instead "additional Deputy Presidents".

No. 158 Page 93, clause 186. From subclause (7), omit "Deputy President", insert instead "Deputy Presidents and Vice-President".

No. 159 Page 93, clause 186. After subclause (7), insert:

(8) A person who was appointed as a member of the Commission because the person possessed a qualification referred to in subsection (2) (a), (b) and (c) is referred to in this Act as a judicial member of the Commission.

No. 160 Page 93, clause 187. Omit subclause (1), insert instead:

(1) The Vice-President is Acting President during the absence of the President or during any vacancy in the office of President.

(2) If the President and the Vice-President are or are to be absent from duty or there is a vacancy in the office of President during an absence of the Vice-President, the next senior Deputy President available is Acting President during the absences or during the vacancy in the office.

No. 161 Page 98, clause 196. In subclause (2), after "person", insert "nominated as prescribed by the regulations".

No. 162 Page 99, clause 200. After subclause (8), insert:

(9) In any proceedings, the Commission may exercise judicial or arbitral powers and may, at any time, attempt to resolve the matter before it by conciliation.

(10) For all purposes in or in connection with the exercise of any judicial power, the Commission is to be taken to be a superior court of record.

No. 163 Page 101, clause 205. Omit subclause (2), insert instead:

(2) The Full Commission consists of not fewer than 3 persons chosen by the President in accordance with the following:

- (a) each person must be a member of the Commission;
- (b) at least one person must be a judicial member of the Commission;
- (c) none of the persons needs to be a Conciliation Commissioner, but only one of the persons may be a Conciliation Commissioner.

No. 164 Page 102, clause 206. After subclause (2) (a), insert:

- (b) if the President is not sitting but the Vice-President is sitting—the opinion of the Vice President; or

No. 165 Page 102, clause 206. From clause 206 (2) (b) and (c), omit "if the President is" wherever occurring, insert instead "if the President and Vice-President are".

No. 166 Page 102, clause 207. From subclause (3), omit "section 204", insert instead "section 239".

No. 167 Page 103, clause 209. From subclause (3), omit "clause 5 of Schedule 4", insert instead "clause 6 of Schedule 4".

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No. 168 Page 104, clause 211. Omit "a Deputy President", insert instead "another Presidential Member".

No. 169 Page 105, clause 215. From subclause (5), omit "Court", insert instead "Full Commission".

No. 170 Page 105, clause 215. Omit subclause (7), insert instead:

(7) If an appeal under subsection (5) is upheld, the decision on the appeal has effect as an order of the Commission or an assessment of the Registrar instead of the order or assessment the subject of the appeal.

(8) If an appeal under subsection (6) is upheld, the decision on the appeal is to be carried into effect by the Registrar.

No. 171 Page 106, clause 218. At the end of subclause (2) (c), insert:

; and

- (d) any appeal from any order, award, decision, ruling or contract determination of a member of the Commission:
 - (i) if a question of jurisdiction is involved; or
 - (ii) if the Full Commission grants leave to appeal to the appellant on the ground that the matter raised by the appeal is of such importance that an appeal should lie; and
- (e) any matter the Commission is empowered to determine by any Act other than this Act, the Annual Holidays Act 1944, the Long Service Leave Act 1955 or the Long Service Leave (Metalliferous Mining Industry) Act 1963; and
- (f) any appeal from an Industrial Magistrate if a member of the Commission considers the appeal should be removed to the Full Commission; and
- (g) any proceedings relating to a lock-out; and
- (h) any question concerning the cancellation of the registration of an industrial union or an association of contract drivers or of contract carriers; and
- (i) any appeal from decisions of the Registrar, other than concerning the settlement of minutes of orders, awards, rulings, decisions or contract determinations of a member of the Commission.

No. 172 Page 106. After clause 218, insert:

Individual access to the Commission

219. (1) An individual employee may refer any industrial matter to the Commission and, if the President considers that it is in the public interest that the matter should be dealt with by the Commission, the Commission may exercise such of its functions as are appropriate to deal with the matter.

(2) The Registrar must give notice to the Labor Council of New South Wales, the employer and such State registered organisations as appear to the Registrar to be interested in or to be likely to be affected by the Commission's dealing with any industrial matter referred under this section.

(3) The persons to whom notice is required to be given may apply to the Commission to appear before it when the industrial matter is dealt with.

(4) This section applies to the initiation of any proceedings by an individual despite any other provisions of this Act.

No. 173 Page 108, clause 223. After subclause (2) (b), insert:

; and

(c) rationalising coverage of State employee organisations within an industry,

No. 174 Page 109, clause 223. From subclause (3) (a), omit "or the Court".

No. 175 Page 109, clause 223. At the end of subclause (3) (b), insert:

; and

(c) must ensure that all State registered organisations with an interest in the proceedings are notified of the application and are given an opportunity to be heard; and

(d) must take account of established industrial coverage by State registered organisations, the award structure in the particular industry and the views of employers and industrial unions in the industry as a whole.

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No. 176 Page 109, clause 223. After subclause (8), insert:

(9) The functions of the Commission in relation to demarcation orders are exercisable only by a Presidential Member or the Full Commission.

No. 177 Page 110, clause 225. From subclause (1) (d), omit "section 129", insert instead "section 163".

No. 178 Page 111, clause 227. Omit the clause.

No. 179 Page 111, clause 229. From subclause (2), omit "an industrial union", insert instead "a State registered organisation".

No. 180 Page 112, clause 229. From subclause (5) (a), omit "industrial union", insert instead "State registered organisation".

No. 181 Page 112, clause 229. In subclause (6), after "concerned", insert ", irrespective of whether or not industrial action is taking place".

No. 182 Page 113. After clause 229, insert:

Ancillary orders in compulsory conferences

230. (1) A person summoned to attend a compulsory conference under section 264 may, at any time during the conference, make an application orally or in writing to the Conciliation Committee or Tribunal before which the conference is being held for an order:

(a) under Division 9 of Part 2; or

(b) under section 13 of the Annual Holidays Act 1944; or

(c) under section 12 of the Long Service Leave Act 1955; or

(d) under section 12 of the Long Service Leave (Metalliferous Mining Industry) Act 1963,

in respect of a matter arising out of or related to the question, dispute or difficulty the subject of the conference.

(2) The application is to be dealt with in accordance with the provisions of section 186 as if:

- (a) the applicant had elected to have the application dealt with in accordance with the provisions of that section; and
- (b) a reference in that section to an Industrial Magistrate included a reference to the Conciliation Committee or Tribunal before which the compulsory conference is being held.

(3) A Conciliation Committee or Tribunal to which an application is made may, if of the opinion that it is appropriate to do so, instead remit the application to an Industrial Magistrate to be dealt with by the Industrial Magistrate.

(4) An application for an order which is remitted to an Industrial Magistrate under this section is to be taken to have been made in accordance with the provision or provisions of the Act authorising the order to be made.

No. 183 Page 113, clause 230. Omit subclause (1).

No. 184 Page 114, clause 231. From subclause (1), omit "section 230", insert instead "section 266".

No. 185 Pages 114-115, clause 233. Omit subclauses (1) and (2).

No. 186 Page 115, clause 233. After subclause (3), insert:

(4) Nothing in subsection (1) shall empower the Commission to make or vary an award in a manner inconsistent with section 120.

No. 187 Page 115, clause 233. After subclause (4), insert:

(5) No:

(a) order, award, or contract determination; or

(b) interim order, award or contract determination,

is to be made pursuant to subsection (1) unless the causes of, and the circumstances appertaining to, the question, dispute or difficulty have been fully investigated and the member of the Commission or Chairperson of the Conciliation Committee or Tribunal concerned is satisfied that all reasonable steps have been taken to effect an amicable settlement of the question, dispute or difficulty.

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No. 188 Page 116, clause 235. Omit subclause (1), insert instead:

(1) If industrial action concerning a question, dispute or difficulty to which this Subdivision applies is taking place, or is threatened, the Commission may, on application by a party to conciliation proceedings which have been completed, order a person to cease, or to refrain from, industrial action.

(2) Application for an order under this section may be made only by:

(a) the Minister; or

(b) a State registered organisation or other person, if the applicant is, or is likely to be, adversely affected by actual or threatened industrial action of the party against whom or which the order is sought; or

(c) a State registered organisation of which a member is, or members are, adversely affected or likely to be adversely affected by actual or threatened industrial action of the party against whom or which the order is sought.

(3) An order is not to be made under this section until:

(a) a certificate of attempted conciliation of the question, dispute or difficulty concerned has been lodged or made out as would be required by section 269 if arbitration of the question, dispute or difficulty were to proceed; or

(b) the Commission has exercised its functions under section 264.

(4) An order under this section must include a statement identifying the persons to be bound by the order who may be any one or more of the persons referred to in subsection (5).

No. 189 Page 116, clause 235. Omit subclause (3) (a).

No. 190 Page 117, clause 236. From subclauses (2)-(4), omit "Court" wherever occurring, insert instead "Commission".

No. 191 Page 117, clause 236. From subclause (3), omit "section 237", insert instead "section 273".

No. 192 Page 117, clause 236. From subclause (4) (b), omit "section 237", insert instead "section 273".

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- No. 193 Page 118, clause 237. Omit "Court" wherever occurring, insert instead "Commission".
- No. 194 Page 118, clause 237. From subclause (2) (a), omit "State employee organisation or an employer", insert instead "State registered organisation or any other corporation".
- No. 195 Page 118, clause 237. From subclause (2) (a), omit "1,000" and "100", insert instead "100" and "10", respectively.
- No. 196 Page 118, clause 237. From subclause (2) (b), omit "100" and "10", insert instead "10" and "1", respectively.
- No. 197 Page 118, clause 237. From subclause 2 (b), omit "units" where secondly occurring, insert instead "unit".
- No. 198 Page 118, clause 273. From subclause (3), omit "Section 236", insert instead "Section 272".
- No. 199 Page 119, clause 238. From subclause (1), omit "section 237" wherever occurring, insert instead "section 273".
- No. 200 Page 119, clause 238. From subclause (1), omit "Court" wherever occurring, insert instead "Commission".
- No. 201 Page 119. After clause 238, insert:

Subdivision 3—Void Contracts

Power of Commission to declare certain contracts void

239. (1) The Commission may make an order or award declaring void in whole or in part or varying in whole or in part and either ab initio or from some other time any contract or arrangement or any condition or collateral arrangement relating thereto whereby a person performs work in any industry on the grounds that the contract or arrangement or any condition or collateral arrangement relating thereto:

- (a) is unfair; or
- (b) is harsh or unconscionable; or

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- (c) is against the public interest. Without limiting the generality of the words "public interest", regard shall be had in considering the question of public interest to the effect such a contract or a series of such contracts has had or may have on any system of apprenticeship and other methods of providing a sufficient and trained labour force; or
- (d) provides or has provided a total remuneration less than a person performing the work would have received as an employee performing such work; or
- (e) was designed to or does avoid the provisions of an award, industrial agreement, agreement registered under Subdivision 3 of Division 8 of Part 2 or contract determination.

(2) The Commission, in making an order or award pursuant to subsection (1) of this section, may make such order as to the payment of money in connection with any contract, arrangement, condition or collateral arrangement declared void, in whole or in part, or varied in whole or in part, as may appear to the Commission to be just in the circumstances of the case.

(3) The Commission, when making an order or award pursuant to subsection (1) or at any time thereafter, may make such further order as may appear to the Commission to be appropriate for the purpose of prohibiting (either absolutely or otherwise than in accordance with specified conditions):

- (a) any party to the contract, arrangement or collateral arrangement; or
- (b) any other person who is (in any way considered relevant by the Commission) associated with any such party,

from:

- (c) entering into any specified kind of contract, arrangement or collateral arrangement whereby a person performs work in an industry; or
- (d) doing any act (whether by way of newspaper advertising or otherwise) which may reasonably be construed as being intended to induce other persons to enter into any such contract, arrangement or collateral arrangement.

(4) An order under subsection (3) shall identify the person or persons upon whom it is binding and shall take effect in respect of any such person:

- (a) upon service on that person of a copy of the order; or
- (b) upon publication of the order in a daily newspaper circulating generally throughout New South Wales,

whichever first occurs.

(5) An order or award may be made pursuant to subsection (1), and an order may be made pursuant to subsection (3), on the application of:

- (a) in the case of an order or award under subsection (1)—any party to the contract, arrangement or collateral arrangement; or
 - (b) in the case of an order under subsection (3):
 - (i) any party to the contract, arrangement or collateral arrangement; or
 - (ii) any person who, but for the making of an order or award pursuant to subsection (1), would be a party to the contract, arrangement or collateral arrangement; or
 - (c) the secretary of a State employer organisation whose members employ persons working in the industry to which the contract, arrangement or collateral arrangement relates; or
 - (d) the secretary of an industrial union whose members are employed in the industry to which the contract, arrangement or collateral arrangement relates; or
 - (e) the Minister.
- (6) Without affecting the operation of any other provision of this Act:
- (a) the Commission may make such order as to the payment of costs, in any proceedings under this section, as may appear to it to be just; and
 - (b) the Full Commission may make such order as to the payment of costs, in any proceedings before it which arise by way of appeal from proceedings under this section, as may appear to it to be just,

and the Commission or the Full Commission, as the case may be, may assess the amount of the costs.

(7) An application under this section in respect of a contract of carriage to which Division 8 of Part 2 applies may be made by a party to the contract or by an association of contract carriers of which a party to the contract is a member.

Subdivision 4—Regulation of certain contracts

Regulation of certain contracts

240. (1) Subject to subsection (2), this section applies to any contract under or in pursuance of which:

- (a) building work; or
- (b) door-to-door handbill delivery work; or
- (c) door-to-door sales work,

is carried out or performed.

(2) This section does not apply to any contract referred to in subsection (1):

- (a) to the extent to which the contract is a contract under or in pursuance of which the work is carried out or performed by persons in their capacity as employees; or
- (b) unless at least one of the parties to the contract (not being a person by whom the work is actually carried out) is a person who carries on the business of carrying out or performing, or arranging for the carrying out or performance of, that kind of work.

(3) On the application of the secretary of an industrial union whose members are employed in the industry or calling in connection with which:

- (a) building work; or
- (b) door-to-door handbill delivery work; or

(c) door-to-door sales work,

is carried out or performed, the Commission may, by order, prescribe the minimum rate at which a person shall be remunerated in relation to the carrying out or performance of that kind of work (otherwise than in the capacity of an employee) under or in pursuance of a contract to which this section applies.

(4) An order under this section may be made only if the Commission is satisfied (whether as a consequence of proceedings before it under section 275 or otherwise) that work of the kind to which the proposed order relates is being, or is likely to be, carried out or performed under or in pursuance of a contract that:

(a) is unfair; or

(b) is harsh or unconscionable; or

(c) is against the public interest (as referred to in section 275).

(5) Before making an order under this section, the Commission shall require the applicant for the order to cause notice of the application to be served on such persons or bodies as, in the opinion of the Commission, have an interest in the matters to which the proposed order relates, and shall allow those persons or bodies to appear and to be heard in relation to the making of the order.

(6) An order under this section shall take effect on the expiration of 28 days after the day on which it is published in the Gazette or, where a later day is specified in the order in that regard, on that later day.

(7) Where an order is in force under this section in relation to:

(a) building work; or

(b) door-to-door handbill delivery work; or

(c) door-to-door sales work,

any contract to which this section applies (being a contract under or in pursuance of which any such work is, or is agreed to be, carried out or performed) shall be deemed to incorporate the provisions of the order that relate to that work.

(8) In the event of an inconsistency between a provision of an order in force under this section and a provision of a contract referred to in subsection (7), the provision of the order shall, to the extent of the inconsistency, prevail.

(9) The Commission may, on its own motion or on the application of the secretary of an industrial union whose members are employed in the industry or calling concerned, vary or revoke an order under this section.

(10) In this section:

"building work" means work carried out for the purpose of:

- (a) constructing, altering or adding to, renovating, decorating or painting any building or structure; or
- (b) excavating or filling the site on which any building or structure is proposed to be constructed; or
- (c) demolishing any building or structure,

and includes work which the regulations declare to be building work for the purposes of this definition, but does not include:

- (d) work carried out otherwise than on the site on which a building or structure is being, or is proposed to be, constructed or on which a building or structure is being demolished; or
- (e) work which the regulations declare not to be building work for the purposes of this definition;

"door-to-door handbill delivery work" includes work which the regulations declare to be door-to-door handbill delivery work for the purposes of this definition, but does not include work which the regulations declare not to be door-to-door handbill delivery work for the purposes of this definition;

"door-to-door sales work" includes work which the regulations declare to be door-to-door sales work for the purposes of this definition, but does not include work which the regulations declare not to be door-to-door sales work for the purposes of this definition.

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- No. 202 Page 119, clause 239. Omit ", under section 26 of the Industrial Court Act 1990, the Registrar of the Court issues to the Industrial Registrar a certificate of a finding by the Court", insert instead "the Commission finds under this Subdivision, or finds on an application made under Subdivision 7,".
- No. 203 Page 120, clause 240. From subclause (1), omit "section", insert instead "Subdivision".
- No. 204 Page 120, clause 241. Omit "section", insert instead "Subdivision".
- No. 205 Page 120, clause 242. From subclause (1), omit "section 239", insert instead "section 277".
- No. 206 Pages 121-122, clauses 244-247. Omit the clauses, insert instead:

Order providing for stand-down

244. (1) An employer or a State employer organisation may apply to the Commission for the making of a stand-down order where the employer or an employer who is a member of the organisation has no useful work for employees because of industrial action, breakdown of machinery or any other act or omission for which the employer is not responsible.

(2) The Commission is to give high priority to the hearing and determination of applications under this section.

(3) The Commission must not make a stand-down order if:

(a) the employer concerned is bound by an award or agreement, whether made or registered before or after the commencement of this section; and

(b) the stand-down order would be inconsistent with any provisions of the award or agreement,

except with the concurrence of the parties to the award or agreement.

(4) A stand-down order is enforceable as if it were an award.

Effect of stand-down

245. (1) An employee who is stood down is not entitled to any salary, wages or other remuneration or allowance while stood down.

(2) The period during which an employee is stood down is to be reckoned as a period of employment with the employer for the purposes of any period of service on which leave or superannuation entitlements are based.

No. 207 Page 122, clause 249. Omit subclause (2).

No. 208 Page 123, clause 250. In subclause (1), after "may", insert ", within 2 years after the date of dismissal or such longer period as may be allowed by the Commission on the application of the dismissed employee,".

No. 209 Page 123, clause 250. In subclause (2) (b), after "in the former position", insert ", at the option of the employee".

No. 210 Page 123, clause 251. From subclause (1), omit "section 250", insert instead "section 286".

No. 211 Page 125. After clause 257, insert:

Other provisions not affected

258. (1) This Subdivision does not affect any other rights of a dismissed employee under this or any other Act or under any award, agreement or contract of employment.

(2) No agreement or contract, made or entered into before or after the commencement of this section, shall operate to annul, vary or exclude any of the provisions of this Subdivision.

No. 212 Page 126, clause 258. From subclause (2) (b), omit "an order of the Commission or a dispute order or", insert instead "a dispute order of the Commission or an".

No. 213 Page 126, clause 258. From subclause (2) (c), omit "employee", insert instead "registered".

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- No. 214 Page 126, clause 259. Omit subclause (2) (b), insert instead:
- (b) 5% of the members in the section or class of employees who are or contemplate being involved in the industrial action; or
- No. 215 Page 126, clause 259. In subclause (2) (c), after "action", insert "or a State employer organisation a member of which is such an employer; or
- (d) the Minister.
- No. 216 Page 126, clause 259. From subclause (3), omit "directed by the Minister or".
- No. 217 Page 126, clause 259. From subclause (4), omit "employee", insert instead "registered".
- No. 218 Pages 126-127, clause 260. From subclauses (1) and (2), omit "section 259 (2)" wherever occurring, insert instead "section 296 (2)".
- No. 219 Page 126, clause 260. From subclause (1) (b), omit "directed by the Minister or".
- No. 220 Page 127, clause 261. From subclause (1), omit "section 259 (2)", insert instead "section 296 (2)".
- No. 221 Page 127, clause 261. From subclause (2), omit "directed by the Minister or".
- No. 222 Page 127, clause 261. From subclause (2), omit "section 260 (1) (b)", insert instead "section 297 (1) (b)".
- No. 223 Page 127, clause 261. Omit subclause (4) (a) and (b), insert instead "by the State".
- No. 224 Page 128, clause 265. Omit subclause (1), insert instead:
- (1) If an employer dismisses, or threatens to dismiss, an employee and the employee claims that the dismissal was, or that the threatened dismissal would be, harsh, unreasonable or unjust, the employee, or a State employee organisation on behalf of the employee, may apply for relief to the Commission.

No. 225 Pages 128, 129, clause 265. After subclause (1), insert:

(2) For the purposes of this section, termination of employment includes termination with or without notice.

(3) Termination of employment by an employer must not be harsh, unreasonable or unjust.

(4) Without limiting the scope of subsection (1) or (3), except where a distinction, exclusion or preference is based on the inherent requirements of a particular position, termination on the grounds of race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin constitutes a harsh, unreasonable or unjust termination of employment.

(5) Nothing in subsection (4) derogates from the general powers of the Commission in determining cases on unfair dismissal or reinstatement in employment.

No. 226 Page 129, clause 265. From subclause (2), omit "or the Registrar of the Court, as appropriate,".

No. 227 Page 129, clause 265. From subclause (3), omit "or the Court".

No. 228 Page 129, clause 266. Omit the clause, insert instead:

Discretion of Commission

266. (1) The Commission may, at its discretion, deal with an application made to it under this Subdivision.

(2) In exercising that discretion, the Commission may examine the extent (if any) to which any procedures in an award or agreement providing for the settlement of questions, disputes or difficulties concerning a dismissal or threat of dismissal have been complied with as far as reasonably practicable in the circumstances.

No. 229 Page 130, clause 268. From subclause (1), omit "mediation fails", insert instead ", in the opinion of the member of the Commission attempting mediation, mediation has failed".

No. 230 Page 130, clause 268. From subclauses (1) and (2), omit "section 269" wherever occurring, insert instead "section 306".

No. 231 Page 130, clause 268. From subclause (2), omit "Court", insert instead "Commission".

No. 232 Page 130, clause 268. From subclause (3), omit "or the Court" wherever occurring.

No. 233 Pages 130-131, clause 269. Omit "or the Court" wherever occurring.

No. 234 Page 131, clause 269. Omit subclause (4), insert instead:

(4) When assessing any compensation payable, the Commission may take into account any remuneration received by the employee in alternative employment since the employee was dismissed.

No. 235 Page 131, clause 269. From subclause (6), omit "The Commission or the Court may make any other order", insert instead "Whether or not it makes an order under this section, the Commission or the Court may make any order of a different kind".

No. 236 Page 132, clause 270. Omit the clause, insert instead:

Different member to hear application

270. If a member of the Commission has attempted mediation and, in the opinion of the member, mediation has failed, the application is to be heard and determined by a different member, if a party to the proceedings so requires.

No. 237 Page 132, clause 272. Omit "or the Court".

No. 238 Page 133, clause 274. Omit "section 273", insert instead "section 310".

No. 239 Page 133, clause 275. After clause 274, insert:

Penalty for unlawful dismissal etc.

275. (1) An employer who, for an unacceptable reason, dismisses an employee, injures an employee in his or her employment or alters an employee's position to the employee's prejudice is guilty of an offence.

Maximum penalty: 100 penalty units.

(2) For the purposes of subsection (1), a reason is unacceptable only if it is that the employee concerned:

- (a) is an officer, delegate or member of a State employee organisation or is a member of a Conciliation Committee; or
- (b) is not a person referred to in paragraph (a), but is an elected representative of employees; or
- (c) has informed any person that a breach or suspected breach of an award or agreement has been committed by the employer; or
- (d) claims a benefit of an award or agreement to which he or she is entitled; or
- (e) has engaged in, or contemplates engaging in, any public or political activity (not being an activity that interferes with the performance of duties as an employee); or
- (f) has appeared as a witness, or has given evidence, in a proceeding relating to an industrial matter; or
- (g) after applying for, and being unreasonably refused, leave without pay for the purpose, is absent from work through being engaged in other duties as a member of a State registered organisation in respect of a matter affecting the industry in which the employee is working or in other duties as a member of a Conciliation Committee; or
- (h) after applying for, and being unreasonably refused, leave without pay for the purpose, is absent from work through being engaged in other duties as a member of an enterprise association in respect of a matter related to the enterprise the subject of an enterprise agreement to which the enterprise association is a party.

(3) Where an employer is convicted of an offence under this section, the Commission may order the employer:

- (a) to reinstate the person to the position that the person occupied immediately before the dismissal or a position no less favourable than the position; and
- (b) to pay the person the whole or part of the wages lost by the person because of the dismissal; and

(c) if the person has suffered any other loss as a consequence, to pay to the person in such sum as appears to the Commission to be appropriate.

(4) In any proceedings for an offence against this section, if all the facts and circumstances constituting the offence, other than the reason for the defendant's action, are proved, the defendant has the onus of proving that the defendant was not actuated by the reason alleged in the charge.

(5) In any proceedings for an offence in respect of subsection (2) (g), it is not necessary for the prosecution to prove among the facts and circumstances constituting the offence that the employer unreasonably refused leave.

No. 240 Page 133. After clause 275 as inserted, insert:

Appeal to Full Commission

276. An appeal does not lie to the Full Commission from a decision made under this Subdivision, unless the Full Commission grants leave to appeal.

No. 241 Page 133. Before the heading to Part 5, insert:

Subdivision 9—Special criminal jurisdiction

Definitions

277. In this Subdivision, "criminal proceedings" means a proceeding for any of the following offences:

- (a) an offence against the Occupational Health and Safety Act 1983 or the regulations under that Act;
- (b) an offence against the Workers Compensation Act 1987 or the regulations under that Act;
- (c) any other offence which this or any other Act provides may be prosecuted before the Commission.

Jurisdiction of Commission

278. (1) The jurisdiction of the Commission includes the power to hear and determine criminal proceedings.

(2) The criminal jurisdiction of the Commission may be exercised only by a judicial member of the Commission.

Powers of Commission in criminal proceedings

279. For the purposes of hearing and determining a criminal proceeding, the Commission has and may exercise all the functions of an Industrial Magistrate in relation to such proceedings.

Appeal etc.

280. (1) An appeal lies to the Full Commission from any order of the Commission in a criminal proceeding imposing a penalty, ordering the payment of a penalty or ordering that the proceeding be dismissed for any reason.

(2) The Commission may, on application by any party to a criminal proceeding, state a case for the opinion of the Full Commission, setting forth the facts and the grounds for any conviction made by the Commission.

(3) Section 180 applies to an appeal from an order of, and the stating of a case by, the Commission in a criminal proceeding to the Full Commission in the same way as it applies to an appeal from an order of, and the stating of a case by, an Industrial Magistrate to the Commission.

(4) Only judicial members of the Commission, other than the member against whose decision the appeal is made or who stated the case, may constitute the Full Commission for the purposes of this section.

Rules of evidence

281. Without limiting the operation of any other provision of this Subdivision, the Commission is bound by the rules of evidence in the exercise of its jurisdiction under this Subdivision.

No. 242 Page 133, clause 275. Omit subclause (1), insert instead:

(1) The Minister may seek leave to appeal to the Full Commission against a decision of the Commission (other than a decision of the Full Commission) and such leave may be granted if the Commission considers that the public interest is affected by the decision.

No. 243 Page 134, clause 276. Omit the clause.

No. 244 Page 134, clause 277. Omit the clause.

No. 245 Page 135, clause 278. From subclause (1) (a), omit "(other than a matter required to be referred to the Court)".

No. 246 Page 136, clause 280. From subclause 322 (1) (a), omit "(other than a decision from which an appeal lies to the Court)".

No. 247 Page 136, clause 280. Omit subclause (4).

No. 248 Page 136, clause 281. Omit "Court" wherever occurring, insert instead "Full Commission".

No. 249 Page 137, clause 283. Omit "Court" wherever occurring, insert instead "Full Commission".

No. 250 Pages 137-138, clause 284. Omit "Court" wherever occurring, insert instead "Full Commission".

No. 251 Page 138, clause 285. Omit subclause (2) (c).

No. 252 Page 138, clause 285. In subclause (2), after "Commission", insert "but any such party may, without that leave, be represented by an agent who is not a barrister or solicitor or a person so qualified".

No. 253 Page 138, clause 285. After subclause (3), insert:

(4) Despite anything else contained in this section, a person is entitled to be represented by an employee or officer of a State registered organisation.

No. 254 Page 140, clause 288. From subclause (7), omit "50", insert instead "100".

No. 255 Page 141, clause 290. From subclause (1), omit "or the Industrial Court Act 1990".

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- No. 256 Page 144, clause 298. From subclauses (2)-(4), omit "Court" wherever occurring, insert instead "Full Commission".
- No. 257 Page 148, clause 304. Omit "Court", insert instead "Commission".
- No. 258 Pages 149-150, clause 307. Omit the clause.
- No. 259 Page 150, clause 308. From paragraph (d), omit "or an enterprise association".
- No. 260 Page 150, clause 309. From subclause (1), omit ", enterprise association".
- No. 261 Pages 150-151, clause 309. Omit subclause (1) (e).
- No. 262 Page 151, clause 309. From subclause (1) (f), omit "other than in the case of an application by an association to be registered as an enterprise association,".
- No. 263 Pages 151-152, clause 310. Omit the clause.
- No. 264 Page 153, clause 315. From subclauses (1) and (2), omit "Court" wherever occurring, insert instead "Commission".
- No. 265 Pages 153-154, clause 316. Omit "Court" wherever occurring, insert instead "Commission".
- No. 266 Page 154, clause 318. From subclause (3), omit ", an enterprise association".
- No. 267 Page 155, clause 319. From subclause (1), omit ", an enterprise association".
- No. 268 Pages 155-156, clause 320. Omit the clause.
- No. 269 Page 157, clause 324. From subclause (1) (b), omit ", the Court or any other court or", insert instead "or any court or other".
- No. 270 Page 158, clause 325. From subclause (1), omit "or enterprise".
- No. 271 Page 158, clause 325. Omit subclause (2) (g).
- No. 272 Pages 158-159, clause 326. From subclauses (3) and (4), omit "Court" wherever occurring, insert instead "Commission".

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- No. 273 Page 160, clause 328. From subclause (6) (a), omit "section 326 or 331", insert instead "section 365 or 370".
- No. 274 Pages 161-162, clause 331. Omit "Court" wherever occurring, insert instead "Commission".
- No. 275 Page 161, clause 331. From subclauses (2), (5) and (6), omit "section 324" wherever occurring, insert instead "section 363".
- No. 276 Pages 162-163, clause 332. Omit "Court" wherever occurring, insert instead "Commission".
- No. 277 Page 162, clause 332. From subclause (7), omit "section 324", insert instead "section 363".
- No. 278 Page 163, clause 332. From subclause (8), omit "Section 331", insert instead "Section 370".
- No. 279 Page 163, clause 334. Omit "registered organisation or the branch of the State registered organisation concerned".
- No. 280 Page 165, clause 336. Omit "Court" wherever occurring, insert instead "Commission".
- No. 281 Pages 165-166, clause 337. Omit "section 335 (4)" wherever occurring, insert instead "section 374 (4)".
- No. 282 Page 166, clause 340. Omit "section 339", insert instead "section 378".
- No. 283 Page 170, clause 345. From subclause (1), omit "Court", insert instead "Commission".
- No. 284 Page 170, clause 346. Omit "Court" wherever occurring, insert instead "Commission".
- No. 285 Page 171, clause 347. Omit "section 346", insert instead "section 385".
- No. 286 Page 171, clause 348. Omit "Court", insert instead "Commission".
- No. 287 Pages 171-172, clause 349. Omit "Court" wherever occurring, insert instead "Commission".
- No. 288 Page 172, clause 350. Omit "Court" wherever occurring, insert instead "Commission".

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- No. 289 Pages 172-173, clause 351. Omit "Court" wherever occurring, insert instead "Commission".
- No. 290 Page 174, clause 352. Omit "Court", insert instead "Commission".
- No. 291 Page 174, clause 353. Omit "Court" wherever occurring, insert instead "Commission".
- No. 292 Pages 174-175, clause 354. Omit "Court" wherever occurring, insert instead "Commission".
- No. 293 Page 175, clause 354. From subclause (5) (c), omit "section 351", insert instead "section 390".
- No. 294 Page 176, clause 356. Omit "Court", insert instead "Commission".
- No. 295 Pages 176-178, clause 357. Omit "Court" wherever occurring, insert instead "Commission".
- No. 296 Page 178, clause 358. From subclause (1) (a), omit "at least 50% of the".
- No. 297 Page 179, clause 358. After subclause (1), insert:
- (2) The Commission is not to determine any such application unless satisfied that adequate notice of the application has been given to:
 - (a) each industrial union representing persons employed in the enterprise; and
 - (b) the persons employed in the enterprise; and
 - (c) the enterprise employer.
- No. 298 Page 179, clause 358. From subclause (2) omit "from the relevant enterprise employer", insert instead "from any person given a notice under subsection (2)".
- No. 299 Page 179, clause 358. From subclause (4) (a), omit "at least 50% of the".
- No. 300 Page 179, clause 358. From subclause (7), omit "subsection (5)", insert instead "subsection (6)".

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- No. 301 Page 180, clause 360. Omit "section 359", insert instead "section 398".
- No. 302 Page 180, clause 360. Omit "section 358", insert instead "section 397".
- No. 303 Page 181, clause 361. From subclause (1), omit "section 359", insert instead "section 398".
- No. 304 Page 182, clause 366. Omit the clause.
- No. 305 Page 183, clause 368. From subclause (3), omit "6 months", insert instead "3 years".
- No. 306 Page 184, clause 369. From subclause (3), omit "6 months", insert instead "3 years".
- No. 307 Page 184, clauses 370. Omit "6 months", wherever occurring, insert instead "3 years".
- No. 308 Page 185, clause 372. Omit "Court", insert instead "Commission".
- No. 309 Page 185, clause 373. From subclause (2), omit "only".
- No. 310 Page 186, clause 373. From subclause (7), omit "a State employee organisation", insert instead "the appropriate industrial union covering the employer's workplace".
- No. 311 Page 186, clause 374. Omit the clause, insert instead:

Preference to unionists

374. (1) Despite any other provision of this Act, the Commission may, on application, insert (by way of variation or otherwise) in an award or agreement (whether made before or after the commencement of this section) a provision providing:

- (a) for absolute preference of employment to the members of the industrial union or unions specified in the award or agreement or to persons who have applied to become members of the industrial union or unions specified in the award or agreement. Such preference to members (and applicants for membership) of such industrial union or unions shall be limited to the point where such a member or applicant and a person who is not such a member or applicant are offering for service or employment at the same time

or, in the case of retrenchment, to the point where either such a member (or such an applicant) or a person who is not such a member (or such an applicant) is to be dismissed from service or employment; and

- (b) that the provision inserted in any award or agreement pursuant to paragraph (a) is not to apply to or in respect of the employment in any industry or calling of a person who has been issued by the Registrar with a certificate of exemption pursuant to section 413 covering the industry or calling, if the period specified in the certificate or any renewal of it has not expired.

(2) The following matters are examples of matters in relation to which it may be directed under subsection (1) that preference is to be given:

- (a) engagement in employment;
- (b) promotion;
- (c) regrading;
- (d) transfer;
- (e) retention in employment;
- (f) taking of annual leave;
- (g) overtime;
- (h) vocational training.

(3) Nothing in this section limits or in any way affects any law relating to preference in employment to persons who have served as members of the Naval, Military or Air Forces of the Commonwealth.

No. 312 Page 186, clause 375. Omit the clause, insert instead:

Conscientious objectors

375. (1) For the purposes of this section, "conscientious belief" includes any conscientious belief, whether the grounds for it are or are not of a religious character and whether the belief is or is not part of the doctrine of any religion.

(2) Any person who:

- (a) objects on the grounds of conscientious belief to being a member of an industrial union; and
- (b) applies in the prescribed manner to the Registrar for a certificate of exemption from membership of any such union; and
- (c) satisfies the Registrar that his objections on the grounds of conscientious belief are genuine; and
- (d) pays to the Registrar an amount equivalent to the subscription prescribed by the rules of the industrial union for membership of such union,

is to be issued by the Registrar with a certificate of exemption from membership of the industrial union.

(3) Any such certificate remains in force for the period specified in it and may be renewed from time to time by the Registrar on payment of such amount, not exceeding the amount referred to in subsection (2) (d), as the Registrar may require.

(4) Any amount received by the Registrar pursuant to this subsection shall be paid by him to the credit of the Consolidated Fund.

(5) Any person whose application for a certificate of exemption from membership of an industrial union, or for any renewal of it, under this subsection is refused, may, within the prescribed period after the decision of the Registrar refusing the application, appeal in the prescribed manner to the Commission from such decision.

(6) The Commission may on such an appeal make such order as it thinks fit.

(7) Notwithstanding subsections (1) to (6), no person can be compelled to join an industrial union.

No. 313 Page 188, clause 376. From subclause (5) (b), omit "; or", insert instead ",".

No. 314 Page 188, clause 376. Omit subclause (5) (c) and (d).

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No. 315 Page 188, clause 376. After subclause (5), insert:

(6) Where an employer of a State registered organisation is convicted of an offence under subsection (1) or (2), and a person affected by the offence has suffered any loss as a consequence, the Commission may order the employer or State registered organisation to pay to the person in such sum as appears to the Commission to be appropriate.

No. 316 Page 188, clause 376. At the end of subclause (6) (b), insert:

; and

(c) if the person has suffered any other loss as a consequence, to pay to the person in such sum as appears to the Commission to be appropriate.

No. 317 Page 188, clause 376. From subclause (6), omit "Court", insert instead "Commission".

No. 318 Page 188, clause 376. From subclause (7), omit "section 375 (1)" wherever occurring, insert instead "section 413 (1)".

No. 319 Pages 188-189, clause 377. Omit "Court" wherever occurring, insert instead "Commission".

No. 320 Page 189, clause 377. After subclause (3) (a) insert:

(b) the person, outside of a closed shop arrangement, has chosen not to belong to a State employee organisation; or

No. 321 Page 189, clause 377. From subclause (3), omit "section 376 (6)", insert instead "section 414 (7)".

No. 322 Page 189, clause 378. Omit "50 penalty units, or if", insert instead "Where an officer has acted in breach of this section and".

No. 323 Page 189, clause 378. Omit "or imprisonment for 5 years, or both".

No. 324 Page 189, clause 379. Before "registered", insert "State".

No. 325 Page 190, clause 380. Omit "or imprisonment for 5 years, or both".

No. 326 Page 190, clause 381. Omit "or imprisonment for 5 years, or both".

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- No. 327 Page 193, clause 386. From subclause (1) (b), omit "section 335, 340, 341, 347 or 429", insert instead "section 374, 379, 380, 386 or 467".
- No. 328 Page 195, clause 387. Omit "section 388 or 389" wherever occurring, insert instead "section 426 or 427".
- No. 329 Page 195, clause 387. From subclause (1) (a) (ii), omit "section 388 (2) (b) or 389 (2) (b)", insert instead "section 426 (2) (b) or 427 (2) (b)".
- No. 330 Page 195, clause 387. Omit "Court" wherever occurring, insert instead "Commission".
- No. 331 Page 196, clause 388. From subclause (2) (b), omit "section 387 (1)", insert instead "section 425 (1)".
- No. 332 Page 197, clause 388. From subclause (4), omit "section 389", insert instead "section 427".
- No. 333 Page 197, clause 389. Omit "Court" wherever occurring, insert instead "Commission".
- No. 334 Page 197, clause 389. From subclause (2) (b), omit "section 387 (1)", insert instead "section 425 (1)".
- No. 335 Page 197, clause 389. From subclause (4), omit "section 388", insert instead "section 426".
- No. 336 Page 198, clause 390. Omit "section 388 or 389", insert instead "section 426 or 427".
- No. 337 Page 198, clause 390. Omit "Court", insert instead "Commission".
- No. 338 Page 198, clause 390. From paragraph (e), omit "Court's", insert instead "Commission's".
- No. 339 Page 198, clause 391. Omit "Court" wherever occurring, insert instead "Commission".
- No. 340 Page 198, clause 391. Omit "section 387 (5)" wherever occurring, insert instead "section 425 (5)".
- No. 341 Page 198, clause 391. From subclause (3), omit "section 388 or 389", insert instead "section 426 or 427".

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- No. 342 Page 198, clause 392. Omit "Court", insert instead "Commission".
- No. 343 Page 199, clause 393. Omit "Court" wherever occurring, insert instead "Commission".
- No. 344 Page 200, clause 394. Omit "Court", insert instead "Commission".
- No. 345 Page 200, clause 394. Omit "200 penalty units", insert instead "50 penalty units".
- No. 346 Page 200, clause 395. Omit "Court", insert instead "Commission".
- No. 347 Page 201, clause 396. In subclause (6), after "register" where secondly occurring, insert ", but only if the member or person so authorised satisfies the Registrar that he or she is seeking information about those members for the purpose of standing as a candidate for election to an office in the organisation to which they belong".
- No. 348 Page 202, clause 397. From subclause (1), omit "or imprisonment for 2 years, or both".
- No. 349 Page 203, clause 398. Omit "or imprisonment for 2 years, or both".
- No. 350 Page 204, clause 400. From subclause (1), omit "(other than a political donation) of a relevant amount, and of all political donations,", insert instead "of a relevant amount".
- No. 351 Page 204, clause 400. From subclause (6), omit ", other than a political donation,".
- No. 352 Page 205, clause 401. Omit subclause (1), insert instead:
- (1) A State registered organisation must, in accordance with this Subdivision:
 - (a) keep and maintain at its registered office a register of loans, grants and donations made by the organisation; and
 - (b) ensure that the committee of management of the organisation or branch of the organisation has approved the making of the loan, grant or donation.

Maximum penalty: 50 penalty units.

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- No. 353 Page 205, clause 401. From subclause (4), omit "section 400 (4)-(6)", insert instead "section 438 (4)-(6)".
- No. 354 Page 206, clause 403. From subclause (1) (b), omit "section 405", insert instead "section 443".
- No. 355 Page 206, clause 403. In subclause (2), after "accrual basis", insert "or cash basis".
- No. 356 Page 206, clause 403. Omit subclauses (3)-(5).
- No. 357 Page 207, clause 405. From subclause (1) (a), omit "section 403 (1)", insert instead "section 441 (1)".
- No. 358 Page 207, clause 406. Omit "section 403", insert instead "section 441".
- No. 359 Page 207, clause 406. Omit "section 405", insert instead "section 443".
- No. 360 Page 207, clause 406. Omit "100 penalty units or imprisonment for 2 years, or both", insert instead "50 penalty units".
- No. 361 Page 208, clause 407. From subclause (3), omit "section 405", insert instead "section 443".
- No. 362 Page 210, clause 409. From subclause (4) (a) (ii), omit "section 405", insert instead "section 443".
- No. 363 Page 211, clause 412. From subclause (1) (b), omit "section 405", insert instead "section 443".
- No. 364 Page 212, clause 412. From subclause (2) (d), omit "section 409 (4)", insert instead "section 447 (4)".
- No. 365 Page 213, clause 412. From subclause (6) (a), omit "section 409 (4)", insert instead "section 447 (4)".
- No. 366 Page 213, clause 413. From subclause (1), omit "section 412 (5) or (6)", insert instead "section 450 (5) or (6)".
- No. 367 Page 214, clause 413. From subclause (2) (a), omit "section 409 (4)", insert instead "section 447 (4)".
- No. 368 Page 215, clause 413. From subclause (11), omit "100", insert instead "50".

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- No. 369 Page 216, clause 413. From subclause (12), omit "100", insert instead "50".
- No. 370 Page 216, clause 414. Omit "section 413" wherever occurring, insert instead "section 451".
- No. 371 Page 216, clause 415. Omit "Court" wherever occurring, insert instead "Commission".
- No. 372 Page 216, clause 415. From subclause (1), omit "sections 412 and 413", insert instead "sections 450 and 451".
- No. 373 Page 216, clause 416. From subclause (1), omit "section 413", insert instead "section 451".
- No. 374 Page 223, clause 426. From subclause (1), omit "section 424 (2) and (3) or (2) and (4)", insert instead "section 462 (2) and (3) or (2) and (4)".
- No. 375 Page 223, clause 427. From subclause (1), omit "section 422", insert instead "section 460".
- No. 376 Page 223, clause 427. In subclause (1), before "Commission", insert "Full".
- No. 377 Page 223, clause 427. From subclause (1), omit "section 424 or 426", insert instead "section 462 or 464".
- No. 378 Pages 223-224, clause 427. Omit "section 424 (2) and (3) or (2) and (4)" wherever occurring, insert instead "section 462 (2) and (3) or (2) and (4)".
- No. 379 Page 225, clause 428. From subclause (8), omit "section 422", insert instead "section 460".
- No. 380 Page 225, clause 429. From subclause (1), omit "section 428", insert instead "section 466".
- No. 381 Page 226, clause 430. From subclause (1), omit "section 428 (1) or (2)", insert instead "section 466 (1) or (2)".
- No. 382 Pages 226-227, clause 431. Omit "section 428" wherever occurring, insert instead "section 466".

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- No. 383 Page 226, clause 431. From subclause (1), omit "Court, as prescribed by rules made under the Industrial Court Act 1990, for an inquiry by the Court", insert instead "Commission for an inquiry by the Commission".
- No. 384 Pages 226-227, clause 431. From subclauses (2) and (3), omit "Court" wherever occurring, insert instead "Commission".
- No. 385 Page 228, clause 433. From subclause (2), omit "Court" wherever occurring, insert instead "Commission".
- No. 386 Page 228, clause 434. Omit "section 368", insert instead "section 406".
- No. 387 Page 229, clause 437. Omit "section 428", insert instead "section 466".
- No. 388 Page 231, clause 439. Omit "section 441" wherever occurring, insert instead "section 479".
- No. 389 Page 233, clause 440. From subclause (1), omit "section 441", insert instead "section 479".
- No. 390 Page 233, clause 440. From subclause (2) (b), omit "Court or any other court", insert instead "Commission or any court".
- No. 391 Page 234, clause 441. Omit "Court" wherever occurring, insert instead "Commission".
- No. 392 Page 234, clause 441. Omit "section 439 or 440" wherever occurring, insert instead "section 477 or 478".
- No. 393 Pages 234-235, clause 442. Omit "Court" wherever occurring, insert instead "Commission".
- No. 394 Page 236, clause 443. Omit "Court" wherever occurring, insert instead "Commission".
- No. 395 Page 237, clause 446. From subclause (1), omit "7", insert instead "28".
- No. 396 Page 238, clause 446. In subclause (2), after "organisation who", insert "wilfully".
- No. 397 Page 239, clause 452. Omit "or imprisonment for 3 months, or both".

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- No. 398 Page 240, clause 453. Omit "or imprisonment for 2 years, or both".
- No. 399 Pages 240-241, clause 455. Omit "Court" wherever occurring, insert instead "Commission".
- No. 400 Page 241. After clause 455, insert:

Organisations and officials not vicariously liable

456. (1) Neither a State registered organisation nor a person who is a member of the committee or other executive body of such an organisation is liable to be convicted of an offence against this Act (or for any pecuniary penalty) because of an act or omission of a person in contravention of the express resolutions or directions of the organisation or its committee or other executive body.

(2) Subsection (1) does not apply:

- (a) to a State registered organisation, if the organisation or a member of the committee or other executive body of the organisation encouraged, assisted in or approved of the act or omission; or
- (b) to a member of the committee or other executive body of a State registered organisation, if the member encouraged, assisted in or approved of the act or omission.

- No. 401 Page 241. Before Division 4 of Part 7, insert:

Certain actions under other laws do not lie in respect of industrial action etc.

457. (1) A relevant action does not lie against a State registered organisation, or an officer, member or employee of a State registered organisation in that capacity, in respect of:

- (a) industrial action that is occurring, or is about to occur in connection with an industrial dispute; or
- (b) conduct that is being, or is about to be, engaged in that hinders, prevents or discourages:
 - (i) the observance of an award or agreement; or
 - (ii) the performance of work in accordance with an award or agreement; or

- (iii) the acceptance of, or offering for, work in accordance with an award or agreement; or
 - (c) industrial action by persons engaged in public sector employment, being industrial action that is occurring, or is about to occur.
- (2) a relevant action does not lie against an officer, member or employee of a State registered organisation in respect of conduct of that officer, member or employee in that capacity constituted by:
- (a) engaging, or proposing to engage, in industrial action in connection with an industrial dispute; or
 - (b) engaging, or proposing to engage, in conduct that hinders, prevents or discourages:
 - (i) the observance of an award or agreement; or
 - (ii) the performance of work in accordance with an award or agreement; or
 - (iii) the acceptance of, or offering for, work in accordance with an award or agreement; or
 - (c) in the case of an officer, member or employee of an organisation of employees engaged in public sector employment—engaging, or proposing to engage, in industrial action.
- (3) In this section, "relevant action" means an action in tort or any other action in a court or tribunal, not being:
- (a) an action for damages (other than exemplary or punitive damages) in respect of loss or damage incurred as a result of the industrial action or conduct concerned; or
 - (b) an action for an injunction or order to prevent personal injury or damage to or destruction of property; or
 - (c) an action in respect of conversion, detinue or defamation; or
 - (d) proceedings for a contravention of an award or agreement, or an order or direction of the Commission; or
 - (e) a prosecution for an offence.

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- No. 402 Pages 242-244, clause 457. Omit "Court" wherever occurring (except in subclauses (1) (a) and (6)), insert instead "Commission".
- No. 403 Page 242, clause 457. From subclause (1) (a), omit "an order of the Court".
- No. 404 Page 243, clause 457. From subclause (3), omit "must", insert instead "may, at its discretion".
- No. 405 Page 243, clause 457. From subclause (6), omit "the Court".
- No. 406 Page 243, clause 457. From subclause (9), omit "must cancel the registration of the organisation under this Act unless", insert instead "may, at its discretion, cancel the registration of the organisation under this Act, but may not do so if."
- No. 407 Page 244, clause 457. From subclause (9) (c), omit "section 458", insert instead "section 498".
- No. 408 Pages 244-245, clause 458. Omit "Court" wherever occurring, insert instead "Commission".
- No. 409 Page 244, clause 458. From subclause (1), omit "section 457", insert instead "section 497".
- No. 410 Page 245, clause 459. Omit the clause.
- No. 411 Pages 245-246, clause 460. Omit "Court" wherever occurring, insert instead "Commission".
- No. 412 Page 246, clause 462. Omit subclauses (1) (c), (d) and (e):
- No. 413 Page 247, clause 462. Omit subclauses (2) and (3), insert instead:
- (2) An organisation may be wound up in accordance with the rules of the organisation.
- No. 414 Page 248, clause 464. From subclause (1), omit "or employees" wherever occurring.
- No. 415 Page 248, clause 464. After subclause (1), insert:
- (2) The Labor Council of New South Wales is to be taken to be the State peak organisation for employees.

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- No. 416 Page 248, clause 465. From paragraph (a), omit "the Court".
- No. 417 Pages 249-251, Part 8, clauses 468-498. Omit the clauses.
- No. 418 Page 262, clause 500. After subclause (4), insert:
- (5) Where the person for whom the work is procured by a private employment agent is not:
- (a) an employee of the private employment agent; or
- (b) an employee of the person for whom the work is being carried out,
- such person is to be taken to be an employee of the person for whom the work is being carried out for the purposes of this Act, the regulations made under this Act and any other employment-related Act and the regulations made under it.
- No. 419 Page 262, clause 501. From subclauses (1) and (3), omit "regulations" wherever occurring, insert instead "Commission".
- No. 420 Page 262, clause 501. After subclause (3), insert:
- (4) The State registered organisation or organisations of employees having constitutional coverage for the relevant industry, occupation or calling must be served with a copy of the application for exemption not less than 14 days before the application is heard. The State registered organisation or organisations have the right to intervene and be heard in such proceedings before the Commission.
- No. 421 Page 263, clause 503. From subclause (6), omit "a Local Court", insert instead "the Commission".
- No. 422 Pages 264-265, clause 505. From subclauses (1) (e) and (5) omit "section 503 (4)" wherever occurring, insert instead "section 511 (4)".
- No. 423 Page 265, clause 505. From subclause (3) omit "section 504 (1) (c)", insert instead "section 512 (1) (b)".

No. 424 Page 265. After clause 505, insert:

Referral of application to Industrial Magistrate

506. (1) The Director-General may refer an application for a licence to an Industrial Magistrate for inquiry as to whether or not:

- (a) an applicant for the licence; or
- (b) a proposed partner of the applicant for the licence in the business in respect of which the licence is applied for; or
- (c) a director of a corporation that is an applicant for the licence; or
- (d) a director of a corporation that is a proposed partner of an applicant for the licence in the business in respect of which the licence is applied for; or
- (e) a person whose appointment as a person in charge has been notified under section 511,

is a fit and proper person to hold a licence.

(2) The Industrial Magistrate to whom an application is referred must consider whether the applicant or other person concerned is, from his or her character and previous conduct, a fit and proper person to hold a licence and must give the Director-General a recommendation on the application.

(3) In conducting an inquiry under this section, an Industrial Magistrate has the same functions as if the Magistrate were sitting in a Local Court and the inquiry were a matter for hearing and determination in the Local Court.

(4) The applicant and all persons who in the manner prescribed notify their objection to the issue or renewal of a licence are to be given notice of the inquiry and are entitled to be heard personally or by counsel, attorney or agent.

No. 425 Page 265, clause 506. From subclause (2) (a), omit "section 504 (1) (c)", insert instead "section 512 (1) (b)".

No. 426 Page 266, clause 506. In subclause (3) (b), after "Police", insert "and any recommendation relating to the person furnished under section 514".

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- No. 427 Page 268, clause 510. From subclauses (1) and (3), omit "5" wherever occurring, insert instead "20".
- No. 428 Page 269, clause 511. From paragraph (a), omit "section 509", insert instead "section 518".
- No. 429 Page 269, clause 511. From paragraph (f), omit "section 510", insert instead "section 519".
- No. 430 Page 270, clause 512. From subclause (6), omit "Local Court" wherever occurring, insert instead "Commission".
- No. 431 Page 270, clause 513. From subclause (1), omit "5", insert instead "20".
- No. 432 Page 270, clause 514. From subclauses (1) and (2), omit "a Local Court" wherever occurring, insert instead "the Commission".
- No. 433 Page 271, clause 515. From subclauses (2)-(5), omit "Local Court" wherever occurring, insert instead "Commission".
- No. 434 Page 271, clause 515. From subclause (6), omit "a Local Court", insert instead "the Commission".
- No. 435 Page 274. After clause 521, insert:

Offences by corporations

522. (1) If a corporation contravenes any provision of this Part or a regulation made under it, each person who is a director of the corporation or who is concerned in the management of the corporation is to be taken to have contravened the same provision if the person knowingly authorised or permitted the contravention.

(2) A person may be proceeded against and convicted under a provision pursuant to subsection (1) whether or not the corporation has been proceeded against or been convicted under the provision.

(3) Nothing in this section affects any liability imposed on a corporation for an offence committed by the corporation against this Part or the regulations.

No. 436 Page 275, clause 522. At the end of the clause, insert:

(2) Except as provided by subsection (3), proceedings for an offence against this Part or the regulations made under it are to be disposed of summarily before an Industrial Magistrate.

(3) Proceedings for an offence against section 510 are to be prosecuted before the Commission.

No. 437 Page 275. After clause 523, insert:

Orders for refunds

524. (1) If, during the course of proceedings before the Commission for an offence against section 509, it appears to the Commission that a person who has carried on the business of a private employment agent without a licence under this Part has demanded and received any fee, charge or other remuneration from a person seeking to be employed, the Commission may make an order requiring the unlicensed person concerned to refund the fee, charge or other remuneration received.

(2) An appeal lies to the Full Commission from any order of the Commission under this section.

(3) Section 180 applies to an appeal from an order of the Commission under this section to the Full Commission in the same way as it applies to an appeal from an order of an Industrial Magistrate to the Commission.

No. 438 Page 275. After clause 524 as inserted, insert:

Injunctions

525. (1) If a penalty is imposed under this Part and the Commission is of the opinion that the breach was committed because of a wilful act or default of a person, the Commission may, on its own initiative or on application, and in addition to any penalty imposed, grant an injunction to restrain the person from committing further or other breaches of this Part.

(2) If any person disobeys such an injunction, the person is guilty of an offence.

Maximum penalty: 100 penalty units.

- (3) A person who is charged with such an offence may be committed for trial for the offence by any Justice or Justices acting under the Justices Act 1902 or by the Commission. For the purposes of any such committal, the Commission has the powers of a Justice or Justices under that Act.
- No. 439 Page 275, clause 525. From subclause (2), omit "5", insert instead "20".
- No. 440 Page 278, clause 530. From subclause (2) (a), omit "a person", insert instead "two persons".
- No. 441 Page 278, clause 531. Omit subclause (3).
- No. 442 Page 283, clause 540. From subclause (2), omit "section 539", insert instead "section 551".
- No. 443 Page 284, clause 541. From the definition of "joint sitting", omit "section 545", insert instead "section 557".
- No. 444 Page 284, clause 542. From subclause (2), omit "section 544", insert instead "section 556".
- No. 445 Page 285, clause 545. From subclause (1) (b), omit "section 544", insert instead "section 556".
- No. 446 Page 285, clause 545. From subclauses (1) and (2), omit "section 543" wherever occurring, insert instead "section 555".
- No. 447 Page 285, clause 546. From subclause (1), omit "section 544", insert instead "section 556".
- No. 448 Page 285, clause 546. From subclause (1), omit "section 545", insert instead "section 557".
- No. 449 Page 286, clause 547. Omit "section 543", insert instead "section 555".
- No. 450 Page 287. After clause 548, insert:

Appointment of Industrial Magistrates

549. (1) The Governor may appoint as Industrial Magistrates persons who have the qualifications required for a Magistrate.

(2) Persons so appointed have, throughout the State, the functions conferred or imposed by this or any other Act on an Industrial Magistrate.

(3) In the exercise of those functions, an Industrial Magistrate may do whatever might be done by a Magistrate constituting a Local Court.

Chief Industrial Magistrate

550. (1) The Governor may, by the same instrument as that by which the person is appointed as an Industrial Magistrate or by a different instrument, appoint a person as Chief Industrial Magistrate.

(2) The Governor may, from time to time, appoint an Industrial Magistrate to act as Chief Industrial Magistrate during the illness or absence of the Chief Industrial Magistrate.

(3) An Industrial Magistrate, while so acting, has and may exercise the functions of the Chief Industrial Magistrate and is to be taken to be the Chief Industrial Magistrate.

(4) The Chief Industrial Magistrate is entitled to be paid remuneration in accordance with the Statutory and Other Offices Remuneration Act 1975.

No. 451 Page 289, clause 551. From subclause (2), omit "section 550 (4)", insert instead "section 564 (4)".

No. 452 Page 290, clause 552. From subclause (1), omit "section 550 (4)", insert instead "section 564 (4)".

No. 453 Page 292, clause 555. After subclause (1) (d), insert:

; and

(e) enter any place to which a licence relates for the purpose of investigating any suspected breach of Part 8 (Private Employment Agencies) or the regulations made under Part 8, and require a person to produce for examination any books, papers, records or remittance advice required to be kept, made or given under that Part by the person; and

- (f) during working hours, for the purpose of investigating any breach of the Occupational Health and Safety Act 1983 or of any associated occupational health and safety legislation within the meaning of that Act, enter any place, premises, ship or vessel of any kind of any employer engaged in an industry or enterprise in which members of the State employee organisation or persons in the same trade or occupation as those members are engaged.

No. 454 Page 292, clause 555. In subclause (2), after the words "non-working time", insert "wherever such employees would normally partake of a meal on the employer's premises or in such other place on the employer's premises as may be agreed between the employer and the State employee organisation".

No. 455 Page 294, clause 557. After clause 556, insert:

Reprinting of awards and contract determinations

557. (1) If an award or contract determination has been varied, the Registrar may reprint the award or determination incorporating the variation in a form certified by the Registrar to be correct at a specified date.

(2) Before reprinting the award or contract determination, the Registrar may alter the wording or form of the award or contract determination if, in the opinion of the Registrar, the alteration will result in the award or determination:

- (a) being expressed in clearer terms or so as to avoid unnecessary technicalities; or
- (b) complying with such requirements relating to form as may be made by the regulations.

(3) This section applies to awards and contract determinations, and to variations of them, whether made before or after the commencement of this section.

(4) Before making any alteration under subsection (2), the parties to the award or contract determination must be advised of the proposed alteration and be given the opportunity to be heard by the Registrar.

No. 456 Page 294, clause 558. Omit ", the Commission or the Court", insert instead "or the Commission".

No. 457 Page 295, clause 560. Omit the clause, insert instead:

Interference with the Commission or members

560. (1) A person must not:

- (a) wilfully insult or disturb a member of the Commission in the exercise of his or her functions as a member; or
- (b) interrupt the proceedings of the Commission; or
- (c) use insulting language towards a member of the Commission exercising his or her functions as a member; or
- (d) by writing or speech, use words calculated:
 - (i) to influence improperly a member of the Commission or a witness before the Commission; or
 - (ii) to bring a member of the Commission or the Commission into disrepute.

Maximum penalty:

- (i) in the case of a natural person—50 penalty units; and
- (ii) in the case of a body corporate—100 penalty units.

(2) A reference in this section to the Commission or a member of the Commission includes a reference to an Industrial Magistrate and to a person authorised to take evidence on behalf of the Commission.

- No. 458 Page 295, clause 561. From subclause (1) (a), omit "a Local Court constituted by a Magistrate sitting alone", insert instead "an Industrial Magistrate".
- No. 459 Page 295, clause 561. From subclause (1) (b), omit "Industrial Court", insert instead "Commission".
- No. 460 Page 295, clause 561. From subclause (2), omit "a Local Court", insert instead "an Industrial Magistrate".
- No. 461 Page 295, clause 561. From subclause (3), omit "Industrial Court", insert instead "Commission".

No. 462 Page 296, clause 562. Omit the clause, insert instead:

Appeals etc. from Industrial Magistrate to Commission

562. (1) An appeal lies to the Commission against:

- (a) any order made under this Act by an Industrial Magistrate for the payment of money; or
- (b) any conviction or penalty imposed by an Industrial Magistrate for an offence against this Act, the Occupational Health and Safety Act 1983, the Workers Compensation Act 1987 or any regulation made under any of those Acts or for any other offence that has been dealt with before an Industrial Magistrate; or
- (c) the dismissal by an Industrial Magistrate of any proceedings brought under this Act.

(2) On the application of a party to any proceedings authorised by this Act to be brought before an Industrial Magistrate, an Industrial Magistrate may state a case for the opinion of the Commission.

(3) The provisions of the Justices Act 1902 that relate to appeals to the District Court and to the stating of cases by Justices for the opinion of the Supreme Court, the decisions of those Courts on those matters and the carrying out of any such decision apply, subject to the regulations under this Act, to appeals to the Commission, and cases stated for the opinion of the Commission, under this section.

(4) No other proceedings in the nature of an appeal or for prohibition may be taken.

No. 463 Page 297, clause 564. From subclause (1), omit "or the Industrial Court Act 1990" wherever occurring.

No. 464 Page 297, clause 564. From subclauses (4) and (5), omit "Court" wherever occurring, insert instead "Commission".

No. 465 Page 298, clause 565. From subclause (2), omit "Court concerned", insert instead "Industrial Magistrate concerned or the Commission".

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No. 466 Page 299, clause 568. After clause 567, insert:

Service of documents

568. Service of any summons, notice, or other document, whether of the same or a different nature, issued or given under this Act or the regulations or under any rule made by the Commission may be effected within or outside New South Wales.

No. 467 Page 300, clause 568. In subclause (1), after "warrant", insert "in respect of the exercise of any powers conferred on an inspector by or under this Act or the regulations".

No. 468 Page 300, clause 568. From subclause (2) (b), omit "a contravention of this Act or the regulations", insert instead "the contravention of this Act or the regulations in relation to which the search warrant was issued".

No. 469 Page 300. After clause 569, insert:

Initial determination of minimum conditions

570. (1) The Full Commission is required, as soon as practicable after the commencement of this section, to determine the initial level of the minimum conditions applicable to enterprise agreements.

(2) The minimum conditions must include conditions of each of the kinds specified in Schedule 3.

(3) The Registrar must ensure that each initial determination made under this section is published in the Industrial Gazette as soon as practicable after it has been made.

No. 470 Page 304, Schedule 2. From the heading, omit "Sec. 74", insert instead "Sec. 108".

No. 471 Page 305, Schedule 2, clause 1. Omit paragraph (e), insert instead:

(e) while a procedure is being followed, normal work should continue unless it is unreasonable or impracticable for it to do so; and

No. 472 Page 305, Schedule 2, clause 1. At the end of paragraph (f), insert:

; and

(g) the employer must advise the employee of his or her right to be represented, or accompanied and advised, by an officer of any industrial union.

No. 473 Page 305, Schedule 2, clause 2. Omit paragraph (c), insert instead:

(c) while a procedure is being followed, normal work should continue unless it is unreasonable or impracticable for it to do so; and

No. 474 Page 305, Schedule 2. After clause 2, insert:

General right to apply to or notify the Commission

3. Nothing in this Schedule detracts from the right of a State registered organisation to apply to or notify the Commission in relation to individual grievances, disputes or difficulties.

No. 475 Pages 306-307, Schedule 3. Omit the Schedule, insert instead:

**SCHEDULE 3—MINIMUM CONDITIONS OF EMPLOYMENT
FOR ENTERPRISE AGREEMENTS**

(Secs. 131, 586)

The minimum conditions of employment applicable to enterprise agreements must include conditions of the following kinds:

(1) Minimum rates of wages:

(a) for full-time adult employees; and

(b) for full-time junior employees;

(2) Maximum ordinary hours of employment;

(3) Minimum hourly rates of pay for casual employees;

(4) Minimum sick leave;

(5) Minimum redundancy payment for employees.

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No. 476 Page 308, Schedule 4. From the heading, omit "Sec. 186", insert instead "Sec. 221".

No. 477 Page 308, Schedule 4. Omit clause 1.

No. 478 Page 308, Schedule 4. After clause 2, insert:

Status etc. of members

3. (1) A Presidential Member of the Commission has the same rank, title, status and precedence and the same remuneration and other rights as a Judge of the Supreme Court (other than the Chief Justice or the President of the Court of Appeal), except as provided by subclause (2) and clause 3.

(2) The Judges' Pensions Act 1953 does not apply to a non-judicial member of the Commission.

No. 479 Page 308, Schedule 4, clause 4. Omit subclause (1) (e).

No. 480 Page 309, Schedule 4, clause 4. Omit subclause (5).

No. 481 Page 315, Schedule 5. In clause 2 (2), after "concerned", insert ", to any representations made to the Registrar by the organisation".

No. 482 Page 315, Schedule 5. After clause 2 (3), insert:

(4) Despite anything else in this Act, the rules of a State registered organisation may provide that persons validly elected under the provisions of the Industrial Relations Act 1988 of the Commonwealth to positions in the New South Wales State Branch of a Federally-registered organisation are to be taken to be validly elected to positions in the State registered organisation.

(5) A State registered organisation may apply to the Commission for a declaration that it is substantially related to a branch of an organisation registered under the Industrial Relations Act 1988 of the Commonwealth. Where such a declaration is granted, then, in the event of any conflict between that Act and this Act as to the rules of a registered body, that Act applies to the extent of the inconsistency.

No. 483 Page 319, Schedule 5, clause 6. From subclause (1) and (2), omit ", other than a political donation," wherever occurring.

No. 484 Pages 320-321, Schedule 5, clause 7. Omit the clause.

Examined
ADRIAN SOLOMONS
Chairman of Committees

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to repeal certain Acts, to amend other Acts and to make savings and transitional arrangements as a consequence of the proposed enactment of the Industrial Relations Act 1990 and the Industrial Court Act 1990" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
23 October 1990

JOHN JOHNSON
President

INDUSTRIAL LEGISLATION (REPEALS, AMENDMENTS AND
SAVINGS) BILL

Schedule of the amendments referred to in Message of 23 October 1990.

JOHN EVANS
Clerk of the Parliaments

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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- No. 1 Page 1, long title. Omit "and the Industrial Court Act 1990".
- No. 2 Pages 3-4, Schedule 2. From the matter relating to the Annual Holidays Act 1944, omit items (4) and (5), insert instead:
- (4) Section 12 (Proceedings for recovery of penalties):
- From section 12 (3), omit "Industrial Commission of New South Wales", insert instead "Industrial Relations Commission".
- (5) Section 13 (Recovery of holiday pay):
- (a) From section 13 (1), omit "Industrial Commission of New South Wales", insert instead "Industrial Relations Commission".
- (b) Omit section 13 (1A).
- (c) From section 13 (3), omit "an industrial union registered as such under the Industrial Arbitration Act 1940", insert instead "State employee organisation registered under the Industrial Relations Act 1990".
- No. 3 Page 4, Schedule 2. From item (6) of the matter relating to the Annual Holidays Act 1944, omit "a Local Court to the Industrial Court", insert instead "an Industrial Magistrate to the Industrial Relations Commission".
- No. 4 Page 5, Schedule 2. From the matter relating to the Anti-Discrimination Act 1977, omit "or the Industrial Court" wherever occurring.
- No. 5 Pages 5-6, Schedule 2. Omit the matter relating to the Bail Act 1978, insert instead:

Bail Act 1978 No. 161

(1) Section 4 (Definitions):

- (a) From the definitions of "court" and "Judge" in section 4 (1), omit "Industrial Commission" wherever occurring, insert instead "Industrial Relations Commission".

- (b) Omit the definition of "Industrial Commission" from section 4 (1), insert instead:

"Industrial Relations Commission" means the Industrial Relations Commission of New South Wales, and includes a judicial member of that Commission;

- (c) From the definitions of "Local Court" and "Magistrate" in section 4 (1), omit "Industrial Arbitration Act 1940" wherever occurring, insert instead "Industrial Relations Act 1990".

- (2) Part 4, Division 7:

Omit "Industrial Commission" wherever occurring, insert instead "Industrial Relations Commission".

- (3) Section 44 (Power of justices, magistrates and certain courts to review):

Omit section 44 (5), insert instead:

(5) Subject to this Part, the Industrial Relations Commission may review any decision made by the Industrial Relations Commission (however constituted) in relation to bail.

- No. 6 Page 6, Schedule 2. From the matter relating to the Bread Act 1969, omit item (1), insert instead:

- (1) Section 4 (Definitions):

Omit the definition of "the Commission" insert instead:

"the Commission" means the Industrial Relations Commission of New South Wales;

- No. 7 Page 6, Schedule 2. From the matter relating to the Bread Act 1969, omit items (2) (a) and (3).

- No. 8 Page 7, Schedule 2. In item (4) (a) of the matter relating to the Bread Act 1969, after "alone", insert "or before an Industrial Magistrate".

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- No. 9 Page 7, Schedule 2. From item (4) (b) of the matter relating to the Bread Act 1969, omit "a Local Court to the Industrial Court apply to proceedings before a Local Court", insert instead "an Industrial Magistrate to the Commission apply to proceedings before a Local Court or an Industrial Magistrate".
- No. 10 Page 9, Schedule 2. In the matter relating to the Building and Construction Industry Long Service Payments Act 1986, after "alone", insert "or before an Industrial Magistrate".
- No. 11 Page 9, Schedule 2. From the matter relating to the Building and Construction Industry Long Service Payments Act 1986, omit "a Local Court to the Industrial Court apply to proceedings before a Local Court", insert instead "an Industrial Magistrate to the Industrial Relations Commission apply to proceedings before a Local Court or an Industrial Magistrate".
- No. 12 Page 9, Schedule 2. In item (a) of the matter relating to the Coal Mines Regulation Act 1982, after "alone", insert "or before an Industrial Magistrate".
- No. 13 Page 9, Schedule 2. From item (b) of the matter relating to the Coal Mines Regulation Act 1982, after "section 156 (3)", insert:
insert instead:

(3) The provisions of the Industrial Relations Act 1990 relating to appeals from, and the stating of a case by, an Industrial Magistrate to the Industrial Relations Commission apply to proceedings before a Local Court or an Industrial Magistrate.
- No. 14 Page 9, Schedule 2. Omit item (1) of the matter relating to the Construction Safety Act 1912, insert instead:

(1) From section 21 (1), omit "Industrial Arbitration Act 1940, as amended by subsequent Acts", insert instead "Industrial Relations Act 1990".
- No. 15 Page 9, Schedule 2. From item (3) of the matter relating to the Construction Safety Act 1912, omit "a Local Court to the Industrial Court apply to proceedings before a Local Court", insert instead "an Industrial Magistrate to the Industrial Relations Commission apply to proceedings before a Local Court or an Industrial Magistrate".

No. 16 Page 11, Schedule 2. Omit item (6) (a) of the matter relating to the Essential Services Act 1988, insert instead:

(a) Omit section 17 (2) (a) and (b), insert instead:

(a) the Minister has consulted with the President of the Industrial Relations Commission as to the state of any industrial action involving the State registered organisation of which the President is aware; and

(b) the Minister is satisfied that any order of the Commission made in relation to any such industrial action has not been complied with.

No. 17 Page 12, Schedule 2. Omit item (7) of the matter relating to the Essential Services Act 1988, insert instead:

(7) Section 19 (Amendment of rules following cancellation of registration):

From section 19 (1) and (2), omit "Industrial Commission" wherever occurring, insert instead "Industrial Relations Commission".

No. 18 Page 12, Schedule 2. From item (8) of the matter relating to the Essential Services Act 1988, omit "the Industrial Court Act 1990", insert instead "the Industrial Relations Act 1990".

No. 19 Page 12, Schedule 2. From item (9) (a) of the matter relating to the Essential Services Act 1988, omit "Full Industrial Court", insert instead "Full Industrial Commission".

No. 20 Page 12, Schedule 2. From item (9) (b) of the matter relating to the Essential Services Act 1988, omit "Full Industrial Court", insert instead "Full Industrial Commission".

No. 21 Page 12, Schedule 2. From item (10) (a) of the matter relating to the Essential Services Act 1988, omit "Full Industrial Court", insert instead "Full Industrial Commission".

No. 22 Page 12, Schedule 2. From item (10) (b) of the matter relating to the Essential Services Act 1988, omit "Full Industrial Court", insert instead "Full Industrial Commission".

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- No. 23 Page 12, Schedule 2. From item (11) of the matter relating to the Essential Services Act 1988, omit "Full Industrial Court", insert instead "Full Industrial Commission".
- No. 24 Page 12, Schedule 2. From item (11) of the matter relating to the Essential Services Act 1988, omit "Industrial Court Act 1990", insert instead "Industrial Relations Act 1990".
- No. 25 Page 13, Schedule 2. From item (11) of the matter relating to the Essential Services Act 1988, omit "Industrial Court or the".
- No. 26 Page 13, Schedule 2. Omit item (12) of the matter relating to the Essential Services Act 1988, insert instead:
- (12) Section 26 (Recovery of penalty by appointment of receiver):
- From section 26 (4)-(7), omit "Industrial Commission" wherever occurring, insert instead "Industrial Relations Commission".
- No. 27 Page 13, Schedule 2. From item (13) of the matter relating to the Essential Services Act 1988, omit "or the Industrial Court Act 1990".
- No. 28 Page 13, Schedule 2. Omit item (14) of the matter relating to the Essential Services Act 1988.
- No. 29 Page 13, Schedule 2. Omit item (1) (a), (b) and (c) of the matter relating to the Factories, Shops and Industries Act 1962.
- No. 30 Page 14, Schedule 2. From item (1) (d) of the matter relating to the Factories, Shops and Industries Act 1962, omit "a Local Court to the Industrial Court apply to proceedings before a Local Court", insert instead "an Industrial Magistrate to the Industrial Relations Commission apply to proceedings before a Local Court or an Industrial Magistrate".
- No. 31 Page 14, Schedule 2. Omit item (2) of the matter relating to the Factories, Shops and Industries Act 1962.
- No. 32 Page 15, Schedule 2. Omit item (5) of the matter relating to the Industrial and Commercial Training Act 1989.

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- No. 33 Page 15, Schedule 2. Omit item (1) of the matter relating to the Judges' Pensions Act 1953, insert instead:

(1) Section 2 (Definitions):

From the definition of "Judge" in section 2 (1), omit "Industrial Commission of New South Wales", insert instead "Industrial Relations Commission of New South Wales".

- No. 34 Page 15, Schedule 2. Omit item (2) of the matter relating to the Judges' Pensions Act 1953, insert instead:

(2) Section 8 (Prior judicial service):

From section 8 (3), omit "Industrial Commission of New South Wales", insert instead "Industrial Relations Commission of New South Wales".

- No. 35 Pages 15-16, Schedule 2. Omit item (1) of the matter relating to the Judicial Officers Act 1986, insert instead:

(1) Section 3 (Definitions):

(a) From paragraph (b) of the definition of "judicial officer" in section 3 (1), omit "Industrial Commission", insert instead "Industrial Relations Commission".

(b) Omit section 3 (5) (b), insert instead:

(b) the President of the Industrial Relations Commission, in relation to a member of the Industrial Relations Commission;

- No. 36 Page 16, Schedule 2. Omit item (2) of the matter relating to the Judicial Officers Act 1986, insert instead:

(2) Section 5 (The Commission):

From section 5 (4) (b), omit "Industrial Commission", insert instead "Industrial Relations Commission".

- No. 37 Page 16, Schedule 2. Omit item (3) of the matter relating to the Judicial Officers Act 1986, insert instead:

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(3) Section 44 (Retirement of judicial officers):

From section 44 (2), omit "Industrial Commission", insert instead "Industrial Relations Commission".

- No. 38 Page 16, Schedule 2. Omit item (1) of the matter relating to the Land and Environment Court Act 1979, insert instead:

(1) Section 8 (Appointment and qualification of Judges):

From section 8 (2) (b), omit "Industrial Commission of New South Wales", insert instead "Industrial Relations Commission of New South Wales".

- No. 39 Page 16, Schedule 2. Omit item (2) of the matter relating to the Land and Environment Court Act 1979, insert instead:

(2) Section 9 (Remuneration):

From section 9 (2A), omit "Industrial Commission of New South Wales", insert instead "Industrial Relations Commission of New South Wales".

- No. 40 Page 17, Schedule 2. From item (2) (d) of the matter relating to the Long Service Leave Act 1955, omit "section 69", insert instead "section 102".

- No. 41 Page 18, Schedule 2. In item (6) (a) of the matter relating to the Long Service Leave Act 1955, after "alone", insert "or before an Industrial Magistrate".

- No. 42 Page 18, Schedule 2. Omit item (6) (b) of the matter relating to the Long Service Leave Act 1955, insert instead:

(b) From section 11 (2), omit "Stipendiary Magistrate or Industrial Magistrate", insert instead "Local Court or Industrial Magistrate".

- No. 43 Page 19, Schedule 2. From item (7) (a) of the matter relating to the Long Service Leave Act 1955, omit "or to the Industrial Court", insert instead "or to an Industrial Magistrate".

- No. 44 Page 19, Schedule 2. From item (7) (b) of the matter relating to the Long Service Leave Act 1955, omit "Industrial Court", insert instead "Industrial Magistrate".

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- No. 45 Page 19, Schedule 2. From item (7) (c) of the matter relating to the Long Service Leave Act 1955, omit "Industrial Court", insert instead "Industrial Relations Commission".
- No. 46 Page 19, Schedule 2. From item (8) of the matter relating to the Long Service Leave Act 1955, omit "a Local Court to the Industrial Court", insert instead "an Industrial Magistrate to the Industrial Relations Commission".
- No. 47 Page 20, Schedule 2. From item (2) (d) of the matter relating to the Long Service Leave (Metalliferous Mining Industry) Act 1963, omit "section 69", insert instead "section 102".
- No. 48 Page 21, Schedule 2. In item (6) (a) of the matter relating to the Long Service Leave (Metalliferous Mining Industry) Act 1963, after "alone", insert "or before an Industrial Magistrate".
- No. 49 Page 22, Schedule 2. Omit item (6) (b) of the matter relating to the Long Service Leave (Metalliferous Mining Industry) Act 1963, insert instead:
- (b) From section 11 (2), omit "Stipendiary Magistrate or Industrial Magistrate", insert instead "Local Court or Industrial Magistrate".
- No. 50 Page 22, Schedule 2. From item (6) (c) of the matter relating to the Long Service Leave (Metalliferous Mining Industry) Act 1963, omit "Industrial Court", insert instead "Industrial Relations Commission".
- No. 51 Page 22, Schedule 2. From item (7) (a) of the matter relating to the Long Service Leave (Metalliferous Mining Industry) Act 1963, omit "or to the Industrial Court", insert instead "or to an Industrial Magistrate".
- No. 52 Page 22, Schedule 2. From item (7) (b) of the matter relating to the Long Service Leave (Metalliferous Mining Industry) Act 1963, omit "Industrial Court", insert instead "Industrial Magistrate".
- No. 53 Page 22, Schedule 2. From item (7) (c) of the matter relating to the Long Service Leave (Metalliferous Mining Industry) Act 1963, omit "Industrial Court", insert instead "Industrial Relations Commission of New South Wales".

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No. 54 Page 23, Schedule 2. From item (8) of the matter relating to the Long Service Leave (Metalliferous Mining Industry) Act 1963, omit "a Local Court to the Industrial Court", insert instead "an Industrial Magistrate to the Industrial Relations Commission".

No. 55 Page 23, Schedule 2. Omit item (1) of the matter relating to the Motor Vehicle Repairs Act 1980, insert instead:

(1) Section 4 (Definitions):

From the definition of "industrial magistrate" in section 4 (1), omit "Industrial Arbitration Act, 1940", insert instead "Industrial Relations Act 1990".

No. 56 Page 23, Schedule 2. Omit item (2) of the matter relating to the Motor Vehicle Repairs Act 1980.

No. 57 Pages 23-24, Schedule 2. Omit item (3) of the matter relating to the Motor Vehicle Repairs Act 1980, insert instead:

(3) Section 50 (Appeals):

From the definition of "registrar" in section 50 (1), omit "Industrial Arbitration Act, 1940", insert instead "Industrial Relations Act 1990".

No. 58 Page 24, Schedule 2. Omit item (4) of the matter relating to the Motor Vehicle Repairs Act 1980, insert instead:

(4) Section 87 (Proceedings):

(a) From section 87 (3), omit "Industrial Arbitration Act, 1940", insert instead "Industrial Relations Act 1990".

(b) From section 87 (3), omit "Industrial Commission", insert instead "Industrial Relations Commission".

No. 59 Page 24, Schedule 2. Omit item (2) (a)-(e) of the matter relating to the Occupational Health and Safety Act 1983, insert instead:

(a) From section 47 (1) (c) and (3), omit "Industrial Commission" wherever occurring, insert instead "Industrial Relations Commission".

(b) After section 47 (3), insert:

(4) The provisions of the Industrial Relations Act 1990, and of the regulations under that Act, relating to appeals from, and the stating of a case by, an industrial magistrate to the Industrial Relations Commission apply to proceedings before a Local Court or an industrial magistrate for offences against this Act or the regulations.

- No. 60 Page 25, Schedule 2. From the matter relating to the Search Warrants Act 1985, omit "section 568", insert instead "section 583".
- No. 61 Page 25, Schedule 2. From item (1) (a) of the matter relating to the Statutory and Other Offices Remuneration Act 1975, omit "Chief Judge of the Industrial Court", insert instead "President of the Industrial Relations Commission of New South Wales".
- No. 62 Page 25, Schedule 2. From item (1) (b) of the matter relating to the Statutory and Other Offices Remuneration Act 1975, omit "Deputy Chief Judge of the Industrial Court", insert instead "in appropriate order: Deputy President of the Industrial Relations Commission of New South Wales.
- Vice-President of the Industrial Relations Commission of New South Wales".
- No. 63 Page 25, Schedule 2. From item (3) of the matter relating to the Statutory and Other Offices Remuneration Act 1975, omit "Judge of the Industrial Court other than the Chief Judge and the Deputy Chief Judge", insert instead "Member of the Industrial Relations Commission of New South Wales, other than the President, Deputy President or a Vice-President".
- No. 64 Page 26, Schedule 2. Omit the matter relating to the Superannuation Act 1916, insert instead:

Section 3 (Interpretation):

From the definition of "Employee" in section 3 (1), omit "Industrial Commission", insert instead "Industrial Relations Commission".

- No. 65 Page 26, Schedule 2. From item (1) of the matter relating to the Supreme Court Act 1970, omit "Judge of the Industrial Court", insert instead "member of the Industrial Relations Commission of New South Wales;".

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- No. 66 Page 26, Schedule 2. From item (2) of the matter relating to the Supreme Court Act 1970, omit "(ia) the Industrial Court or a Judge of that Court;"
- No. 67 Page 26, Schedule 2. In the matter relating to the Textile Products Labelling Act 1954, after "alone", insert "or before an Industrial Magistrate".
- No. 68 Page 26, Schedule 2. From the matter relating to the Textile Products Labelling Act 1954, omit "a Local Court to the Industrial Court apply to proceedings before a Local Court", insert instead "an Industrial Magistrate to the Industrial Relations Commission apply to proceedings before a Local Court or an Industrial Magistrate".
- No. 69 Page 27, Schedule 2. Omit item (2) (a), (b) and (c) of the matter relating to the Workers Compensation Act 1987.
- No. 70 Page 27, Schedule 2. From item (2) (d) of the matter relating to the Workers Compensation Act 1987, omit "Industrial Court", insert instead "Industrial Relations Commission of New South Wales".
- No. 71 Page 27, Schedule 2. From item (2) (e) of the matter relating to the Workers Compensation Act 1987, omit "a Local Court to the Industrial Court apply to proceedings before a Local Court", insert instead "an Industrial Magistrate to the Industrial Relations Commission apply to proceedings before a Local Court or an Industrial Magistrate".
- No. 72 Page 28, Schedule 3. From clause 1 (1), omit the definitions of "Court" and "Court Act".
- No. 73 Page 28, Schedule 3. From clause 1 (2), omit "and the Court Act".
- No. 74 Page 28, Schedule 3. From clause 2 (1), omit:
- (b) the Court Act;
 - (c) this Act.
- insert instead:
- (b) this Act.
- No. 75 Page 29, Schedule 3. From clause 2 (4), omit "clauses 1-7", insert instead "clauses 1-5".

No. 76 Pages 29-31, Schedule 3. Omit clauses 3-5, insert instead:

Initial members of new Commission

3. (1) All Deputy Presidents and conciliation commissioners holding office under the provisions of the 1940 Act immediately before the appointed day must be offered equivalent positions of the same status and remuneration with the new Commission.

(2) Where a Deputy President or conciliation commissioner accepts an offer made under subclause (1), his or her service and entitlements are to be taken to be continuous, despite the enactment of the 1990 Act.

(3) The President of the former Commission holding office immediately before the appointed day is to be taken to be appointed, by force of this Act, as President of the new Commission.

(4) The Vice-President of the former Commission holding office immediately before the appointed day is to be taken to be appointed, by force of this Act, as Vice-President of the new Commission.

No. 77 Pages 32-33, Schedule 3. Omit clause 9 (1), insert instead:

(1) If, before the appointed day, proceedings in relation to a matter were instituted in the former Commission, before a Conciliation Commissioner sitting alone, or before a Conciliation Committee or a Contract Regulation Tribunal, but the hearing of the matter had not been commenced before the appointed day, the proceedings are to be taken to be proceedings instituted in the new Commission.

No. 78 Page 33, Schedule 3. From clause 9 (2), omit "or as a Judge of the Court".

No. 79 Page 33, Schedule 3. Omit clause 9 (4), insert instead:

(4) A determination of a matter made under subclause (2) or (3) has effect as a determination of the new Commission.

No. 80 Page 34, Schedule 3. From clause 13 (1), omit "section 74", insert instead "section 108".

No. 81 Pages 34-35, Schedule 3, clause 14. Omit the clause.

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- No. 82 Page 35, Schedule 3. From clause 16 (3), omit "Section 319", insert instead "Section 359".
- No. 83 Page 35, Schedule 3, clause 17. From subclause (1), omit "for a period of 12 months after that day".
- No. 84 Page 36, Schedule 3, clause 19. Omit subclause (1).
- No. 85 Page 36, Schedule 3. From clause 19 (2) (a), omit "clauses 16 (1) and 17", insert instead "clauses 13 (1) and 14".
- No. 86 Page 36, Schedule 3. From clause 19 (2) (c), omit "clauses 16 and 17", insert instead "clauses 13 and 14".
- No. 87 Page 37, Schedule 3. From clause 19 (4)-(5), omit "subsection (3)" wherever occurring, insert instead "subclause (2)".
- No. 88 Page 37, Schedule 3. From clause 19 (5), omit "subsection (4)", insert instead "subclause (3)".
- No. 89 Page 38, Schedule 3, clause 20. Omit ", or for a period of 12 months, whichever is the lesser".
- No. 90 Page 38, Schedule 3. From clause 21, omit "section 335", insert instead "section 374".
- No. 91 Page 38, Schedule 3, clause 22. Omit "as a State peak organisation for", insert instead "as the State peak organisation of employees for".
- No. 92 Page 38, Schedule 3. From clause 24, omit "section 375", insert instead "section 413".
- No. 93 Page 38-39, Schedule 3. Omit clause 26.
- No. 94 Page 39, Schedule 3. After clause 26, insert:

Saving of actions relating to unfair dismissal

27. Section 95 of the 1940 Act applies in relation to an employee against whom an offence under that section was committed by an employer before the repeal of that section and to the employer as if:

- (a) that Act had not been repealed; and

(b) references in that section to the commission were references to the Industrial Relations Commission.

- No. 95 Page 39, Schedule 3. From clause 27, omit ", or the Court Act".
- No. 96 Page 39, Schedule 3. From clause 28, omit "or the Court Act".
- No. 97 Page 39, Schedule 3. From clause 28 (a), omit "or to the Court Act, as is appropriate".
- No. 98 Page 40, Schedule 3. From clause 28 (c), omit "or to the Industrial Court, as is appropriate".
- No. 99 Page 40, Schedule 3. Omit clause 28 (f).
- No. 100 Page 40, Schedule 3. From clause 29, omit "or the Court Act" wherever occurring.

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the amendments made by the Legislative Council in these cognate bills be taken into consideration tomorrow.

9 CRIMINAL PROCEDURE LEGISLATION (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Criminal Procedure Act 1986 and the Crimes Act 1900 with respect to the presentation of indictments, trials by jury, "back-up" charges and summaries of evidence; and to make consequential amendments to other Acts.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 future day.

10 APPROPRIATION BILL

The Order of the Day having been read, Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bill.

It being 5.30 p.m., consideration of the bill in Committee interrupted.

Mr Wotton, Acting Speaker, resumed the Chair and Mr Booth, Temporary Chairman, reported progress.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 APPROPRIATION BILL

Resumption of the interrupted consideration of the bill in Committee.

Mr Tink, Acting Speaker, resumed the Chair, and the Chairman reported the bill without amendment.

On motion of Mr Baird, on behalf of Mr Greiner, the Report was adopted.

And the Acting Speaker having consented to the third reading being taken forthwith—

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

13 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

24 October 1990

Pay-roll Tax (Amendment) Bill
Stamp Duties (Further Amendment) Bill.

14 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.02 p.m., until tomorrow, at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 45

THURSDAY 25 OCTOBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hatton and Mr Smiles—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Hunter and Mr H. F. Moore—from certain citizens requesting that the casualty outpatients department of Walsend District Hospital remain open.

Mr Welsh—from certain citizens praying for the implementation of wastewater management schemes.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Price—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Greiner—from certain citizens opposing the relocation of the Dudley Men's Unit.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
25 October 1990

Mr Yeadon—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Mr Hatton—from certain citizens requesting a review of the local government rating system.

Ms Read—from certain citizens requesting changes to policies relating to prisons.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Murray laid upon the Table—

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes, at—

Aberdeen. (Gazette 80/1990.)
Blayney. (Gazette 80/1990.)
Bullarah and Willalee. (Gazette 80/1990.)
Burwood. (Gazette 80/1990.)
Harris Park. (Gazette 80/1990.)
Hexham. (Gazette 68/1990.)
Ingalara. (Gazette 80/1990.)
Katoomba. (Gazette 80/1990.)
Maitland. (Gazette 80/1990.)
Mays Hill and Prospect. (Gazette 80/1990.)
Nowra. (Gazette 111/1990.)
Silverwater and Granville. (Gazette 80/1990.)
Wentworthville. (Gazette 80/1990.)
Woodburn. (Gazette 80/1990.)

Traffic Act 1909—Motor Traffic Regulations 1935—regulation 58A, amendment of regulation 130A. (Gazettes 90/1990, 109/1990.)

Referred to the Printing Committee.

(2) Mr Peacocke laid upon the Table—

Growth Centres (Development Corporations) Act 1974—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for development purposes, at Camden. (Gazette 125/1990.)

Motor Dealers Act 1974—Motor Dealers Regulation 1986—amendment of schedule 1. (Gazette 125/1990.)

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

University of Technology, Sydney, Act 1989—University of Technology, Sydney, By-law 1990. (Gazette 113/1990.)

Referred to the Printing Committee.

4 QUESTIONS

5 MINISTERIAL STATEMENT—KENO

Mr Causley made a ministerial statement concerning the introduction of keno into registered clubs.

6 PLACING OF BUSINESS—POSTPONEMENT

Notice of Motion No. 2 (under Standing Order 113A) postponed by Mr Cruickshank until tomorrow.

7 DISALLOWANCE OF REGULATION UNDER THE FISHERIES AND OYSTER FARMS ACT 1935

Mr Martin moved, pursuant to notice, That this House disallows the amendment to the Fisheries and Oyster Farms (General) Regulation 1989, made under the Fisheries and Oyster Farms Act 1935 (relating to size limits, bag limits and prohibited species) as set forth in Government Gazette No. 80 of 22 June 1990, a copy of which was laid upon the Table of the House on 5 September 1990.

Debate ensued.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
25 October 1990

The House divided.

Ayes 32

Ms Allan	Mr Langton	Mr Scully
Mr Amery	Mr Lovelee	Mr Shedden
Mr Anderson	Mr Martin	Mr Unsworth
Mr Aquilina	Mr Mills	Mr Welsh
Mr Cleary	Mr H. F. Moore	Mr Whelan
Mr Davoren	Mr J. H. Murray	Mr Yeadon
Mr Doyle	Mr Newman	
Mr Gibson	Ms Nori	
Mrs Grusovin	Mr Page	Tellers
Mr Harrison	Mr Price	
Mr Irwin	Mr Primrose	Mr Beckroge
Mr Knight	Mr Rogan	Mr Christie

Noes 51

Mr Andrews	Mr Hay	Mr Rixon
Mr Armstrong	Mr Jeffery	Mr Roberts
Mr Books	Mr Keegan	Mr Schipp
Mr Booth	Mr Longley	Mr Schultz
Mr Causley	Miss Machin	Mr Small
Mr Chappell	Mr Matheson	Mr Smiles
Mr Cochran	Mr Merton	Mr Smith
Mrs Cohen	Dr Metherell	Mr Tink
Mr Collins	Ms Moore	Mr Turner
Mr Cruickshank	Mr Morris	Mr West
Mr Dowd	Mr Packard	Mr White
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Miss Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Photios	
Mr Griffiths	Mr Pickard	Mr Beck
Mr Hartcher	Ms Read	Mr Phillips

And so it passed in the negative.

8 SPECIAL ADJOURNMENT

Mr Dowd moved, That the House at its rising this day do adjourn until Tuesday, 13 November 1990, at 2.15 p.m.

Debate ensued.

Question put and passed.

It being 2.15 p.m., General Business proceeded with.

9 GRIEVANCE DEBATE

Question proposed—That grievances be noted.

Debate ensued.

Question put and passed.

10 PRINTING COMMITTEE

Mr Small brought up Report No. 14 of the Printing Committee.

11 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.16 p.m., until Tuesday, 13 November 1990, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 46

TUESDAY 13 NOVEMBER 1990

1 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

26 October 1990

Adoption Information Bill
Agricultural Tenancies Bill.

30 October 1990

Pay-roll Tax (Amendment) Bill
Stamp Duties (Further Amendment) Bill.

2 ELECTORAL DISTRICT OF COFFS HARBOUR

Mr Speaker informed the House that his writ issued on 12 October 1990, for the election of a member to serve in the room of Matthew Singleton, had been duly returned, with a certificate endorsed thereon by the returning officer of the election of Andrew Raymond Gordon Fraser to serve as member for the electoral district of Coffs Harbour.

Andrew Raymond Gordon Fraser was introduced, and having taken and subscribed the oath of allegiance and signed the roll of the House, took his seat as member for the electoral district of Coffs Harbour.

3 NOTICES OF MOTIONS

4 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Markham, Mr Smith and Mr Tink—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Hunter and Mr Mills—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 November 1990

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Face and Mr Rumble—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Ms Read—from certain citizens requesting certain changes to prison policies.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Aquilina—from certain citizens requesting a public inquiry into sandmining and mineral sands processing on the North Coast.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Dr Refshauge—from certain citizens requesting the continued operation of the Gemini Methadone Maintenance Centre at Sutherland.

Mr Beckroge—from certain citizens opposing the closure of the juvenile detention centre at Chloride Street, Broken Hill.

Mr West—from certain citizens opposing open-cut gold mining in the recreation reserve at Junction Reefs in Blayney Shire.

Mr Davoren, Mr Griffiths and Mr Moss—from certain citizens opposing the proposed sale of the site of the Belmore baby health centre and library.

Mr Hartcher—from certain citizens requesting assistance in overcoming flooding problems in the Gosford City Council area.

Ms Allan, Mr Knight, Mr Lovelee, Mr Markham, Mr Mills, Ms Nori, Mr Page, Mr Primrose, Dr Refshauge, Mr Rogan and Mr Yeadon—from certain citizens requesting the provision of linear accelerators for the treatment of cancer at Campbelltown Hospital and throughout New South Wales.

5 REPORT OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker, pursuant to section 78 (1) of the Independent Commission Against Corruption Act 1988, announced receipt of the Report of the Independent Commission Against Corruption on investigation into the Walsh Bay Redevelopment Project, dated October 1990, made public pursuant to section 78 (3) of the Act on 31 October 1990.

6 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Premier's Department for the year ended 30 June 1990.

Parliamentary Remuneration Act 1989—Report and Special Determination of the Parliamentary Remuneration Tribunal pursuant to section 13 of the Act, dated 26 October 1990.

Freedom of Information Act 1989—Freedom of Information (General) Regulation 1989—amendment of schedules 1, 3, 4. (Gazette 129/1990.)

Public Authorities (Financial Arrangements) Act 1987—Public Authorities (Financial Arrangements) General Regulation 1990—clause 4. (Gazette 133/1990.)

Stamp Duties Act 1920—Stamp Duties Regulations 1934—amendment of regulation 78. (Gazette 123/1990.)

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

Report of the Board of Architects for the year ended 30 June 1990.

Report of the Chipping Norton Lake Authority for the year ended 30 June 1990.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 November 1990

Report of the Public Works Department for the year ended 30 June 1990.

Report of the Roads and Traffic Authority for the year ended 30 June 1990.

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes, at—

Bankstown. (Gazette 137/1990.)

Jugiong. (Gazette 137/1990.)

Ryhope and Killingworth. (Gazette 137/1990.)

Wingen. (Gazette 137/1990.)

Traffic Act 1909—Motor Traffic Regulations 1935—parts 10A, 11B, amendment of regulations 2, 94, schedule A. (Gazettes 133/1990, 137/1990.)

Tow Truck Act 1989—Tow Truck Regulation 1990, clauses 1 to 21, schedule 1. (Gazette 133/1990.)

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the Anti-Discrimination Board and Equal Opportunity Tribunal for the year ended 30 June 1990.

Report of the Attorney General's Department for the year ended 30 June 1990.

Report of the Bush Fire Services for the year ended 30 June 1990.

Report of the Legal Aid Commission for the year ended 30 June 1990.

Report and Determination of the Legal Fees and Costs Board under section 179 of the Legal Profession Act and paragraph 8 of the 1984 Conveyancing general order. (Gazette 115/1990.)

Report of the Victims Compensation Tribunal for the year ended 30 June 1990.

Referred to the Printing Committee.

MINISTERIAL STATEMENT—VICTIMS COMPENSATION TRIBUNAL

Mr Dowd made a ministerial statement concerning the annual report of the Victims Compensation Tribunal.

Mr Carr also addressed the House.

(4) Mr Schipp laid upon the Table—

Report of the Department of Housing for the year ended 30 June 1990.

Referred to the Printing Committee.

(5) Mr Moore laid upon the Table—

Report of the Zoological Parks Board for the year ended 30 June 1990.

Referred to the Printing Committee.

(6) Mr Peacocke laid upon the Table—

Progress Report of the Special Investigation into the affairs of Spedley Securities Limited and Other Companies, dated 30 June 1990.

Referred to the Printing Committee.

(7) Mr Pickard laid upon the Table—

Report of the Coal Compensation Board for the year ended 30 June 1990.

Report of the Earth Exchange Geological Mining Museum for the year ended 30 June 1990.

Report of Illawarra Electricity for the year ended 30 June 1990.

Report of the Joint Coal Board for the year ended 30 June 1990.

Report of Macquarie Electricity for the year ended 30 June 1990.

Report of the Department of Minerals and Energy for the year ended 30 June 1990.

Report of the Monaro County Council for the year ended 30 June 1990.

Report of the Murray River County Council for the year ended 30 June 1990.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 November 1990

Report of the Murrumbidgee County Council for the year ended 30 June 1990.

Report of the Namoi Valley County Council for the year ended 30 June 1990.

Report of the New England County Council for the year ended 30 June 1990.

Report of the Northern Riverina County Council for 1989.

Report of the Northern Rivers County Council for the year ended 30 June 1990.

Report of the Ophir County Council for the year ended 30 June 1990.

Report of the Oxley County Council report for the year ended 30 June 1990.

Report of the Peel-Cunningham County Council for the year ended 30 June 1990.

Report of the Prospect County Council for the year ended 30 June 1990.

Report of Shortland Electricity for the year ended 30 June 1990.

Report of the South West Slopes County Council for the year ended 30 June 1990.

Report of the Southern Tablelands County Council for the year ended 30 June 1990.

Report of the Sydney County Council for the year ended 30 June 1990.

Report of the Tumut River Electricity Council for the year ended 30 June 1990.

Report of the Ulan County Council for the year ended 30 June 1990.

Report of Review of Land Use Issues arising from Coal Mining and Urban Developments near Beresfield, dated 29 August 1990.

Referred to the Printing Committee.

(8) Mr Causley laid upon the Table—

Summary Report of the Nyngan Flood Investigation, dated October 1990.

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for dam construction purposes, at Tamworth. (Gazette 125/1990.)

Referred to the Printing Committee.

MINISTERIAL STATEMENT—NYNGAN FLOOD INVESTIGATION

Mr Causley made a ministerial statement concerning the Nyngan Flood Investigation.

(9) Mr Hay laid upon the Table—

Report of the Heritage Council for the year ended 30 June 1990.

Referred to the Printing Committee.

7 REPORTS RECEIVED BY THE CLERK

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

31 October 1990

Report of the Department of Health for the year ended 30 June 1990.

Report of the Department of Industrial Relations and Employment for the year ended 30 June 1990.

Report of the Department of State Development for the year ended 30 June 1990.

7 November 1990

Report of the State Lotteries Office for the year ended 30 June 1990.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 November 1990

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

1 November 1990

Report of the Meat Industry Authority for the year ended 30 June 1990.

Report of the Dairy Corporation for the year ended 30 June 1990.

7 November 1990

Report of the Dumaresq-Barwon Border Rivers Commission for the year ended 30 June 1990.

8 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that during the absence of the Honourable Garry Bruce West, Minister for Lands and Forests and Minister for Tourism, the Honourable Ian Raymond Causley, Chief Secretary and Minister for Water Resources, would be answering questions on behalf of the Minister.

9 QUESTIONS

Disorder: Mr Speaker named the honourable member for Coogee, Mr Cleary, as having been guilty of persistently and wilfully disregarding the authority of the Chair.

Mr Dowd moved, That the honourable member for Coogee, Mr Cleary, be suspended from the service of the House.

And the honourable member for Coogee having been heard in explanation of his conduct—

Question put—That the honourable member for Coogee, Mr Cleary, be suspended from the service of the House.

The House divided.

Ayes 61

Mr Andrews	Mr Hatton	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Keegan	Mr Smiles
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Mr Longley	Mr Souris
Mr Booth	Miss Machin	Mr Tink
Mr Caustey	Mr Matheson	Mr Turner
Mr Chappell	Mr Merton	Mr Webster
Mrs Cohen	Dr Metherell	Mr Welsh
Mr Collins	Mr Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Wotton
Mr Dowd	Mr Murray	Mr Yabsley
Mr Downy	Mr Packard	Mr Yeomans
Mr Fahey	Mr D. L. Page	Mr Zammit
Mr Fraser	Mr Park	
Miss Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Ms Read	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

Noes 41

Ms Allan	Mr Knight	Dr Refshauge
Mr Amery	Mr Langton	Mr Rogan
Mr Anderson	Mr Lovelee	Mr Rumble
Mr Aquilina	Mr McManus	Mr Scully
Mr A. S. Aquilina	Mr Markham	Mr Shedden
Mr Carr	Mr Martin	Mr Sheworth
Mr Cleary	Mr Mills	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Whelan
Mr Doyle	Mr Moss	Mr Yeadon
Mr Face	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mrs Grusovin	Ms Nori	Tellers
Mr Harrison	Mr Page	
Mr Hunter	Mr Price	Mr Beckroge
Mr Irwin	Mr Primrose	Mr Christie

And so it was resolved in the affirmative.

Disorder: By direction of Mr Speaker, the honourable member for Camden, Mr Primrose, was removed from the Chamber by the Serjeant-at-Arms.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 November 1990

Mr Beckroge moved, That the honourable member for Clarence be not further heard.

The House divided.

Ayes 37

Ms Allan	Mr Langton	Mr Rumble
Mr Amery	Mr Lovelee	Mr Scully
Mr Anderson	Mr McManus	Mr Shedden
Mr Aquilina	Mr Markham	Mr Unsworth
Mr A. S. Aquilina	Mr Martin	Mr Walsh
Mr Carr	Mr Mills	Mr Whelan
Mr Doyle	Mr H. P. Moore	Mr Yeadon
Mr Face	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	
Mr Harrison	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Rogan	Mr Christie

Noes 60

Mr Andrews	Mr Hatton	Mr Roberts
Mr Arkell	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr Booth	Miss Machin	Mr Souris
Mr Causley	Mr Matheson	Mr Tink
Mr Chappell	Mr Merton	Mr Turner
Mrs Cohen	Dr Metherell	Mr Webster
Mr Collins	Mr Moore	Mr Welsh
Mr Cruickshank	Mr Morris	Mr White
Mr Dowd	Mr Murray	Mr Wotton
Mr Downy	Mr Packard	Mr Yabsley
Mr Fahey	Mr D. L. Page	Mr Yeomans
Mr Fraser	Mr Park	Mr Zammit
Miss Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Pickard	
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

And so it passed in the negative.

10 PLACING OR DISPOSAL OF BUSINESS

(1) Order of the Day No. 1 of Business of the House postponed, on motion of Mr Dowd, until Tuesday 4 December 1990

(2) Mr Cruickshank withdrew Notice of Motion No. 1 under Standing Order 113A.

11 ADJOURNMENT UNDER STANDING ORDER 49

Mr Speaker stated that he had received from the honourable member for Fairfield, Mr Irwin, a notice that he desired to move the adjournment of the House to discuss the reduction in funding for financial counselling services in New South Wales.

Point of Order: The Attorney General submitted that the motion for the adjournment of the House under Standing Order 49 should be ruled out of order on the grounds that the matter to be discussed had already been debated in the recently concluded budget debate. Specifically, it was a line item of the Consolidated Fund Estimates for 1990-91 and was therefore not of recent occurrence.

Mr Speaker said that the operative part of the matter was the reduction in funding and therefore was not of singular importance to take it out of the context of general administrative procedures of Government administration. Having regard to this he ruled the motion out of order.

12 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Business Licences Bill
Land Tax Management (Further Amendment) Bill
Local Government (Backpackers Hostels) Amendment Bill
Meat Industry Amendment Bill
Ombudsman (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.

13 SUSPENSION OF STANDING ORDERS—SRI LANKAN HUMAN RIGHTS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the consideration at this sitting Notice of Motion No. 2 of General Business.

Mr Booth moved, pursuant to notice, That this House:

(1) expresses its profound concern at the number of killings and organised disappearances now occurring in Sri Lanka;

(2) condemns the killings and torture of people in Sri Lanka at the hands of both the security forces and armed opposition groups;

(3) calls on the Government and the people of Sri Lanka to take action to stop the widespread abuse of human rights and ensure that the rule of law prevails; and

(4) urges the Government to seek whatever ways are appropriate to bring about a halt to all human rights abuses in Sri Lanka.

Debate ensued.

Question put and passed.

14 BUSINESS LICENCES BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to business licences; to amend various Acts; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Peacocke moved, That this bill be now read a second time.

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

15 MEAT INDUSTRY (AMENDMENT) BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Meat Industry Act 1978 with respect to the meat industry levy and central killing areas.

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 Amery) and the resumption of the adjourned debate made an Order of the Day for a future day.

16 OMBUDSMAN (AMENDMENT) BILL

Mr Dowd, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Ombudsman Act 1974 so as to provide for the establishment of a Parliamentary Joint Committee on the Office of the Ombudsman; and to amend the Freedom of Information Act 1989 so as to exclude the Ombudsman from the requirements of that Act in connection with investigations conducted by the Ombudsman.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 future day.

17 LOCAL GOVERNMENT (BACKPACKERS HOSTELS) AMENDMENT BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Local Government Act 1919 so as to provide for the elimination of fire hazards in backpackers hostels; and to make a consequential amendment to the Land and Environment Court Act 1979.

Question put and passed.

Bill presented and read a first time.

Mr Hay moved, That this bill be now read a second time.

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

18 LOCAL GOVERNMENT (PUBLIC INQUIRIES) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

19 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

20 LOCAL GOVERNMENT (PUBLIC INQUIRIES) AMENDMENT BILL

Resumption of the interrupted debate, on motion of Mr Hay, That this bill be now read a second time.

Question put and passed.

Bill read a second time.

Madam Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Madam Deputy Speaker resumed the Chair, and Mr Booth, Temporary Chairman of Committees, reported the bill without amendment.

On motion of Mr Hay the Report was adopted.

And Madam Deputy Speaker, having consented to the third reading being taken forthwith.

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

21 MEAT INDUSTRY (GAME MEAT) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Kiama, Mr Harrison, be allowed to continue his speech for a further period of ten minutes.

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.

22 ADJOURNMENT

Mr Armstrong moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.47 p.m., until tomorrow, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 47

WEDNESDAY 14 NOVEMBER 1990

1 DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the gallery of Mr George Tzitzikostas, Minister for Macedonia and Thrace in the Greek Government, and Mr Constantine Pischinas, Consul General for Greece in Sydney.

2 ELECTORAL DISTRICT OF MACQUARIE FIELDS

Mr Speaker informed the House that his writ issued on 12 October 1990, for the election of a member to serve in the room of Stanley Alfred James Knowles, had been duly returned, with a certificate endorsed thereon by the returning officer of the election of Craig John Knowles to serve as member for the electoral district of Macquarie Fields.

Craig John Knowles was introduced, and having taken and subscribed the affirmation of allegiance and signed the roll of the House, took his seat as member for the electoral district of Macquarie Fields.

3 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Arkell, Mr McManus and Mr Tink—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Mills—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1990

Mr Rumble—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Ms Read—from certain citizens requesting certain changes to prison policies.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Lovelee, Mr Shedden and Mr Yeadon—from certain citizens opposing cut backs at Lidcombe State Hospital.

Mr Amery and Mr Nagle—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Mr Welsh—from certain citizens requesting completion of work on the Swansea S-bends deviation.

Mr J. H. Murray—from certain citizens requesting the provision of certain bus services from Chiswick to the city.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Ombudsman for the year ended 30 June 1990.

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Report of the Cancer Council for the year ended 30 June 1990.

Report of the Chiropodists Registration Board for the year ended 30 June 1990.

Report of the Chiropractors Registration Board for the year ended 30 June 1990.

Report of the Dental Board for the year ended 30 June 1990.

Report of the Dental Technicians Registration Board for the year ended 30 June 1990.

Report of the Nurses Registration Board for the year ended 30 June 1990.

Report of the Optical Dispensers Licensing Board for the year ended 30 June 1990.

Report of the Optometrical Registration Board for the year ended 30 June 1990.

Report of the Pharmacy Board for the year ended 30 June 1990.

Report of the Physiotherapists Registration Board for the year ended 30 June 1990.

Dentists Act 1989—Dentists Regulations—amendment of regulation 33, substituted regulations 33A, 37B. (Gazette 120/1990.)

Food Act 1989—

(a) Food Regulations 1937—amendment of regulation 77. (Gazette 125/1990.)

(b) Food Standards Code (Adoption) Regulation 1989—amendment of schedule 1. (Gazettes 115/1990, 123/1990.)

Mental Health Act 1990—Mental Health Regulation 1990—clause 45, amendment of schedule 1, substituted clause 8. (Gazette 109/1990.)

Optometrists Act 1930—Optometrists Regulations 1965—amendment of regulations 14, 23, 25. (Gazette 120/1990.)

Pharmacy Act 1964—Pharmacy Regulations—1A, 37A, 38C, 38D, 41A, amendment of regulations 3, 4, 5, 6, 7B, 11, 12, 14, 15, 19, 20, 31, 32, 32A, 35, 35A, 36, 37, 38B, 39, schedules 2, A, B, C, D, F, substituted regulation 38, schedule I, omission of regulations 10, 21 to 28, 34, 38A, 41, schedule 3. (Gazette 123/1990.)

Physiotherapists Registration Act 1945—Physiotherapists Registration Regulation 1990—amendment of clauses 7, 11, 12. (Gazette 120/1990.)

Poisons Act 1966—Poisons Regulations—amendment of regulations 4, 5, 49, 51. (Gazettes 109/1990, 120/1990.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1990

Therapeutic Goods and Cosmetics Act 1972—Therapeutic Goods and Cosmetics Regulations—amendment of regulations 15, 17. (Gazette 120/1990.)

Referred to the Printing Committee.

(3) Mr Armstrong laid upon the Table—

Report of the Department of Agriculture and Fisheries for the year ended 30 June 1990.

Report of the Central Coast (N.S.W.) Citrus Marketing Board for the year ended 30 June 1990.

Report of the Egg Corporation for the year ended 30 June 1990.

Report of the Rice Marketing Board for the year ended 30 June 1990.

Report of the Wine Grapes Marketing Board for the year ended 31 May 1990.

Referred to the Printing Committee.

(4) Mr West laid upon the Table—

Report of the Land Titles Office for the year ended 30 June 1990.

Report of the Department of Lands for the year ended 30 June 1990.

Report of the Surveyor General for the year ended 30 June 1990.

Report of the Board of Surveyors for the year ended 30 June 1990.

Report of the Tourism Commission for the year ended 30 June 1990.

Forestry Act 1916—copy of proposed agreement with H. L. Graham Pty Limited and the Minister for Lands and Forests pursuant to section 16A for exchange of State Forest land for freehold land near Tumut.

Referred to the Printing Committee.

(5) Mr Peacocke laid upon the Table—

Report of the Bathurst/Orange Development Corporation for the year ended 30 June 1990.

Report of the Co-operative Housing Societies Association of New South Wales Limited for the year ended 30 June 1990.

Report of the Macarthur Development Corporation for the year ended 30 June 1990.

Report of the Science and Technology Council for the year ended 30 June 1990.

Referred to the Printing Committee.

(6) Mr Fahey laid upon the Table—

Report of the Building and Construction Industry Long Service Payments Corporation for the year ended 30 June 1990.

Report of the Coal and Oil Shale Mine Workers' Superannuation Tribunal for the year ended 30 June 1990.

Report of the Education and Training Foundation for the year ended 30 June 1990.

Report of the New South Wales Superannuation Office for the year ended 30 June 1990.

Referred to the Printing Committee.

(7) Mr Yabsley laid upon the Table—

Prisons Act 1952—

(a) Prisons (Administration) Regulation 1989—clause 14A, amendment of clauses 11, 50, substituted clause 54. (Gazette 133/1990.)

(b) Prisons (General) Regulation 1989—clause 34A, amendment of clause 147. (Gazette 133/1990.)

Referred to the Printing Committee.

6 PUBLIC ACCOUNTS COMMITTEE

Mr Smiles brought up the Report of the Public Accounts Committee for the year ended 30 June 1990.

Ordered to be printed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1990

7 QUESTIONS

8 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the Home Care Services (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.

9 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE
COUNCIL OF THE UNIVERSITY OF TECHNOLOGY, SYDNEY

Mr Fahey moved, pursuant to notice, That Wendy Susan Machin, member for Manning, be elected as the representative of the Legislative Assembly on the Council of the University of Technology, Sydney, in pursuance of the provisions of section 9 of the University of Technology, Sydney, Act 1989.

Question put and passed.

10 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE
BOARD OF GOVERNORS OF CHARLES STURT UNIVERSITY

Mr Fahey moved, pursuant to notice, That David John Berry, member for Bathurst, be elected as the representative of the Legislative Assembly on the Board of Governors of the Charles Sturt University, in pursuance of the provisions of section 9 of the Charles Sturt University Act 1989.

Question put and passed.

11 DEBITS TAX BILL

Mr Baird, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act for the imposition and collection of a tax in respect of certain debits made to accounts kept with financial institutions.

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 adjourned debate made an Order of the Day for a future day.

12 LAND TAX MANAGEMENT (FURTHER AMENDMENT) BILL

Mr Baird, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Land Tax Management Act 1956 to make further provision with respect to the rate of, exemptions from and reductions in land tax; to make consequential amendments to the Valuation of Land Act 1916; and for other purposes.

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 adjourned debate made an Order of the Day for a future day.

13 MOTOR VEHICLES TAXATION (AMENDMENT) BILL

Mr Murray moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Motor Vehicles Taxation Act 1988 to increase the rate of motor vehicle tax.

Question put and passed.

Bill presented and read a first time.

Mr Murray moved, That this bill be now read a second time.

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

14 HOME CARE SERVICE (AMENDMENT) BILL

Mr Webster moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Home Care Service Act 1988 to provide for the establishment, promotion and management of the Hostel and Care Program; and to make related amendments to other Acts.

Question put and passed.

Bill presented and read a first time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1990

Mr Webster moved, That this bill be now read a second time.

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

15 BAIL (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Bail Act 1978 to make provision with respect to the matters to be considered in bail applications.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 future day.

16 CRIMES (POLICE EVIDENCE) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 with respect to the giving of evidence by police officers.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 future day.

17 DISTRICT COURT (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the District Court Act 1973 with respect to appeals to the Supreme Court and dismissal of actions.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

18 MOTOR ACCIDENTS (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Motor Accidents Act 1988 to make further provision concerning compulsory insurance against liability for the death of or injury to persons as a consequence of motor accidents; and to amend the Motor Accidents (Amendment) Act 1989.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

19 OATHS (CHILDREN) AMENDMENT BILL
JUSTICES (COMMITTAL STATEMENTS) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to amend the Oaths Act 1900 to make further provision with respect to the giving of evidence by children and related matters.
- (ii) A bill for an Act to amend the Justices Act 1902 to make further provision with respect to statements in committal proceedings.

Question put and passed.

Bills presented and read a first time.

Mr Dowd moved, That these bills be now read a second time.

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

20 TRUSTEE COMPANIES (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Trustee Companies Act 1964 to add certain trustee companies and to make provision for trustee companies in other respects; and to amend the Wills Probate and Administration Act 1898 with respect to the appointment of trustee companies as executors or administrators.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

21 FAIR TRADING (PUBLIC WARNINGS) AMENDMENT BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Fair Trading Act 1987 with respect to public warning statements.

Question put and passed.

Bill presented and read a first time.

Mr Peacocke moved, That this bill be now read a second time.

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

22 COAL MINING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Coal Mining Industry Long Service Leave Act 1950 in respect of awards relating to long service leave payments to employees in the coal mining industry.

Question put and passed.

Bill presented and read a first time.

Mr Fahey moved, That this bill be now read a second time.

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

23 **FACTORIES, SHOPS AND INDUSTRIES (CHRISTMAS TRADING) AMENDMENT BILL**

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Factories, Shops and Industries Act 1962 to allow any shop to trade on the two Sundays immediately before Christmas Day.

Question put and passed.

Bill presented and read a first time.

Mr Fahey moved, That this bill be now read a second time.

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

24 **FUNERAL SERVICES INDUSTRY (DAYS OF OPERATION) BILL**

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to regulate the days of operation of businesses providing funeral, burial or cremation services.

Question put and passed.

Bill presented and read a first time.

Mr Fahey moved, That this bill be now read a second time.

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

25 **MESSAGES FROM THE LEGISLATIVE COUNCIL**

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

14 November 1990

Coptic Orthodox Church (NSW) Property Trust Bill
Legal Aid Commission (Amendment) Bill.

26 NEW SOUTH WALES LOTTERIES BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

Debate ensued.

It being 5.30 p.m., private members' statements proceeded with.

27 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

28 NEW SOUTH WALES LOTTERIES BILL

Resumption of the interrupted debate, on motion of Mr Causley, "That this bill be now read a third time."

Question put and passed.

Bill read a third time.

29 NATIONAL PARKS AND WILDLIFE (MINING PROHIBITION)
AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Pittwater, Mr Longley, be allowed to continue his speech for a further period of ten minutes.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

30 OCCUPATIONAL HEALTH AND SAFETY LEGISLATION
(AMENDMENT) BILL
WORKERS COMPENSATION (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—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Madam Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported the bills without amendment.

Report adopted.

And Mr Speaker, having consented to the third reading being taken forthwith.

Bills, on motion of Mr Fahey, read a third time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1990

31 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 14 November 1990, returning the Local Government (Public Inquiries) Amendment Bill, without amendment.

32 ADJOURNMENT

Mr Fahey moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.58 p.m., until tomorrow, at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 48

THURSDAY 15 NOVEMBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation.

Mr Gibson, Mr Lovelee, Mr Markham, Mr H. F. Moore, Mr Page, Mr Primrose, Dr Refshauge and Mr Rogan—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Mills—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Rumble—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Ms Read—from certain citizens requesting certain changes to prison policies.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Welsh—from certain citizens requesting completion of work on the Swansea S-bends deviation.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1990

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

Mr Downy—from certain citizens requesting increased community services for the intellectually disabled.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr West laid upon the Table—

Report of the Newcastle International Sports Centre Trust for the year ended 30 June 1990.

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Criminal Procedure Act 1986—Criminal Procedure Regulation 1987—amendment of clauses 4, 8, substituted clause 7. (Gazettes 111/1990, 141/1990.)

Legal Profession Act 1987—Barristers and Solicitors Admission Rules 1989—amendment of rules 29, 105, forms 1, 2, 3, 14. (Gazette 125/1990.)

Local Courts (Civil Claims) Act 1970—Local Courts (Civil Claims) Rules 1988—amendment of parts 9, 20, 27, 30, 33, 38. (Gazettes 109/1990, 141/1990.)

Motor Accidents Act 1988—Motor Accidents Regulation 1989—clause 8, 9, amendment of clause 3, substituted clause 4. (Gazette 133/1990.)

Trustee Act 1925—Trustee Regulation 1988—amendment of clauses 4, 5. (Gazette 113/1990.)

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

Report of the Railway Service Superannuation Board for the year ended 31 May 1990.

Report of the Teacher Housing Authority for the year ended 30 June 1990.

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS—LUNA PARK SITE

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Deputy Premier for his handling of negotiations with developers for the future use of the Luna Park site and calls upon him to explain his actions in this matter.

Disorder: By direction of Mr Speaker, the honourable member for Canterbury, Mr Moss, was removed from the Chamber by the Serjeant-at-Arms.

Disorder: By direction of Mr Speaker, the honourable member for Maroubra, Mr Carr, was removed from the Chamber by the Serjeant-at-Arms.

Question put.

The House divided.

Ayes 41

Ms Allan	Mr Keegan	Mr Rogan
Mr Amery	Mr Knight	Mr Rumble
Mr Anderson	Mr Knowles	Mr Scully
Mr Aquilina	Mr Langton	Mr Shedden
Mr Cleary	Mr Lovelee	Mr Unsworth
Mr Davoren	Mr McManus	Mr Walsh
Mr Doyle	Mr Markham	Mr Welsh
Mr Face	Mr Martin	Mr Whelan
Miss Fraser	Mr Mills	Mr Yeadon
Mr Gibson	Mr H. P. Moore	
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Page	Tellers
Mr Hatton	Mr Price	
Mr Hunter	Ms Read	Mr Beckroge
Mr Irwin	Dr Refshaug	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1990

Noes 57

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr Booth	Miss Machin	Mr Souris
Mr Causley	Mr Matheson	Mr Tink
Mr Chappell	Mr Merton	Mr Turner
Mr Cochran	Dr Metherell	Mr Webster
Mrs Cohen	Mr Moore	Mr West
Mr Collins	Mr Morris	Mr White
Mr Cruickshank	Mr Murray	Mr Wotton
Mr Dowd	Mr Packard	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Pickard	
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

And so it passed in the negative.

6 QUESTIONS (continuation of entry No. 4)

7 SUSPENSION OF STANDING ORDERS—ADDITIONAL SITTING DAYS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude consideration of the notice of motion concerning additional sitting days given by him this day for tomorrow.

Question put and passed.

Mr Dowd moved, pursuant to notice, That this House shall meet for the despatch of business on—

Monday, 26 November 1990 at 2.15 p.m.;

Friday, 30 November 1990 at 10.30 a.m.

Debate ensued.

Question put and passed.

8 PRECEDENCE OF BUSINESS

Mr Dowd moved, pursuant to notice, That until the adjournment of the House for Christmas, unless otherwise ordered, Government Business shall take precedence of General Business.

Debate ensued.

Question put.

The House divided.

Ayes 55

Mr Andrews	Mr Jeffery	Mr Small
Mr Armstrong	Mr Kerr	Mr Smiles
Mr Baird	Mr Longley	Mr Smith
Mr Berry	Miss Machin	Mr Souris
Mr Books	Mr Matheson	Mr Tink
Mr Booth	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Moore	Mr West
Mr Cochran	Mr Morris	Mr White
Mrs Cohen	Mr Murray	Mr Wotton
Mr Collins	Mr Packard	Mr Yabsley
Mr Cruickshank	Mr D. L. Page	Mr Yeomans
Mr Dowd	Mr Park	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Petch	
Mr Glachan	Mr Pickard	
Mr Graham	Mr Rixon	Tellers
Mr Griffiths	Mr Roberts	
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1990

Noes 41

Ms Allan	Mr Keegan	Mr Rogan
Mr Amery	Mr Knight	Mr Rumble
Mr Anderson	Mr Knowles	Mr Scully
Mr Aquilina	Mr Langton	Mr Shedden
Mr Cleary	Mr Lovelec	Mr Unsworth
Mr Davoren	Mr McManus	Mr Walsh
Mr Doyle	Mr Markham	Mr Welsh
Mr Face	Mr Martin	Mr Whelan
Miss Fraser	Mr Mills	Mr Yeadon
Mr Gibson	Mr H. F. Moore	
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Page	Tellers
Mr Hatton	Mr Price	
Mr Hunter	Ms Read	Mr Beckroge
Mr Irwin	Dr Refshauge	Mr Christie

And so it was resolved in the affirmative.

9 FAIR TRADING (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Fair Trading Act 1987 to make further provision with respect to codes of practice.

Question put and passed.

Bill presented and read a first time.

Mr Peacocke moved, That this bill be now read a second time.

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

10 CRIMINAL PROCEDURE LEGISLATION (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Auburn, Mr Nagle, be allowed to continue his speech for a further period of ten minutes.

Question put.

The House divided.

Ayes 53

Mr Andrews
Mr Armstrong
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schultz

Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 43

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter

Mr Irwin
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Mr J. H. Murray
Mr Nagle
Mr Page
Mr Price
Ms Read
Dr Refshauge

Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1990

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

11 PRINTING COMMITTEE

Mr Small brought up Report No. 15 of the Printing Committee.

12 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.13 p.m., until Tuesday, 20 November 1990, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 49

TUESDAY 20 NOVEMBER 1990

1 SPEAKER'S STATEMENT—FILMING OF PROCEEDINGS

Mr Speaker informed the House that for approximately fifteen minutes this afternoon the proceedings would be filmed for the purposes of making a documentary video for the Law Week Schools in Parliament project.

2 DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the gallery of Dr Bozidar Marendic, Minister for Development of the Socialist Federal Republic of Yugoslavia, Dr Boris Cizelj, Ambassador for Yugoslavia in Australia, Ms Anita Djermanovic, Senior Advisor to the Minister and Mr John Benedek, Chairman of the Australia Yugoslavia Business Council.

3 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Dowd, Mr Lovelee, Mr Markham, Mr Mills and Mr H. F. Moore—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Mills—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Mr Hunter and Mr Rumble—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 November 1990

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Welsh—from certain citizens requesting completion of work on the Swansea S-bends deviation.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

Mr Beckroge—from certain citizens opposing the closure of the juvenile detention centre at Chloride Street, Broken Hill.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Berry—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Berry—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Martin—from certain citizens requesting the reservation of Crown Land between Mallabula and Lemon Tree Passage for nature purposes.

Mr Berry—from certain citizens requesting the enforcement of regulations prohibiting the sale of irradiated food.

Mr Rixon—from certain citizens opposing the sale of war toys.

Dr Refshauge—from certain citizens requesting the restoration of the old Town Hall in Illawarra Road, Marrickville.

Mr Rixon—from certain citizens requesting mandatory deposits on beverage containers.

Mr J. H. Murray—from certain citizens requesting the provision of certain bus services from Chiswick to the city.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Election Funding Authority for the year ended 30 June 1990.

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

The following documents of the inquiry into the investigation by the New South Wales Police Force of the circumstances surrounding the shooting of Detective Senior Constable M. P. Drury, dated 6 June 1984—

(a) Statement of Mr Michael Patrick Drury;

(b) Statement of Mr R. H. Stephenson;

(c) Statement of Detective Chief Inspector David Perrin;

(d) Advice by H. F. Purnell, A.M., Q.C., Supplementary Report;

(e) Statement of Mr A. McDonald.

Report of the Motor Accidents Authority for the year ended 30 June 1990.

Report of the Office of the Director of Public Prosecutions for the year ended 30 June 1990.

Bush Fires Act 1949—Bush Fires (General) Regulations—regulation 18. (Gazette 141/1990.)

Police Service Act 1990—Police Service Regulation 1990—amendment of clause 16. (Gazette 141/1990.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 November 1990

(3) Mr Moore laid upon the Table—

Report of the Centennial Park Trust for the year ended 30 June 1990.

Report of the Royal Botanic Gardens Sydney for the year ended 30 June 1990.

Hunter Water Board Act 1988—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for sewerage purposes, at—

Cliftleigh. (Gazette 129/1990.)

Nulkaba. (Gazette 129/1990.)

Referred to the Printing Committee.

(4) Mr West laid upon the Table—

Report of the Greyhound Racing Control Board for the year ended 30 June 1990.

Report of the Harness Racing Authority for the year ended 30 June 1990.

Report of the State Sports Centre Trust for the year ended 30 June 1990.

Forestry Act 1916—Forestry Regulation 1983—substituted schedule 1. (Gazette 196/1987.)

Real Property Act 1900—Real Property Act Regulations 1970—amendment of schedule 3. (Gazette 133/1990.)

Referred to the Printing Committee.

(5) Mr Peacocke laid upon the Table—

Report of the Motor Vehicle Repair Industry Council for the year ended 30 June 1990.

Referred to the Printing Committee.

(6) Mr Pickard laid upon the Table—

Report of the Mine Subsidence Board for the year ended 30 June 1990.

Referred to the Printing Committee.

(7) Mr Fahey laid upon the Table—

Report of the Workers' Compensation (Dust Diseases) Board for the year ended 30 June 1990.

Referred to the Printing Committee.

6 REPORT RECEIVED BY THE CLERK

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

16 November 1990

Report of the WorkCover Authority for the year ended 30 June 1990.

7 QUESTIONS

Disorder: By direction of Mr Speaker, the honourable member for Canterbury, Mr Moss, was removed from the Chamber by the Serjeant-at-Arms.

And the honourable member for Canterbury having sent a message of apology to the Speaker—

Mr Speaker made some observations, accepted the apology of the honourable member for Canterbury, and directed that the member be re-admitted.

8 REGULATION REVIEW COMMITTEE

(1) Ordered, on motion of Mr Dowd (by leave), That Terence John Rumble be appointed to serve on the Regulation Review Committee in the place of Stanley Alfred James Knowles, resigned.

(2) Ordered, on motion of Mr Dowd, That the following message be sent to the Legislative Council:

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 November 1990

Mr PRESIDENT

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

"That Terence John Rumble be appointed to serve on the Regulation Review Committee in the place of Stanley Alfred James Knowles, resigned."

Legislative Assembly
20 November 1990

K. R. ROZZOLI
Speaker

9 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Corporations (New South Wales) Bill
Credit (Amendment) Bill
Environmental Offences and Penalties (Amendment) Bill
National Trust of Australia (New South Wales) Bill
Prisons (Contract Management) Amendment Bill
Vocational Education and Training Accreditation 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.

10 TRAFFIC (AMENDMENT) BILL

Mr Murray moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Traffic Act 1909 with respect to the taking and testing of blood samples from drivers, the sale and use of radar detection and jamming devices, the driving hours and speed limits applying to certain vehicles and drivers and the permissible blood alcohol concentration for certain drivers; consequently to amend certain Acts; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Murray moved, That this bill be now read a second time.

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

11 CORPORATIONS (NEW SOUTH WALES) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to apply certain provisions of laws of the Commonwealth relating to corporations, the securities industry and the futures industry as laws of New South Wales and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Peacocke moved, That this bill be now read a second time.

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

12 CREDIT (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Credit Act 1984 with respect to proceedings concerning civil penalties for contraventions of that Act and with respect to disclosures concerning insurance.

Question put and passed.

Bill presented and read a first time.

Mr Peacocke moved, That this bill be now read a second time.

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

13 VOCATIONAL EDUCATION AND TRAINING ACCREDITATION BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to establish the Vocational Education and Training Accreditation Board and to define its functions; to provide for the accreditation of vocational courses; and to amend the Technical and Further Education Act 1974.

Question put and passed.

Bill presented and read a first time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 November 1990

Mr Fahey moved, That this bill be now read a second time.

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

14 MESSAGE FROM THE LEGISLATIVE COUNCIL

Madam Deputy Speaker reported a message from the Legislative Council dated 20 November 1990, returning the Appropriation Bill, without amendment.

15 MOTOR VEHICLES TAXATION (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

16 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

17 MOTOR VEHICLES TAXATION (AMENDMENT) BILL

Resumption of the interrupted debate, on motion of Mr Murray, That this bill be now read a second time.

Ordered, That the honourable member for Auburn, Mr Nagle, be allowed to continue his speech for a further period of ten minutes.

Question put and passed.

Bill read a second time.

Leave not granted for the third reading to be moved forthwith.

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.

18 PRISONS (CONTRACT MANAGEMENT) AMENDMENT BILL

Mr Yabsley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Prisons Act 1952 to enable the management of a prison and the transfer of prisoners between prisons to be undertaken on a contract basis.

Question put and passed.

Bill presented and read a first time.

Mr Yabsley moved, That this bill 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.

19 NATIONAL TRUST OF AUSTRALIA (NEW SOUTH WALES) BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to make further provision with respect to the constitution, objects and functions of the National Trust of Australia (New South Wales); to repeal the National Trust of Australia (New South Wales) Act 1960; and for related purposes.

Question put and passed.

Bill presented and read a first time.

Mr Hay moved, That this bill be now read a second time.

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

20 ENVIRONMENTAL OFFENCES AND PENALTIES (AMENDMENT) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Environmental Offences and Penalties Act 1989 and certain other Acts so as to consolidate provisions creating offences concerning the pollution of the environment and to make further provision with respect to the procedures for enforcing the provisions of those Acts.

Question put and passed.

Bill presented and read a first time.

Mr Moore moved, That this bill be now read a second time.

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

21 BUSINESS LICENCES BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

22 MEAT INDUSTRY (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

And the House continuing to sit after midnight—

WEDNESDAY 21 NOVEMBER 1990 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 Armstrong, read a third time.

23 OMBUDSMAN (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Dowd, on behalf of Mr Greiner, read a third time.

24 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.28 a.m., until 2.15 p.m., this day.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS
No. 50

WEDNESDAY 21 NOVEMBER 1990

1. PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Berry, Mr Griffiths, Mr Harrison, Mr Kerr, Mr Markham and Mr Page—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Mills and Mr H. F. Moore—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting improvements in the rail service between Sydney and Kiama.

Mr Rumble—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Welsh—from certain citizens requesting completion of work on the Swansea S-bends deviation.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Nagle—from certain citizens opposing cutbacks at Lidcombe State Hospital.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1990

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

Dr Refshauge—from certain citizens requesting an inquiry into psychiatric hospitals in New South Wales.

Mr Schultz—from certain citizens requesting assistance in problems relating to the Mountain High Railway Co. Pty Ltd.

Mr Welsh—from certain citizens requesting an equitable local government rating system to assist fixed and low income earners.

Mr Causley—from certain citizens requesting support for the timber industry and the retention of all areas presently set aside for logging.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the State Electoral Office for the year ended 30 June 1990.

Memorandum and articles of association of Splendid Pty Limited under the Companies Act 1981.

Notice, issued by the Treasurer to the Directors of Splendid Pty Limited, pursuant to section 19 (7) of the State Owned Corporations Act 1989.

Articles of association of Deferred Payments Co-ordinators Pty Ltd under the Companies (New South Wales) Code.

Amendments made to Articles of Association of Deferred Payments Co-ordinators Pty Ltd.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Report of the Ministry for the Environment for the year ended 30 June 1990.

Report of the National Parks and Wildlife Service for the year ended 30 June 1990.

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Motor Dealers Act 1974—Motor Dealers Regulation 1986—amendment of schedule 1. (Gazette 113/1990.)

Referred to the Printing Committee.

(4) Mr Fahey laid upon the Table—

Report of the Ministry of Education and Youth Affairs for the year ended 30 June 1990.

Referred to the Printing Committee.

(5) Mr Causley laid upon the Table—

Report of the Chief Secretary's Department for the year ended 30 June 1990.

Report of the Liquor Administration Board for the year ended 30 June 1990.

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing 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.

Debate ensued.

Question put and passed.

6 MESSAGE 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 Bill, returned herewith, intituled "A Bill for an Act to constitute New South Wales Lotteries and to define its functions; and to repeal the State Lotteries Act 1930" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
21 November 1990

JOHN JOHNSON
President

NEW SOUTH WALES LOTTERIES BILL

Schedule of the amendments referred to in Message of 21 November 1990.

JOHN EVANS
Clerk of the Parliaments

-
- No. 1. Page 6, clause 11. From clause 11 (2), omit "5 members", insert instead "6 members".
- No. 2. Page 6, clause 11. From clause 11 (2) (b), omit "4 part-time members", insert instead "5 part-time members".
- No. 3. Page 6, clause 11. After clause 11 (2), insert:
- (3) Of the part-time members appointed by the Governor on the recommendation of the Minister, one is to be an elected staff member who is elected (from employees, other than temporary staff members, of NSW Lotteries who have qualifications or experience of the kind referred to in subsection (4)) in the manner prescribed by regulations made for the purposes of clause 1 of Schedule 1.
- No. 4. Page 6, clause 11. From clause 11 (3) (as printed), omit "A person", insert instead "Each of the other persons".

No. 5. Page 15, Schedule 1. Before clause 1, insert:

Elected staff member

1. (1) Regulations may be made for or with respect to the election of a person to hold office as an elected staff member.

(2) The Electoral Commissioner for New South Wales, or a person employed in the office of and nominated by the Electoral Commissioner, is to be the returning officer for an election, and has the functions conferred or imposed on the returning officer by the regulations made under this clause in relation to the election.

(3) Employees (other than temporary staff members) of NSW Lotteries are entitled to vote at an election in accordance with the regulations made under this clause for the elected staff member.

(4) A person's nomination as a candidate for election as the elected staff member is invalid if:

(a) the nomination is not made by at least 2 persons who are employees (other than temporary staff members) of NSW Lotteries; or

(b) the person is not, at the time of nomination, an employee (other than a temporary staff member) of NSW Lotteries.

(5) A person may be, at the same time, both the elected staff member and an employee of NSW Lotteries.

(6) Nothing in any law, rule, direction or other requirement that:

(a) is applicable to the elected staff member in his or her capacity as an employee of NSW Lotteries; and

(b) would not be applicable if the elected staff member were not such an employee,

operates so as to prevent or restrict the exercise by the elected staff member of any of the functions of an elected staff member.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1990

(7) If no person is nominated at an election, or if for any other reason an election fails, the Governor may, on the recommendation of the Minister, appoint a person eligible for election to be an appointed member, and the person, on being appointed, is to be taken to be a person elected in the manner prescribed by the regulations made for the purposes of this clause.

(8) If a vacancy occurs in the office of elected staff member otherwise than by reason of the expiration of the period for which the elected staff member was appointed:

- (a) the Governor may, on the recommendation of the Minister, appoint a person eligible for election to hold, subject to this Schedule, the office of elected staff member for a term commencing on the date of appointment or a later date specified in the relevant instrument of appointment and ending on the commencement of the term of office of the next elected staff member; and
- (b) the person is, on being so appointed, to be taken to be a person elected in the manner prescribed by the regulations made for the purposes of this clause.

(9) The Governor may, on the recommendation of the Minister, pending the election of the first elected staff member after the constitution of NSW Lotteries:

- (a) appoint any person as the elected staff member to hold, subject to this Schedule, the office of elected staff member until the election of that member and the person is, on being so appointed, to be taken to be a person elected in the manner prescribed by the regulations made for the purposes of this clause; or
- (b) appoint the other members of the Board and leave the office of elected staff member vacant pending the election of that member.

No. 6 Page 16, Schedule 1. After clause 4 (1) (b), insert:

- (c) being the elected staff member, ceases to be an employee (other than a temporary staff member) of NSW Lotteries; or

No. 7. Page 20, Schedule 1. From clause 1.1, omit "3 members", insert instead "4 members".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the Legislative Council message be taken into consideration forthwith.

7 NEW SOUTH WALES LOTTERIES BILL

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 bill.

Mr Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported that the Committee had agreed to the Council amendments.

Report adopted.

8 CONSTITUTION AND PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL

Mr Moore, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Constitution Act 1902 and Parliamentary Electorates and Elections Act 1912 with respect to electoral redistributions, the nomination of candidates, party affiliation on ballot-papers, postal voting and offences, and in other respects; and to make consequential amendments to other Acts.

Question put and passed.

Bill presented and read a first time.

Mr Moore moved, That this bill be now read a second time.

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

9 STAMP DUTIES (MISCELLANEOUS AMENDMENTS) BILL

Mr Baird, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Stamp Duties Act 1920 to make further provision with respect to the imposition of stamp duties and to make consequential amendments to certain other Acts.

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 Beckroge) and the resumption of the adjourned debate made an Order of the Day for a future day.

10 BURNS PHILP TRUSTEE COMPANY LIMITED BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the transfer of certain trust business from Burns Philp Trustee Company Limited to Permanent Trustee Company Limited.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

11 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 2)

Mr Dowd moved, 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 Dowd moved, That this bill be now read a second time.

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

INDEPENDENT COMMISSION AGAINST CORRUPTION
(AMENDMENT) BILL

Mr Dowd, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Independent Commission Against Corruption Act 1988 to make further provision in relation to the powers of the Independent Commission Against Corruption concerning investigations, hearings and reports; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 future day.

3 TECHNICAL AND FURTHER EDUCATION COMMISSION BILL
BOARD OF ADULT AND COMMUNITY EDUCATION BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act relating to the constitution, functions and management of the Technical and Further Education Commission; to repeal the Technical and Further Education Act 1974; and to amend certain other Acts.
- (ii) A bill for an Act relating to the constitution, functions and procedure of the Board of Adult and Community Education.

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 Aquilina) and the resumption of the adjourned debate made an Order of the Day for a future day.

14 LIQUOR (MISCELLANEOUS AMENDMENTS) BILL
REGISTERED CLUBS (MISCELLANEOUS AMENDMENTS) BILL

Mr Causley 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 with respect to the supply of liquor to minors; to increase certain fees; and for other purposes.
- (ii) A bill for an Act to amend the Registered Clubs Act 1976 in relation to persons under the age of 18 years; and for other purposes:

Question put and passed.

Bills presented and read a first time.

Mr Causley 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.

15 LOCAL GOVERNMENT (BACKPACKERS HOSTELS) AMENDMENT
BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

16 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

17 LOCAL GOVERNMENT (BACKPACKERS HOSTELS) AMENDMENT BILL

Resumption of the interrupted debate, on motion of Mr Hay, That this bill be now read a second time.

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 Booth, Temporary Chairman, reported progress and sought leave to sit again tomorrow.

Question proposed—That leave be given.

Debate ensued.

Question put and passed.

18 MESSAGES FROM THE GOVERNOR

Mr Speaker reported messages from His Excellency the Governor assenting to the following bills:

20 November 1990

Coptic Orthodox Church (NSW) Property Trust Bill
Legal Aid Commission (Amendment) Bill
Local Government (Public Inquiries) Amendment Bill.

19 HOME CARE SERVICE (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Downy moved, That this debate be now adjourned.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1990

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

20 ADJOURNMENT

Mr Webster moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.23 p.m., until tomorrow, at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LÉGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 51

THURSDAY 22 NOVEMBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Davoren, Mr Gibson, Mrs Grusovin, Mr Hunter, Mr Lovelec, Mr Markham, Dr Metherell, Mr Page and Mr White—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Hunter and Mr Mills—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Welsh—from certain citizens requesting completion of work on the Swansea S-bends deviation.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

Miss Fraser—from certain citizens opposing proposed public library membership fees and book hiring charges.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Shedden and Mr Yeadon—from certain citizens opposing cutbacks at Lidcombe State Hospital.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1990

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr White—from certain citizens opposing the proposed sale of the site of the Belmore baby health centre and library.

Mr Yeadon—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Mr Books—from certain citizens opposing the proposal for an overpass and intersection development at James Ruse Drive and Victoria Road, Parramatta.

Miss Fraser—from certain citizens requesting certain amendments to the Swimming Pools Act 1990.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Office of Financial Management for the year ended 30 June 1990.

Report of the Office of State Revenue for the year ended 30 June 1990.

Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year ended 30 June 1990.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Report of the Bicentennial Park Trust for the year ended 30 June 1990.

Report of the Hunter Water Board for the year ended 30 June 1990.

Report of the State Pollution Control Commission for the year ended 30 June 1990.

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the Bar Association for the year ended 30 June 1990.

Referred to the Printing Committee.

(4) Mr West laid upon the Table—

Report of the Forestry Commission for the year ended 30 June 1990.

Report of the Valuer-General's Department for the year ended 30 June 1990.

Crown Lands Act 1989—Gazette notice setting forth the mode in which it is proposed to deal with certain land under section 84 of the Act. (Gazette 148/1990.)

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Report of Southern Mitchell Electricity for the year ended 30 June 1990.

Referred to the Printing Committee.

(6) Mr Hay laid upon the Table—

Report of the Department of Planning for the year ended 30 June 1990.

Referred to the Printing Committee.

4 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST
CORRUPTION

Mr Kerr brought up and laid upon the Table—

(1) Committee on the Independent Commission Against Corruption Inquiry into Commission Procedures and the Rights of Witnesses: First Report on Openness and Secrecy in Inquiries into Organised Crime and Corruption: Questions of Damage to Reputations, dated November 1990.

Ordered to be printed

VOICES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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(2) Minutes of Evidence taken before the Committee.

Referred to the Printing Committee.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS—USE OF CONSULTANTS

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Government for its excessive use of consultants and for its failure to adhere to guidelines establishing proper procedures for their use.

Question put.

The House divided.

Ayes 49

Ms Allan	Mr Keegan	Mr Primrose
Mr Amery	Mr Knight	Ms Read
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mr Lovelee	Mr Rumble
Mr Arkell	Mr McManus	Mr Scully
Mr Carr	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Welsh
Mr Doyle	Mr H. P. Moore	Mr Whelan
Mr Face	Ms Moore	Mr Yeadon
Miss Fraser	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

Noes 55

Mr Andrews	Mr Hay	Mr Small
Mr Armstrong	Mr Jeffery	Mr Smiles
Mr Baird	Mr Kerr	Mr Smith
Mr Berry	Mr Longley	Mr Souris
Mr Books	Miss Machin	Mr Tink
Mr Booth	Mr Matheson	Mr Turner
Mr Causley	Mr Merton	Mr Webster
Mr Chappell	Mr Moore	Mr West
Mr Cochran	Mr Morris	Mr White
Mrs Cohen	Mr Murray	Mr Wotton
Mr Collins	Mr Packard	Mr Yabsley
Mr Dowd	Mr D. L. Page	Mr Yeomans
Mr Downy	Mr Park	Mr Zanmit
Mr Fahey	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Pickard	
Mr Graham	Mr Rixon	Tellers
Mr Greiner	Mr Roberts	
Mr Griffiths	Mr Schipp	Mr Beck
Mr Hartcher	Mr Schultz	Mr Phillips

And so it passed in the negative.

7 QUESTIONS (continuation of entry No. 5)

Mr Beckroge moved, That the honourable member for Middle Harbour, Mr Collins, be not further heard.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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The House divided.

Ayes 42

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Knowles	Mr Primrose
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mr Lovelee	Mr Rogan
Mr A. S. Aquilina	Mr McManus	Mr Rumble
Mr Carr	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. P. Moore	Mr Whelan
Mr Face	Mr Moss	Mr Yeardon
Mr Gibson	Mr J. H. Murray	
Ms Grusovin	Mr Nagle	Tellers
Mr Harrison	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie

Noes 62

Mr Andrews	Mr Hatton	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Keegan	Mr Smiles
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Mr Longley	Mr Souris
Mr Booth	Miss Machin	Mr Tink
Mr Causley	Mr Matheson	Mr Turner
Mr Chappell	Mr Merton	Mr Webster
Mr Cochran	Mr Moore	Mr Welsh
Ms Cohen	Ms Moore	Mr West
Mr Collins	Mr Morris	Mr White
Mr Dowd	Mr Murray	Mr Wotton
Mr Downy	Mr Packard	Mr Yabsley
Mr Fahey	Mr D. L. Page	Mr Yeomans
Miss Fraser	Mr Park	Mr Zammit
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Ms Read	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

And so it passed in the negative.

8 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Anti-Discrimination (Compulsory Retirement) Amendment Bill
Commercial Arbitration (Amendment) Bill
Courts Legislation (Civil Procedure) Amendment Bill
Crimes (Injuries) Amendment Bill
Criminal Procedure Legislation (Further Amendment) Bill
Industrial Arbitration (Enterprise Agreements) Amendment Bill
Local Courts (Civil Claims) Amendment Bill
Local Government (Street Drinking) Amendment Bill
National Parks and Wildlife (Leases) Amendment Bill
Public Health Bill
Unhealthy Building Land Bill
Miscellaneous Acts (Public Health) Repeal and 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.

The House divided.

Ayes 56

Mr Andrews	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr Booth	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Dr Metherell	Mr Webster
Mr Cochran	Mr Moore	Mr West
Mrs Cohen	Mr Morris	Mr White
Mr Collins	Mr Murray	Mr Wotton
Mr Dowd	Mr Packard	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Mr Fraser	Mr Pencocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Mr Rixon	
Mr Griffiths	Mr Roberts	Mr Beck
Mr Harther	Mr Schipp	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1990

Noes 49

Ms Allan	Mr Keegan	Mr Primrose
Mr Amery	Mr Knight	Ms Read
Mr Anderson	Mr Knowles	Dr Refshauge
Mr Aquilina	Mr Langton	Mr Rogan
Mr A. S. Aquilina	Mr Lovelee	Mr Rumble
Mr Arkell	Mr McManus	Mr Scully
Mr Carr	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Welsh
Mr Doyle	Mr H. P. Moore	Mr Whelan
Mr Face	Ms Moore	Mr Yeadon
Miss Fraser	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irvin	Mr Price	Mr Christie

And so it was resolved in the affirmative.

9 HOME CARE SERVICE (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

10 MESSAGE FROM THE LEGISLATIVE COUNCIL

Madam Deputy Speaker reported a message from the Legislative Council dated 22 November 1990, returning the National Parks and Wildlife (Mining Prohibition) Amendment Bill, without amendment.

11. DEBITS TAX BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Baird, on behalf of Mr Greiner, read a third time.

12. COMMERCIAL ARBITRATION (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Commercial Arbitration Act 1984 with respect to arbitration proceedings, international arbitrations, settlement of disputes otherwise than by arbitration and the judicial review of arbitral awards; to make other amendments to the Act for the purpose of promoting uniformity of Australian arbitration law; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

13. NATIONAL PARKS AND WILDLIFE (LEASES) AMENDMENT BILL

Mr Moore 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 with respect to the granting of leases and with respect to the application to lands reserved or dedicated under that Act of certain provisions of the Local Government Act 1919.

Question put and passed.

Bill presented and read a first time.

Mr Moore moved, That this bill be now read a second time.

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

14 LOCAL GOVERNMENT (STREET DRINKING) AMENDMENT BILL

Mr Hay moved; pursuant to notice, That leave be given to bring in a bill for an Act to amend the Local Government Act 1919 with respect to the drinking of alcohol on roads and footpaths and consequentially to amend the Justices Act 1902.

Question put and passed.

Bill presented and read a first time.

Mr Hay moved, That this bill be now read a second time.

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

15 FACTORIES, SHOPS AND INDUSTRIES (CHRISTMAS TRADING) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

16 COAL MINING INDUSTRY LONG SERVICE LEAVE (AMENDMENT)
BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

17 INDUSTRIAL ARBITRATION (ENTERPRISE AGREEMENTS)
AMENDMENT BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Industrial Arbitration Act 1940 with respect to enterprise agreements; and to amend certain other Acts consequentially.

Question put and passed.

Bill presented and read a first time.

Mr Fahey moved, That this bill be now read a second time.

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

18 ANTI-DISCRIMINATION (COMPULSORY RETIREMENT)
AMENDMENT BILL

Mr Fahey, on behalf of Mr Dowd, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Anti-Discrimination Act 1977 to make unlawful compulsory retirement from employment on the ground of age; to make consequential amendments to other Acts; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Fahey moved, That this bill be now read a second time.

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

19 CRIMES (INJURIES) AMENDMENT BILL

Mr Fahey, on behalf of Mr Dowd, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 to abolish the year-and-a-day rule with respect to death following the infliction of an injury; and to create the crime of maliciously and intentionally causing (or attempting to cause) a person to contract a grievous bodily disease.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

20 SUSPENSION OF SESSIONAL ORDERS

Ordered, on motion of Mr Fahey, That so much of the Sessional Orders be suspended so as to preclude the taking of private members' statements at this sitting.

21 PRINTING COMMITTEE

Mr Small brought up Report No. 16 of the Printing Committee.

22 PUBLIC HEALTH BILL UNHEALTHY BUILDING LAND BILL MISCELLANEOUS ACTS (PUBLIC HEALTH) REPEAL AND AMENDMENT BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act relating to the maintenance of proper standards of health for the public; and for other purposes.
- (ii) A bill for an Act to provide for the declaration of certain land as unhealthy building land and for the effect of such a declaration; and for other purposes.

- (iii) A bill for an Act to repeal certain Acts and to amend certain other Acts in connection with the enactment of the Public Health Act 1990 and the Unhealthy Building Land Act 1990.

Question put and passed.

Bills presented and read a first time.

Mr Collins moved, That these bills be now read a second time.

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

23 FUNERAL SERVICES INDUSTRY (DAYS OF OPERATION) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put.

The House divided.

Ayes 57

Mr Andrews	Mr Jeffery	Mr Schipp
Mr Arkell	Mr Kerr	Mr Schultz
Mr Armstrong	Mr Longley	Mr Small
Mr Baird	Miss Machin	Mr Smiles
Mr Berry	Mr Matheson	Mr Smith
Mr Books	Mr Merton	Mr Souris
Mr Causley	Dr Metherell	Mr Tink
Mr Chappell	Mr Moore	Mr Turner
Mrs Cohen	Ms Moore	Mr Webster
Mr Collins	Mr Morris	Mr West
Mr Dowd	Mr Murray	Mr White
Mr Downy	Mr Packard	Mr Wotton
Mr Fahey	Mr D. L. Page	Mr Yabsley
Miss Fraser	Mr Park	Mr Yeomans
Mr Fraser	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Pickard	Tellers
Mr Griffiths	Ms Read	
Mr Hartcher	Mr Rixon	Mr Beck
Mr Hay	Mr Roberts	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1990

Noes 37

Ms Allan	Mr Irwin	Mr Rogan
Mr Amery	Mr Langton	Mr Rumble
Mr Anderson	Mr Lovelee	Mr Scully
Mr Aquilina	Mr Martin	Mr Shedden
Mr A. S. Aquilina	Mr Mills	Mr Unsworth
Mr Carr	Mr Moss	Mr Whelan
Mr Cleary	Mr J. H. Murray	Mr Yeadon
Mr Davoren	Mr Nagle	
Mr Doyle	Mr Newman	
Mr Pace	Ms Nori	
Mr Gibson	Mr Page	Tellers
Mrs Grusovin	Mr Price	
Mr Harrison	Mr Primrose	Mr Beckroge
Mr Hunter	Dr Refshauge	Mr Christie

And so it was resolved in the affirmative.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

24 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Booth, Acting Speaker, reported messages from the Legislative Council returning the following bills without amendment:

22 November 1990

Business Licences Bill
Meat Industry (Amendment) Bill
Ombudsman (Amendment) Bill.

25 INDUSTRIAL ARBITRATION (VOLUNTARY UNIONISM) AMENDMENT BILL

Mr Booth, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day passed a Bill intituled "An Act to amend the Industrial Arbitration Act 1940 with respect to voluntary unionism" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
22 November 1990

JOHN JOHNSON
President

Bill read a first time.

Ordered by Mr Booth, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

26 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Superannuation Administration Bill
Superannuation 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.

27 SUPERANNUATION ADMINISTRATION BILL SUPERANNUATION LEGISLATION (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 to continue the State Authorities Superannuation Board; to provide for the Board to administer certain superannuation schemes and to be trustee for the persons entitled to receive benefits under those superannuation schemes; to constitute the State Superannuation Investment and Management Corporation and to prescribe the functions of the Corporation with respect to those superannuation schemes and other matters; and to provide for ancillary matters.

- (ii) A bill for an Act to amend various Acts relating to superannuation for the purpose of complying with the Occupational Superannuation Standards Act 1987 of the Commonwealth 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 Cleary) and the resumption of the adjourned debate made an Order of the Day for a future day.

28 LOCAL COURTS (CIVIL CLAIMS) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Local Courts (Civil Claims) Act 1970 to establish Small Claims Divisions of Local Courts; to provide for the appointment of Assessors; and for other purposes.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

29 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd, on behalf of the Premier, gave notice of business to be dealt with on 26 November 1990—

Bail (Amendment) Bill
 Motor Accidents (Amendment) Bill
 Police Regulation (Allegations of Misconduct) Amendment Bill
 Land Tax Management (Further Amendment) Bill
 Fair Trading (Public Warnings) Amendment Bill
 Motor Vehicles Taxation (Amendment) Bill
 Local Government (Backpackers Hostels) Amendment Bill
 National Trust of Australia (New South Wales) Bill.

30 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 5.34 p.m., until Monday, 26 November 1990, at 2.15 p.m., pursuant to the resolution adopted by the House, on Thursday, 15 November 1990.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 52

MONDAY 26 NOVEMBER 1990

1 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message from His Excellency the Governor dated 23 November 1990, assenting to the Appropriation Bill.

2 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mrs Grusovin and Mr Whelan—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore—from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Mills—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr H. F. Moore—from certain citizens opposing the proposed name change of Wyong Shire.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Lovelee—from certain citizens opposing cutbacks at Lidcombe State Hospital.

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Nagle—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

Mr Hunter—from certain citizens requesting increased community services for the intellectually disabled.

Mr Gibson—from certain citizens requesting the diversion of stormwater run-off from the proposed housing development at Scheyville so that Longneck Lagoon does not become polluted.

Dr Refshauge—from certain citizens requesting the construction of noise barriers on the F6 Southern Freeway.

3 PAPERS

(1) Mr Murray laid upon the Table—

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes, at—

Beecroft. (Gazette 141/1990.)

Rainbow Flat. (Gazette 141/1990.)

Swansea. (Gazette 141/1990.)

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Report of the Archives Authority for the year ended 30 June 1990.

Report of the Art Gallery for the year ended 30 June 1990.

Report of the Australian Museum for the year ended 30 June 1990.

Report of the Historic Houses Trust for the year ended 30 June 1990.

Report of the Library Council for the year ended 30 June 1990.

Report of the Ministry for the Arts for the year ended 30 June 1990.

Report of the Museum of Applied Arts and Sciences for the year ended 30 June 1990.

Report of the New South Wales Film and Television Office for the year ended 30 June 1990.

Report of the Sydney Opera House Trust for the year ended 30 June 1990.

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the Law Foundation for the year ended 30 June 1990.

Report of the State Emergency Service for the year ended 30 June 1990.

Referred to the Printing Committee.

(4) Mr West laid upon the Table—

Report of the Jenolan Caves Reserve Trust for the year ended 30 June 1990.

Referred to the Printing Committee.

(5) Mr Peacocke laid upon the Table—

Report of the Albury-Wodonga (New South Wales) Corporation for the year ended 30 June 1990.

Referred to the Printing Committee.

4 QUESTIONS

5 BAIL (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Dowd, That this bill be now read a second time

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

6 MOTOR ACCIDENTS (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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 Dowd, 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 POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

8 LAND TAX MANAGEMENT (FURTHER AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

It being 5.30 p.m., private members' statements proceeded with.

9 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

10 LAND TAX MANAGEMENT (FURTHER AMENDMENT) BILL

Resumption of the interrupted debate, on motion of Mr Greiner, That this bill be now read a second time—

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 without amendment.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 November 1990

On motion of Mr Baird, on behalf of Mr Greiner, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

11 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 26 November 1990, returning the Home Care Service (Amendment) Bill, without amendment.

12 FAIR TRADING (PUBLIC WARNINGS) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

13 MOTOR VEHICLES TAXATION (AMENDMENT) BILL

The Order of the Day having been read, Mr Tink, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bill.

Mr Tink, Acting Speaker, resumed the Chair, and Mr Booth, Temporary Chairman, reported the bill without amendment.

On motion of Mr Murray, the Report was adopted.

And Mr Tink, Acting Speaker, having consented to the third reading being taken forthwith—

Bill, on motion of Mr Murray, read a third time

14 LOCAL GOVERNMENT (BACKPACKERS HOSTELS) AMENDMENT BILL

The Order of the Day having been read, Mr Tink, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bill.

Mr Tink, Acting Speaker, resumed the Chair, and Mr Booth, Temporary Chairman, reported the bill with amendments.

Mr Hay moved, That the Report be now adopted.

Debate ensued.

Madam Deputy Speaker, on a point of order, ruled that the honourable member for Drummoyne, Mr J. H. Murray, was not restricting his remarks to the question of the adoption of the report and therefore directed the member to resume his seat.

Mr Speaker, on a point of order, ruled that the honourable member for Waverley, Mr Page, was not restricting his remarks to the question of the adoption of the report and therefore directed the member to resume his seat.

Question put and passed.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

15 NATIONAL TRUST OF AUSTRALIA (NEW SOUTH WALES) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 November 1990

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 without amendment.

On motion of Mr Hay, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

16 AUSTRALIAN CATHOLIC UNIVERSITY BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day passed a Bill intituled "An Act to provide statutory recognition of the Australian Catholic University and to facilitate its operation within New South Wales" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
26 November 1990

JOHN JOHNSON
President

Bill read a first time.

Mr Fahey 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 tomorrow.

17 MOTOR ACCIDENTS (AMENDMENT) BILL

The Order of the Day having been read, Mr Dowd moved, That this bill "be" now read a third time.

Mr Phillips moved, That the question be amended by leaving out all the words after the word "be" with a view to inserting the words "recommitted for the reconsideration of schedule 1"—instead thereof.

Question proposed—That the amendment be agreed to—put and passed.

Question proposed—That this bill be recommitted for the reconsideration of schedule 1—put and passed.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the reconsideration of schedule 1.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit again at a later hour of the day.

18 MESSAGE 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 Bill, returned herewith, intituled "A Bill for an Act to amend the Criminal Procedure Act 1986 and the Crimes Act 1900 with respect to the presentation of indictments, trial by jury, "back-up" charges and summaries of evidence; and to make consequential amendments to other Acts with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
26 November 1990

JOHN JOHNSON
President

CRIMINAL PROCEDURE LEGISLATION (AMENDMENT) BILL

Schedule of the amendment referred to in Message of 26 November 1990.

JOHN EVANS
Clerk of the Parliaments

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 and 27 November 1990 a.m.

Page 4, Schedule 1 (2). Omit proposed section 32 (1), insert instead:

(1) An accused person in criminal proceedings in the Supreme Court or District Court must be tried by the Judge alone if:

- (a) the person so elects in accordance with this section; and
- (b) the Judge is satisfied that the person, before making the election, sought and received advice in relation to the election from a barrister or solicitor.

Examined
M. F. WILLIS
Temporary Chairman of Committees

Ordered, by Mr Speaker, That the amendment made by the Legislative Council in this bill be taken into consideration forthwith.

19 CRIMINAL PROCEDURE LEGISLATION (AMENDMENT) BILL

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 bill.

And the Committee continuing to sit after midnight—

TUESDAY 27 NOVEMBER 1990 a.m.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendment.

Mr Dowd moved, That the Report be now adopted.

Question put.

The House divided.

Ayes 54

Mr Andrews	Mr Jeffery	Mr Schultz
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr Booth	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Chappell	Dr Metherell	Mr Turner
Mr Cochran	Mr Moore	Mr Webster
Mrs Cohen	Mr Morris	Mr West
Mr Collins	Mr Murray	Mr White
Mr Dowd	Mr Packard	Mr Wotton
Mr Downy	Mr D. L. Page	Mr Yabsley
Mr Pahey	Mr Park	Mr Yeomans
Mr Fraser	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Pickard	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartercher	Mr Roberts	Mr Beck
Mr Hay	Mr Schipp	Mr Phillips

Noes 45

Ms Allan	Mr Knowles	Mr Primrose
Mr Amery	Mr Langton	Ms Read
Mr Anderson	Mr Lovelce	Dr Refshauge
Mr Aquilina	Mr McManus	Mr Rogan
Mr A. S. Aquilina	Mr Markham	Mr Rumble
Mr Davoren	Mr Martin	Mr Scully
Mr Doyle	Mr Mills	Mr Shedden
Mr Pace	Mr H. F. Moore	Mr Unsworth
Mr Gibson	Ms Moore	Mr Walsh
Mrs Grusovin	Mr Moss	Mr Whelan
Mr Harrison	Mr J. H. Murray	Mr Yeadon
Mr Hatton	Mr Nagle	
Mr Hunter	Mr Newman	Tellers
Mr Irwin	Ms Nori	
Mr Keegan	Mr Page	Mr Beckroge
Mr Knight	Mr Price	Mr Christie

And so it was resolved in the affirmative.

20 FAIR TRADING (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

21 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd, on behalf of the Premier, gave notice of business to be dealt with on 27 November 1990—

Environmental Offences and Penalties (Amendment) Bill
 Constitution and Parliamentary Electorates and Elections (Amendment) Bill
 Traffic (Amendment) Bill
 Corporations (New South Wales) Bill
 Oaths (Children) Amendment Bill
 Justices (Committal Statements) Amendment Bill
 Credit (Amendment) Bill
 Vocational Education and Training Accreditation Bill
 Technical and Further Education Commission Bill
 Board of Adult and Community Education Bill.

22 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 26 November 1990, returning the Occupational Health and Safety Legislation (Amendment) Bill, without amendment.

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

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "A Bill for an Act to amend the Workers Compensation Act 1987 in relation to the rehabilitation of injured workers, retrospective common law claims and workers compensation insurers, and for other purposes" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
26 November 1990

JOHN JOHNSON
President

WORKERS COMPENSATION (AMENDMENT) BILL

Schedule of the amendment referred to in Message of 26 November 1990.

JOHN EVANS
Clerk of the Parliaments

Pages 20-21, Schedule 4, item (6). Omit the item.

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the amendment made by the Legislative Council in this bill be taken into consideration tomorrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 and 27 November 1990 a.m.

23 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.50 a.m., until this day, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 53

TUESDAY 27 NOVEMBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Hunter, Mr Lovelce, Mr Markham, Mr Martin, Mr Mills, Ms Moore and Mr Page—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr H. F. Moore— from certain citizens requesting that the Lord Howe Island Act 1953 not be repealed and that Lord Howe Island not be included in the World Heritage Properties Conservation (New South Wales) Bill 1990.

Mr Rumble— from certain citizens requesting harsher penalties for offences against children.

Mr Mills— from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore— from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore— from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Hunter and Mr Mills— from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble— from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble— from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr H. F. Moore— from certain citizens opposing the proposed name change of Wyong Shire.

Mr Mills— from certain citizens requesting the restoration of assistance for enrolments at preschools.

Mr Unsworth— from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Nagle— from certain citizens opposing cutbacks at Lidcombe State Hospital.

Mr Shedden— from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read— from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 November 1990

Mr Nagle—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Mr Beckroge—from certain citizens opposing the closure of the juvenile detention centre at Chloride Street, Broken Hill.

Mr Hartcher—from certain citizens requesting help in overcoming the flooding problems in the Gosford area.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Miss Fraser—from certain citizens requesting certain amendments in the Swimming Pools Act 1990.

Mr Markham—from certain citizens requesting extra ticket selling facilities and a pedestrian ramp at Fairy Meadow railway station.

Miss Fraser—from certain citizens requesting the return of the 445 bus to Darling Street Wharf, Balmain.

Mr Causley—from certain citizens requesting adequate sporting facilities at Coffs Harbour and Woolgoolga.

2 NOTICES OF MOTIONS

3 PAPER

Mr Schipp laid upon the Table—

Report of the Rental Bond Board for the year ended 30 June 1990.

Referred to the Printing Committee.

4 QUESTIONS

5 INDUSTRIAL ARBITRATION (VOLUNTARY UNIONISM)
AMENDMENT BILL

(1) Ordered, on motion of Mr Fahey, That the Order of the Day for the second reading of this bill be discharged.

(2) Ordered, on motion of Mr Fahey, That the bill be withdrawn.

6. MESSAGES FROM THE LEGISLATIVE COUNCIL

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

27 November 1990

Coal Mining Industry Long Service Leave (Amendment) Bill
Factories, Shops and Industries (Christmas Trading) Amendment Bill.

7. LOCAL GOVERNMENT (BACKPACKERS HOSTELS) AMENDMENT BILL

The Order of the Day having been read, Mr Hay moved, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

8. STAMP DUTIES (MISCELLANEOUS AMENDMENTS) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Baird, on behalf of Mr Greiner, read a third time.

9. MOTOR ACCIDENTS (AMENDMENT) BILL

The Order of the Day having been read, Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of schedule 1 of the bill.

Mr Speaker resumed the Chair, and the Chairman reported the bill a second time with a further amendment.

On motion of Mr Dowd, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

10 BURNS PHILP TRUSTEE COMPANY LIMITED BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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 Mr Dowd, 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.

11 TRAFFIC (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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It being 5.30 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 TRAFFIC (AMENDMENT) BILL

Resumption of the interrupted debate, on motion of Mr Murray, 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 Murray, read a third time.

14 CORPORATIONS (NEW SOUTH WALES) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Madam Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Madam Deputy Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported the bill with amendments.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 and 28 November 1990 a.m.

On motion of Mr Peacocke, the Report was adopted.

Ordered by Madam Deputy Speaker, That the third reading stand an Order of the Day for a later hour of the day.

15 OATHS (CHILDREN) AMENDMENT BILL
JUSTICES (COMMITTAL STATEMENTS) AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Dowd, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

And the House continuing to sit after midnight—

WEDNESDAY 28 NOVEMBER 1990 a.m.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Dowd, read a third time.

16 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Industrial Arbitration (Voluntary Unionism) Amendment Bill (No. 2)
Parliamentary Committees Enabling Bill
Sydney Electricity 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.

The House divided.

Ayes 53

Mr Andrews
Mr Armstrong
Mr Berry
Mr Books
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hay

Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 46

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr Arkell
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Knowles
Mr Langton
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Ms Read

Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

17 INDUSTRIAL ARBITRATION (VOLUNTARY UNIONISM)
AMENDMENT BILL (No. 2)

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Industrial Arbitration Act 1940 with respect to voluntary unionism.

Question put and passed.

Bill presented and read a first time.

Mr Fahey moved, That this bill be now read a second time.

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

18 CREDIT (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Tink 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.

19 SYDNEY ELECTRICITY BILL

Mr Pickard moved, pursuant to notice, That leave be given to bring in a bill for an Act to constitute a body corporate named Sydney Electricity and to specify its functions; to dissolve the Sydney County Council; and to make consequential amendments to certain Acts.

Question put and passed.

Bill presented and read a first time.

Mr Pickard moved, That this bill be now read a second time.

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

20 PARLIAMENTARY COMMITTEES ENABLING BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to enable certain Committees of the Legislative Council and Legislative Assembly to function during the prorogation of Parliament and during the fourth session of the forty-ninth Parliament.

Question put and passed.

Bill presented and read a first time.

Mr Dowd moved, That this bill be now read a second time.

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

21 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd, on behalf of the Premier, gave notice of business to be dealt with on 28 November 1990—

Environmental Offences and Penalties (Amendment) Bill
Constitution and Parliamentary Electorates and Elections (Amendment) Bill
Independent Commission Against Corruption (Amendment) Bill
Prisons (Contract Management) Amendment Bill
Vocational Education and Training Accreditation Bill
Technical and Further Education Commission Bill
Board of Adult and Community Education Bill
Local Government (Street Drinking) Amendment Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 and 28 November 1990 a.m.

22 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

27 November 1990

Bail (Amendment) Bill
Fair Trading (Public Warnings) Amendment Bill
Funeral Services Industry (Days of Operation) Bill
Motor Vehicles Taxation (Amendment) Bill
Land Tax Management (Further Amendment) Bill.

Madam Deputy Speaker also reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "A Bill for an Act for the imposition and collection of a tax in respect of certain debits made to accounts kept with financial institutions" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
27 November 1990

JOHN JOHNSON
President

DEBITS TAX BILL

Schedule of the amendments referred to in Message of 27 November 1990.

JOHN EVANS
Clerk of the Parliaments

-
- No. 1 Page 25, clause 27. From proposed section 27 (1) (b) and 2 (a) omit "at the prescribed rate", insert instead "at the rate prescribed for the purposes of section 34 (1) less 5%".
- No. 2 Page 27, clause 34. From proposed section 34 (1) omit "at the rate of 20% per annum", insert instead "at the prescribed rate".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Madam Deputy Speaker, That the amendments made by the Legislative Council in this bill be taken into consideration tomorrow.

23 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 2.01 a.m., until this day, at 2.15 p.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 54

WEDNESDAY 28 NOVEMBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Gibson, Mr Hunter, Mr Markham, Mr Martin, Mr Mills, Ms Nori and Mr Page—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Mills—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Rumble—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Lovelee, Mr Shedden and Mr Yeadon—from certain citizens opposing cutbacks at Lidcombe State Hospital.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Nagle and Mr Yeadon—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Miss Fraser—from certain citizens requesting the preservation of historic buildings on the Rozelle Hospital site.

Miss Fraser—from certain citizens requesting certain amendments in the Swimming Pools Act 1990.

Mr Markham—from certain citizens requesting extra ticket selling facilities and a pedestrian ramp at Fairy Meadow Railway Station.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 November 1990

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Mr Welsh—from certain citizens requesting completion of work on the Swansea S-bends deviation.

Mr Gibson—from certain citizens requesting that steps be taken to make Mount Druitt a drug free zone.

Mr J. H. Murray—from certain citizens requesting the provision of certain bus services from Chiswick to the city.

Ms Allan—from certain citizens requesting a review of Technical and Further Education policies.

2 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Cabinet Office for the year ended 30 June 1990.

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

State Roads Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes, at—

Armidale. (Gazette 152/1990.)

Balgowlah. (Gazette 148/1990.)

Mascot. (Gazette 152/1990.)

Merimbula North. (Gazette 148/1990.)

Mt White. (Gazette 152/1990.)

Orange. (Gazette 152/1990.)

Silverwater, Granville, Mays Hill and Prospect. (Gazette 148/1990 (2).)

Traffic Act 1909—General Traffic Regulations 1916—section 3A. (Gazette 148/1990.)

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the New South Wales Fire Brigades for the year ended 30 June 1990.

Report of the State Rescue and Emergency Services Board for the year ended 30 June 1990.

Referred to the Printing Committee.

(4) Mr Pickard laid upon the Table—

Review of the Broken Hill City Council Electricity Department conducted by KPMG Peat Marwick.

Referred to the Printing Committee.

(5) Mr Hay laid upon the Table—

Report of the Department of Local Government for the year ended 30 June 1990.

Referred to the Printing Committee.

3 QUESTIONS

4 SUSPENSION OF STANDING ORDERS—FILM AND VIDEO TAPE CLASSIFICATION (AMENDMENT) BILL

Ms Nori moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of General Business—Notice of Motion No. 1, standing in her name.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 November 1990

The House divided.

Ayes 47

Ms Allan
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price

Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

Noes 57

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths

Mr Hartcher
Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

And so it passed in the negative.

5 BURNS PHILP TRUSTEE COMPANY LIMITED BILL

The Order of the Day having been read, Mr Dowd moved, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

6 CORPORATIONS (NEW SOUTH WALES) BILL

The Order of the Day having been read, Mr Dowd, on behalf of Mr Peacocke, moved, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

7 ENVIRONMENTAL OFFENCES AND PENALTIES (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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 Booth, Temporary Chairman reported the bill with amendments.

On motion of Mr Moore, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 November 1990

It being 5.30 p.m., private members' statements proceeded with.

8 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

9 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

28 November 1990

Fair Trading (Amendment) Bill

Local Government (Backpackers Hostels) Amendment Bill

National Trust of Australia (New South Wales) Bill

Stamp Duties (Miscellaneous Amendments) Bill.

10 CONSTITUTION AND PARLIAMENTARY ELECTORATES AND
ELECTIONS (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put.

The House divided.

Ayes 60

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Miss Fraser
Mr Fraser
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher

Mr Hatton
Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Moore
Ms Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Ms Read

Mr Rixon
Mr Roberts
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Turner
Mr Webster
Mr Welsh
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 43

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyte
Mr Face
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight

Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. P. Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose

Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 November 1990

Mr Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported the bill with an amendment.

Mr Moore, on behalf of Mr Greiner, moved, That the Report be now adopted.

Question put.

The House divided.

Ayes 57

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Small
Mr Berry	Mr Keegan	Mr Smiles
Mr Books	Mr Kerr	Mr Smith
Mr Booth	Mr Longley	Mr Souris
Mr Causley	Miss Machin	Mr Tink
Mr Chappell	Mr Matheson	Mr Turner
Mr Cochran	Mr Merton	Mr Webster
Mrs Cohen	Dr Metherell	Mr West
Mr Collins	Mr Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Wotton
Mr Dowd	Mr Murray	Mr Yabsley
Mr Downy	Mr Packard	Mr Yeomans
Mr Fahey	Mr D. L. Page	Mr Zammit
Mr Fraser	Mr Park	
Mr Glachan	Mr Peacocke	Tellers
Mr Graham	Mr Petch	
Mr Greiner	Mr Pickard	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

Noes 48

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Knowles	Ms Read
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mr Lovelec	Mr Rogan
Mr A. S. Aquilina	Mr McManus	Mr Rumble
Mr Carr	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. P. Moore	Mr Walsh
Mr Face	Ms Moore	Mr Welsh
Miss Fraser	Mr Moss	Mr Whelan
Mr Gibson	Mr J. H. Murray	Mr Yeadon
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	
Mr Hunter	Mr Page	Mr Beckroge
Mr Irwin	Mr Price	Mr Christie

And so it was resolved in the affirmative.

And Mr Speaker having consented to the third reading being taken forthwith—

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

11 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

28 November 1990

Burns Philp Trustee Company Limited Bill
Corporations (New South Wales) Bill
Environmental Offences and Penalties (Amendment) Bill
Motor Accidents (Amendment) Bill
Traffic (Amendment) Bill.

12 INDEPENDENT COMMISSION AGAINST CORRUPTION
(AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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 Dowd, on behalf of Mr Greiner, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 and 29 November 1990 a.m.

13 DEBITS TAX BILL

The Order of the Day having been 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 bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

14 PRISONS (CONTRACT MANAGEMENT) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

And the House continuing to sit after midnight—

THURSDAY 29 NOVEMBER 1990 a.m.

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

28 November 1990

Oaths (Children) Amendment Bill
Justices (Committal Statements) Amendment Bill.

29 November 1990 a.m.

Independent Commission Against Corruption (Amendment) Bill.

16 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd, on behalf of the Premier, gave notice of business to be dealt with on 29 November 1990—

Sydney Electricity Bill

Technical and Further Education Commission Bill

Board of Adult and Community Education Bill

Vocational Education and Training Accreditation Bill

Industrial Arbitration (Enterprise Agreements) Amendment Bill

Occupational Health and Safety Legislation (Amendment) Bill

Workers Compensation (Amendment) Bill

Prisons (Contract Management) Amendment Bill

Liquor (Miscellaneous Amendments) Bill

Registered Clubs (Miscellaneous Amendments) Bill

National Parks and Wildlife (Leases) Amendment Bill

Anti-Discrimination (Compulsory Retirement) Amendment Bill

Local Government (Street Drinking) Amendment Bill

Public Health Bill

Unhealthy Building Land Bill

Miscellaneous Acts (Public Health) Repeal and Amendment Bill

Credit (Amendment) Bill

Statute Law (Miscellaneous Provisions) Bill (No. 2).

17 ADJOURNMENT

Mr Yabsley moved, That this House do now adjourn.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 and 29 November 1990 a.m.

The House divided.

Ayes 53

Mr Andrews	Mr Jeffery	Mr Small
Mr Armstrong	Mr Keegan	Mr Smiles
Mr Baird	Mr Kerr	Mr Smith
Mr Berry	Mr Longley	Mr Souris
Mr Causley	Miss Machin	Mr Tink
Mr Chappell	Mr Matheson	Mr Turner
Mr Cochran	Mr Merton	Mr Webster
Mrs Cohen	Dr Metherell	Mr West
Mr Collins	Mr Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Wotton
Mr Dowd	Mr Packard	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Pickard	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Roberts	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Noes 47

Ms Allan	Mr Knowles	Ms Read
Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Arkell	Mr Martin	Mr Shedden
Mr Cleary	Mr Mills	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Walsh
Mr Doyle	Ms Moore	Mr Welsh
Mr Face	Mr Moss	Mr Whelan
Mr Gibson	Mr J. H. Murray	Mr Yeadon
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

And so it was resolved in the affirmative.

The House adjourned accordingly at 1.25 a.m., until this day, at 10.30 a.m.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1990

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 55

THURSDAY 29 NOVEMBER 1990

1 PETITIONS

The Clerk announced that the following members had each lodged petitions for presentation—

Mr Fahey, Mr Gibson, Mr Hunter, Ms Nori and Mr Mills—from certain citizens praying for support to retain the three tier Aboriginal Land Council structure.

Mr Hunter and Mr Mills—from certain citizens requesting the continuation of suburban rail services within the Hunter and Lake Macquarie regions.

Mr Rumble—from certain citizens requesting harsher penalties for offences against children.

Mr Mills—from certain citizens requesting that the quality of education in Technical and Further Education colleges and public schools be maintained.

Ms Moore—from certain citizens opposing proposed measures for the prevention of certain parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing the proposed sale and redevelopment of the Royal Agricultural Society Showground and part of Moore Park.

Mr Hunter—from certain citizens requesting that the casualty outpatients department of Wallsend District Hospital remain open.

Mr Rumble—from certain citizens requesting changes to legislation relating to offences against children.

Mr Hunter—from certain citizens requesting the introduction of a proof of age card for persons 18 years and older for liquor consumption.

Mr Mills—from certain citizens requesting the restoration of assistance for enrolments at preschools.

Mr Unsworth—from certain citizens opposing certain Roads and Traffic Authority proposals for Rockdale and Banksia.

Mr Lovelee and Mr Yeadon—from certain citizens opposing cutbacks at Lidcombe State Hospital.

Ms Read—from certain citizens requesting the refurbishment and upgrading of North Sydney Girls' High School.

Mr Nagle—from certain citizens opposing the proposed tollway charge on the F4 Western Sydney Freeway.

Mr Markham—from certain citizens requesting extra ticket selling facilities and a pedestrian ramp at Fairy Meadow Railway Station.

Mr Martin—from certain citizens requesting the upgrading of the Nelson Bay-Newcastle Road.

Mr Welsh—from certain citizens requesting completion of work on the Swansea S-bends deviation.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1990

Mr Shedden—from certain citizens opposing a proposal to locate two high temperature incinerators at Chullora.

Ms Read—from certain citizens requesting certain changes to prison policies.

Ms Moore—from certain citizens requesting a commission of inquiry into the New South Wales Forestry Commission.

Ms Moore—from certain citizens opposing the demolition of the Finger Wharf at Woolloomooloo Bay.

Mr Newman—from certain citizens requesting increased police numbers at Cabramatta.

Mr McManus—from certain citizens requesting an equitable local government rating system.

2 NOTICES OF MOTIONS

3 AUDITOR-GENERAL'S REPORT

Mr Speaker laid upon the Table—

Report of the Auditor-General for the year ended 30 June 1990, Volume 3.

Ordered to be printed.

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Royal Commission into Aboriginal Deaths in Custody on the inquiry into the death of Paul Lawrence Kearney.

Statistical Return for the By-election in the Electoral District of The Hills held on 1 September 1990.

Referred to the Printing Committee.

(2) Mr Armstrong laid upon the Table—

Report of the Soil Conservation Service for the year ended 30 June 1990.

Dairy Industry Act 1979—Dairy Industry (Pricing) Regulation 1984—

(a) amendment of clause 4. (Gazette 133/1990.)

(b) proclamation amending Schedule 1. (Gazette 133/1990.)

Fisheries and Oyster Farms Act 1935—

(a) Fisheries and Oyster Farms (General) Regulation 1989—amendment of clause 2. (Gazette 129/1989.)

(b) Fisheries and Oyster Farms (Nets and Other Fishing Gear) Regulation 1989—amendment of clause 25. (Gazette 129/1990.)

Meat Industry Act 1978—Meat Industry (Licensing) Regulation 1980—
amendment of schedules 1, 3, 4, 7. (Gazette 148/1990.)

Referred to the Printing Committee.

(3) Mr Moore laid upon the Table—

Report of the Water Board for the year ended 30 June 1990.

Referred to the Printing Committee.

(4) Mr Pickard laid upon the Table—

Electricity Commission Act 1950—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for the purposes of transmission lines between Mount Piper and Marulan. (Gazette 129/1990 (11).)

Referred to the Printing Committee.

(5) Mr Fahey laid upon the Table—

Report of the Sporting Injuries Committee for the year ended 30 June 1990.

Referred to the Printing Committee.

5 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST
CORRUPTION

Mr Kerr brought up and laid upon the Table: A 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, taken before the Committee on 15 October 1990, together with an account of meetings with relevant agency heads.

Ordered to be printed.

Mr Kerr (by leave), made a statement concerning the document.

6 QUESTIONS

7 SUSPENSION OF STANDING ORDERS—ASSET SALES

Mr Carr moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House condemns the Minister for Administrative Services for costing the taxpayers of New South Wales \$1 billion as a result of dead rent and bungled and delayed asset sales.

Question put and passed.

Mr Carr moved, That this House condemns the Minister for Administrative Services for costing the taxpayers of New South Wales \$1 billion as a result of dead rent and bungled and delayed asset sales.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 55

Mr Andrews
Mr Armstrong
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp
Mr Schultz

Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yecomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 49

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkeil
Mr Carr
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hatton
Mr Hunter
Mr Irwin
Mr Keegan

Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

Original question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1990

The House divided.

Ayes 41

Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Aquilina	Mr Lovelee	Mr Rumble
Mr A. S. Aquilina	Mr McManus	Mr Scully
Mr Carr	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Walsh
Mr Doyle	Mr Moss	Mr Whelan
Mr Face	Mr J. H. Murray	Mr Yeadon
Mr Gibson	Mr Nagle	
Mrs Grusovin	Mr Newman	
Mr Harrison	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

Noes 61

Mr Andrews	Mr Hay	Mr Schultz
Mr Arkell	Mr Jeffery	Mr Small
Mr Armstrong	Mr Keegan	Mr Smiles
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Mr Longley	Mr Souris
Mr Booth	Miss Machin	Mr Tink
Mr Causley	Mr Matheson	Mr Turner
Mr Chappell	Mr Merton	Mr Webster
Mr Cochran	Mr Moore	Mr Welsh
Mrs Cohen	Ms Moore	Mr West
Mr Collins	Mr Morris	Mr White
Mr Cruickshank	Mr Murray	Mr Wotton
Mr Dowd	Mr Packard	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Miss Fraser	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Pickard	
Mr Graham	Ms Read	Tellers
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Roberts	Mr Beck
Mr Hatton	Mr Schipp	Mr Phillips

And so it passed in the negative.

8 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the resumption of the adjourned second reading debate on the Sydney Electricity Bill.

9 SYDNEY ELECTRICITY BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Ordered, That the honourable member for Waverley, Mr Page, be allowed to continue his speech for a further period of ten minutes.

Question put and passed.

Bill read a second time.

Madam Deputy Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Madam Deputy Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported the bill without amendment.

On motion of Mr Pickard, the Report was adopted.

And Madam Deputy Speaker having consented to the third reading being taken forthwith—

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

10 SUSPENSION OF SESSIONAL ORDERS

Ordered, on motion of Mr Pickard, That so much of the Sessional Orders be suspended so as to preclude the taking of private members' statements at this sitting.

11 TECHNICAL AND FURTHER EDUCATION COMMISSION BILL
BOARD OF ADULT AND COMMUNITY EDUCATION 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—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Mr Booth, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr Speaker resumed the Chair, and Mr Tink, Temporary Chairman, reported the Technical and Further Education Commission Bill with amendments and the Board of Adult and Community Education Bill without amendment.

On motion of Mr Fahey, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

Bills, on motion of Mr Fahey, read a third time.

12 VOCATIONAL EDUCATION AND TRAINING ACCREDITATION BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Mr Booth, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Booth, Acting Speaker, resumed the Chair, and the Chairman reported the bill with amendments.

On motion of Mr Fahey, the Report was adopted.

And Mr Booth, Acting Speaker, having consented to the third reading being taken forthwith—

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

13 PRINTING COMMITTEE

Mr Small brought up Report No. 17 of the Printing Committee.

14 INDUSTRIAL ARBITRATION (ENTERPRISE AGREEMENTS) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Madam Deputy 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 Booth, Temporary Chairman, reported the bill with amendments.

Mr Fahey moved, That the Report be now adopted.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 a.m.

And the House continuing to sit after midnight—

FRIDAY 30 NOVEMBER 1990 a.m.

Ayes 56

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr Booth	Miss Machin	Mr Souris
Mr Causley	Mr Matheson	Mr Turner
Mr Chappell	Mr Merton	Mr Webster
Mr Cochran	Mr Moore	Mr West
Ms Cohen	Mr Morris	Mr White
Mr Collins	Mr Murray	Mr Wotton
Mr Cruickshank	Mr Packard	Mr Yabsley
Mr Dowd	Mr D. L. Page	Mr Yeomans
Mr Downy	Mr Park	Mr Zammit
Mr Fahey	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Pickard	Tellers
Mr Graham	Ms Read	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

Noes 44

Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Walsh
Mr Face	Ms Moore	Mr Welsh
Miss Fraser	Mr Moss	Mr Whelan
Mr Gibson	Mr J. H. Murray	Mr Yeadon
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

And so it was resolved in the affirmative.

And Mr Tink, Acting Speaker, having consented to the third reading being taken forthwith—

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

15 OCCUPATIONAL HEALTH AND SAFETY LEGISLATION
(AMENDMENT) BILL
WORKERS COMPENSATION (AMENDMENT) BILL

The Order of the Day having been read, Mr Tink, Acting 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 Workers Compensation (Amendment) Bill.

Mr Tink, Acting Speaker, resumed the Chair, and the Chairman reported that the Committee had disagreed with the Council amendment.

Mr Fahey moved, That the Report be now adopted.

Question put.

The House divided.

Ayes 55

Mr Andrews	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Keegan	Mr Smiles
Mr Berry	Mr Kerr	Mr Smith
Mr Books	Mr Longley	Mr Souris
Mr Booth	Miss Machin	Mr Turner
Mr Causley	Mr Matheson	Mr Webster
Mr Chappell	Mr Merton	Mr West
Mr Cochran	Mr Moore	Mr White
Mrs Cohen	Mr Morris	Mr Wotton
Mr Collins	Mr Murray	Mr Yabsley
Mr Cruickshank	Mr Packard	Mr Yeomans
Mr Dowd	Mr D. L. Page	Mr Zammit
Mr Downy	Mr Park	
Mr Fahey	Mr Peacocke	
Mr Fraser	Mr Petch	
Mr Glachan	Mr Pickard	Tellers
Mr Graham	Mr Rixon	
Mr Griffiths	Mr Roberts	Mr Beck
Mr Hartcher	Mr Schipp	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 a.m.

Noes 45

Mr Amery	Mr Langton	Ms Read
Mr Anderson	Mr Lovelee	Dr Refshauge
Mr Aquilina	Mr McManus	Mr Rogan
Mr A. S. Aquilina	Mr Markham	Mr Rumble
Mr Cleary	Mr Martin	Mr Scully
Mr Davoren	Mr Mills	Mr Shedden
Mr Doyle	Mr H. F. Moore	Mr Unsworth
Mr Face	Ms Moore	Mr Walsh
Miss Fraser	Mr Moss	Mr Welsh
Mr Gibson	Mr J. H. Murray	Mr Whelan
Mrs Grusovin	Mr Nagle	Mr Yeadon
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

And so it was resolved in the affirmative.

Mr Fahey 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 26 November 1990 requesting the concurrence of the Legislative Assembly with the amendment to the Workers Compensation (Amendment) Bill 1990 as set forth in the Schedule to that Message, acquaints the Legislative Council as follows:

The Assembly disagrees with the proposed amendment because:

The clause as drafted allows parties to negotiate a redemption settlement, as they now do, without the current requirement that the agreement be sanctioned by the Compensation Court.

The clause allows the parties to continue to present agreements to the Compensation Court if they prefer to do so.

Workers under the age of 18 years cannot enter into an agreement without the sanction of the Court.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 a.m.

An agreement can be declared void by the Court "on any ground on which agreements generally may be declared void". This provision would operate as an obvious deterrent to an insurer against the application of pressure on a worker to settle a matter under duress.

Agreements in common law matters are made on this basis in the Supreme Court and District Court jurisdictions.

The amendment is opposed by the Bar Association but is supported by the Law Society of New South Wales.

And the Assembly requests the concurrence of the Legislative Council in its disagreement from the Council amendment in the Bill.

Legislative Assembly
30 November 1990 a.m.

K. R. ROZZOLI
Speaker

Question put.

The House divided.

Ayes 55

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Peuch
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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Noes 45

Mr Amery	Mr Langton	Ms Read
Mr Anderson	Mr Lovelee	Dr Refshauge
Mr Aquilina	Mr McManus	Mr Rogan
Mr A. S. Aquilina	Mr Markham	Mr Rumble
Mr Cleary	Mr Martin	Mr Scully
Mr Davoren	Mr Mills	Mr Shedden
Mr Doyle	Mr H. F. Moore	Mr Unsworth
Mr Face	Ms Moore	Mr Walsh
Miss Fraser	Mr Moss	Mr Welsh
Mr Gibson	Mr J. H. Murray	Mr Whelan
Mrs Grusovin	Mr Nagle	Mr Yeadon
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

And so it was resolved in the affirmative.

16 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Tink, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Constitution Act 1902 and Parliamentary Electorates and Elections Act 1912 with respect to electoral redistributions, the nomination of candidates, party affiliation on ballot-papers, postal voting and offences, and in other respects; and to make consequential amendments to other Acts" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
29 November 1990

JOHN JOHNSON
President

CONSTITUTION AND PARLIAMENTARY ELECTORATES AND
ELECTIONS (AMENDMENT) BILL

Schedule of the amendment referred to in Message of 29 November 1990.

JOHN EVANS
Clerk of the Parliaments

Page 34. Schedule 1. Omit Schedule 1 (39).

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Tink, Acting Speaker, That the amendment made by the Legislative Council in the bill be taken into consideration forthwith.

17 CONSTITUTION AND PARLIAMENTARY ELECTORATES AND
ELECTIONS (AMENDMENT) BILL

Mr Tink, Acting 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 bill.

Mr Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported progress and sought leave to sit again tomorrow.

Question put—That leave be given to sit again tomorrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 a.m.

The House divided.

Ayes 55

Mr Andrews	Mr Hay	Mr Small
Mr Armstrong	Mr Jeffery	Mr Smiles
Mr Baird	Mr Kerr	Mr Smith
Mr Berry	Mr Longley	Mr Souris
Mr Books	Miss Machin	Mr Tink
Mr Booth	Mr Matheson	Mr Turner
Mr Causley	Mr Merton	Mr Webster
Mr Chappell	Mr Moore	Mr West
Mr Cochran	Mr Morris	Mr White
Mrs Cohen	Mr Murray	Mr Wotton
Mr Collins	Mr Packard	Mr Yabsley
Mr Cruickshank	Mr D. L. Page	Mr Yeomans
Mr Dowd	Mr Park	Mr Zammit
Mr Downy	Mr Peacocke	
Mr Fahey	Mr Petch	
Mr Fraser	Mr Pickard	
Mr Glachan	Mr Rixon	Tellers
Mr Graham	Mr Roberts	
Mr Griffiths	Mr Schipp	Mr Beck
Mr Hartcher	Mr Schultz	Mr Phillips

Noes 46

Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelee	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyte	Mr H. F. Moore	Mr Walsh
Mr Face	Ms Moore	Mr Welsh
Miss Fraser	Mr Moss	Mr Whelan
Mr Gibson	Mr J. H. Murray	Mr Yeadon
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Tellers
Mr Hunter	Mr Page	
Mr Irwin	Mr Price	
Mr Keegan	Mr Primrose	Mr Beckroge
Mr Knight	Ms Read	Mr Christie

And so it was resolved in the affirmative.

18 PRISONS (CONTRACT MANAGEMENT) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put.

The House divided.

Ayes 53

Mr Andrews
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Fraser
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher
Mr Hatton

Mr Hay
Mr Jeffery
Mr Keegan
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Mr Moore
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Petch
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Turner
Mr Webster
Mr West
Mr White
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 44

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Cleary
Mr Davoren
Mr Doyle
Mr Face
Miss Fraser
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight
Mr Langton

Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose
Ms Read

Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whelan
Mr Yeadon

Tellers

Mr Beckroge
Mr Christie

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 a.m.

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 resumed the Chair, and the Chairman reported the bill with amendments.

Mr Yabsley moved, That the Report be now adopted.

Question put.

The House divided.

Ayes 51

Mr Andrews	Mr Hay	Mr Schipp
Mr Berry	Mr Jeffery	Mr Schultz
Mr Books	Mr Kerr	Mr Small
Mr Booth	Mr Longley	Mr Smiles
Mr Causley	Miss Machin	Mr Smith
Mr Chappell	Mr Matheson	Mr Souris
Mr Cochran	Mr Merton	Mr Turner
Mrs Cohen	Mr Moore	Mr Webster
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr White
Mr Dowd	Mr Packard	Mr Yabsley
Mr Downy	Mr D. L. Page	Mr Yeomans
Mr Fahey	Mr Park	Mr Zammit
Mr Fraser	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Pickard	
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

Noes 46

Mr Amery	Mr Langton	Dr Refshauge
Mr Anderson	Mr Lovelec	Mr Rogan
Mr Aquilina	Mr McManus	Mr Rumble
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Walsh
Mr Face	Ms Moore	Mr Welsh
Miss Fraser	Mr Moss	Mr Whelan
Mr Gibson	Mr J. H. Murray	Mr Yeadon
Mrs Grusovin	Mr Nagle	
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	
Mr Hunter	Mr Page	Tellers
Mr Irwin	Mr Price	
Mr Keegan	Mr Primrose	Mr Beckroge
Mr Knight	Ms Read	Mr Christie

And so it was resolved in the affirmative.

And Mr Tink, Acting Speaker, having consented to the third reading being taken forthwith—

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

19 LIQUOR (MISCELLANEOUS AMENDMENTS) BILL
REGISTERED CLUBS (MISCELLANEOUS AMENDMENTS) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Causley, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Causley, read a third time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 a.m.

20 NATIONAL PARKS AND WILDLIFE (LEASES) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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 Booth, Temporary Chairman, reported the bill with an amendment.

On motion of Mr Moore, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

21 ANTI-DISCRIMINATION (COMPULSORY RETIREMENT)
AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

22 LOCAL GOVERNMENT (STREET DRINKING) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

**23 PUBLIC HEALTH BILL
UNHEALTHY BUILDING LAND BILL
MISCELLANEOUS ACTS (PUBLIC HEALTH) REPEAL AND
AMENDMENT BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on motion of Mr Collins, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Mr Wotton, Acting Speaker, left the Chair at 9.02 a.m., until 10.00 a.m.
Mr Wotton, Acting Speaker, resumed the Chair at the hour named.

Mr Wotton, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

Mr Speaker resumed the Chair, and Mr Booth, Temporary Chairman, reported the Public Health Bill with an amendment and the Unhealthy Building Land Bill and the Miscellaneous Acts (Public Health) Repeal and Amendment Bill without amendment.

On motion of Mr Collins, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

Bills, on motion of Mr Collins, read a third time.

24 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 30 November 1990 a.m., returning the Board of Adult and Community Education Bill, without amendment.

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

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Industrial Arbitration Act 1940 with respect to enterprise agreements; and to amend certain other Acts consequentially" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
30 November 1990 a.m.

JOHN JOHNSON
President

INDUSTRIAL ARBITRATION (ENTERPRISE AGREEMENTS) AMENDMENT BILL

Schedule of the amendments referred to in Message of 30 November 1990 a.m.

JOHN EVANS
Clerk of the Parliaments

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- No. 1 Page 7, Schedule 1. From proposed section 13I (4), omit "may", insert instead "shall".
- No. 2 Page 9, Schedule 1. After proposed section 13M (1), insert:
- (2) If any of the employees concerned cannot understand the language in which the agreement is written, the employer must cause sufficient accurate (but simply expressed) summaries of the agreement to be so fixed and maintained for each of the employees to be able to read such a summary in a language he or she understands.
- No. 3 Pages 9-10, Schedule 1. Omit proposed section 13M (2) (a) and (b), insert instead:
- (a) notice of the existence of the agreement and access to a copy or to an accurate (but simply expressed) summary of the agreement, for perusal by the person, in a language the person understands; or
- (b) notice of the existence of the agreement and a copy or accurate (but simply expressed) summary of the agreement in a language the person understands.
- No. 4 Page 13, Schedule 1. From proposed section 13W, omit ", with the consent of the commission,".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to constitute a body corporate named Sydney Electricity and to specify its functions; to dissolve the Sydney County Council; and to make consequential amendments to certain Acts" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
30 November 1990 a.m.

JOHN JOHNSON
President

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

SYDNEY ELECTRICITY BILL

Schedule of the amendments referred to in Message of 30 November 1990 a.m.

JOHN EVANS
Clerk of the Parliaments

No. 1 Page 3, proposed section 5 (1). After section 5 (1) (e), insert:

(f) The promotion of energy conservation and of measures to increase the efficiency of energy transmission and use.

No. 2 Page 4, proposed section 8 (1). Omit "9", insert instead "10".

No. 3 Page 4, proposed section 8 (2) (b). Omit the paragraph, insert instead:

(b) 5 directors appointed by the Minister, 1 of whom is to be a staff elected director who is elected in the manner prescribed by regulations made for the purposes of clause 5 of Schedule 2.

No. 4 Page 4, proposed section 8 (3). After "Minister", where first occurring, insert "(other than the staff elected director)".

No. 5 Page 21, Schedule 2, clause 2 (3). Omit the subclause, insert instead:

(3) A person is eligible to be elected as a director if the person is a member of a council of a local government area within the Electricity Supply District for which the director is to be elected.

(4) In electing an elected director for an Electricity Supply District, the voters must have regard to such managerial, commercial, financial, legal or other qualifications of the candidate as will enable the candidate to carry out the functions of a director.

No. 6 Page 22, Schedule 2, clause 5. After clause 4, insert:

Staff elected director

5. (1) Regulations may be made for or with respect to the election of a person to hold office as a staff elected director.

(2) The Electoral Commissioner, or a person employed in the office of and nominated by the Electoral Commissioner, is to be the returning officer for an election, and has the functions conferred or imposed on the returning officer by the regulations made under this clause in relation to the election.

(3) Full-time employees of Sydney Electricity are entitled to vote at an election in accordance with the regulations made under this clause for the staff elected director.

(4) A person's nomination as a candidate for election as the staff elected director is invalid if:

- (a) the nomination is not made by at least 2 persons who are full-time employees of Sydney Electricity; or
- (b) the person is not, at the time of nomination, a full-time employee of Sydney Electricity.

(5) A person may be, at the same time, both the elected staff member and an employee of Sydney Electricity.

(6) Nothing in any law, rule, direction or other requirement that:

- (a) is applicable to the staff elected director in his or her capacity as an employee of Sydney Electricity; and
- (b) would not be applicable if the staff elected director were not such an employee,

operates so as to prevent or restrict the exercise by the staff elected director of any of the functions of a staff elected director.

(7) If no person is nominated at an election, or if for any other reason an election fails, the Minister may appoint a person eligible for election to be an appointed member, and the person, on being appointed, is to be taken to be a person elected in the manner prescribed by the regulations made for the purposes of this clause.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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(8) If a vacancy occurs in the office of staff elected director otherwise than by reason of the expiration of the period for which the staff elected director was appointed:

- (a) the Minister may appoint a person eligible for election to hold, subject to this Schedule, the office of staff elected director for a term commencing on the date of appointment or a later date specified in the relevant instrument of appointment and ending on the commencement of the term of office of the next staff elected director; and
- (b) the person is, on being so appointed, to be taken to be a person elected in the manner prescribed by the regulations made for the purposes of this clause.

(9) The Minister may, pending the election of the first staff elected director after the constitution of Sydney Electricity:

- (a) appoint any person as the staff elected director to hold, subject to this Schedule, the office of staff elected director until the election of that member and the person is, on being so appointed, to be taken to be a person elected in the manner prescribed by the regulations made for the purposes of this clause; or
- (b) appoint the other directors and leave the office of staff elected director vacant pending the election of that director.

No. 7 Page 24, Schedule 2, clause 9. In clause 9 (1) (i), after "elected director", insert "(other than the staff elected director)".

No. 8 Page 24, Schedule 2, clause 9. After clause 9 (1) (i), insert:

; or

- (j) in the case of the staff elected director, ceases to be a full-time employee of Sydney Electricity.

No. 9 Page 27, Schedule 3, clause 2. Omit "5", insert instead "6".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the amendments made by the Legislative Council in the bill be taken into consideration at a later hour of the day.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act relating to the constitution, functions and management of the Technical and Further Education Commission; to repeal the Technical and Further Education Act 1974; and to amend certain other Act" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
30 November 1990 a.m.

JOHN JOHNSON
President

TECHNICAL AND FURTHER EDUCATION COMMISSION BILL

Schedule of the amendments referred to in Message of 30 November 1990 a.m.

JOHN EVANS
Clerk of the Parliaments

No. 1 Page 6, clause 8. After clause 8 (2), insert:

(3) Any of the following functions may not be delegated or sub-delegated to an authorised person unless that person is a member of the staff of the TAFE Commission:

- (a) a function under this Act, or any other law, of entering into agreements relating to an industrial matter;
- (b) a function under section 15 or 16;
- (c) a function in proceedings concerning industrial awards.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

No. 2 Pages 10 and 11, clause 18. Omit clause 18 (3)-(5).

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the amendments made by the Legislative Council in the bill be taken into consideration at a later hour of the day.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to establish the Vocational Education and Training Accreditation Board and to define its functions; to provide for the accreditation of vocational courses; and to amend the Technical and Further Education Act 1974" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
30 November 1990 a.m.

JOHN JOHNSON
President

VOCATIONAL EDUCATION AND TRAINING ACCREDITATION BILL

Schedule of the amendment referred to in Message of 30 November 1990 a.m.

JOHN EVANS
Clerk of the Parliaments

Page 4, clause 5 (3) (c). Omit the paragraph, insert instead:

- (c) 3 are to be persons having such qualifications or experience in the provision or accreditation of vocational education or training as the Minister considers appropriate; and
- (d) 2 are to be persons having such qualifications or experience in the provision of vocational education or training for students with special needs as the Minister considers appropriate; and

-
- (e) 2 are to be persons having such qualifications or experience in industry, commerce or industrial relations as the Minister considers appropriate.

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the amendment made by the Legislative Council in the bill be taken into consideration at a later hour of the day.

25 CREDIT (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

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 Wotton, Temporary Chairman, reported progress and obtained leave to sit again at a later hour of the day.

26 MINISTERIAL STATEMENT—CORPORATE CRIME

Mr Peacocke made a ministerial statement concerning the prosecution process resulting from corporate crime.

27 CREDIT (AMENDMENT) BILL

The Order of the Day having been read, Mr Tink, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bill.

Mr Tink, Acting Speaker, resumed the Chair, and the Chairman reported the bill without amendment.

On motion of Mr Peacocke, the Report was adopted.

And Mr Tink, Acting Speaker, having consented to the third reading being taken forthwith—

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

28 PARLIAMENTARY COMMITTEES ENABLING BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Ordered, That the third reading stand an Order of the Day for a later hour of the day.

29 COURTS LEGISLATION (CIVIL PROCEDURE) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend various Acts to make further provision for the civil procedure of the Supreme Court and the District Court and to increase the jurisdictional limits of the District Court and Local Courts.

Question put and passed.

Bill presented and read a first time:

Mr Dowd moved, That this bill be now read a second time.

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

30 PARLIAMENTARY COMMITTEES ENABLING BILL

The Order of the Day having been read, Mr Dowd moved, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

31 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the—

Occupational Liability Bill
Personal Injury Damages 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.

32 PERSONAL INJURY DAMAGES BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the recovery of damages for death or personal injury caused by the fault of a person.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 future day.

33 OCCUPATIONAL LIABILITY BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the limitation of liability of members of occupational associations in certain circumstances.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

Bill presented and read a first time.

Mr Dowd 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 future day.

34 TRUSTEE COMPANIES (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

35 COMMERCIAL ARBITRATION (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

36 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 2)

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

37 CRIMES (INJURIES) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

38 DISTRICT COURT (AMENDMENT) BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

Leave granted for the third reading to be moved forthwith.

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

39 LOCAL COURTS (CIVIL CLAIMS) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

40 AUSTRALIAN CATHOLIC UNIVERSITY BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

41 TECHNICAL AND FURTHER EDUCATION COMMISSION BILL
BOARD OF ADULT AND COMMUNITY EDUCATION BILL

The Order of the Day having been read, Mr Booth, Acting 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 Technical and Further Education Commission Bill.

Mr Booth, Acting Speaker, resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendment.

Report adopted.

42 VOCATIONAL EDUCATION AND TRAINING ACCREDITATION BILL

The Order of the Day having been read, Mr Booth, 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 bill.

Mr Booth, Acting Speaker, resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

43 SYDNEY ELECTRICITY BILL

The Order of the Day having been read, Mr Booth, 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 bill.

Mr Booth, Acting Speaker, resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

44 CRIMES (POLICE EVIDENCE) AMENDMENT BILL

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

45 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising this day do adjourn until Tuesday 12 February 1991, at 2.15 p.m.

Debate ensued.

Question put and passed.

46 PAPERS

(1) Mr Dowd laid upon the Table—

Report of the Chief Executive of the Judicial Commission for the year ended 30 June 1990.

Report of the Judicial Commission for the year ended 30 June 1990.

Report of the Attorney General pursuant to section 23 of the Listening Devices Act 1984 for 1989.

Report of the Office of the Protective Commissioner for the year ended 30 June 1990.

Report of the Public Trustee for the year ended 30 June 1990.

Ordered to be printed.

(2) Mr West laid upon the Table—

Report of the Department of Sport, Recreation and Racing for the year ended 30 June 1990.

Ordered to be printed.

(3) Mr Baird laid upon the Table—

Report of the State Rail Authority for the year ended 30 June 1990.

Report of the State Transit Authority for the year ended 30 June 1990.

Report of the Department of Transport for the year ended 30 June 1990.

Ordered to be printed.

(4) Mr Yabsley laid upon the Table—

Report of the Department of Corrective Services for the year ended 30 June 1990.

Ordered to be printed.

(5) Mr Webster laid upon the Table—

Report of the Department of Administrative Services for the year ended 30 June 1990.

Report of the Department of Family and Community Services for the year ended 30 June 1990.

Report of the Home Care Service for the year ended 30 June 1990.

Report of the Property Services Group for the year ended 30 June 1990.

Report of the Public Servant Housing Authority for the year ended 30 June 1990.

Ordered to be printed.

47 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

30 November 1990

Anti-Discrimination (Compulsory Retirement) Amendment Bill
Prisons (Contract Mangement) Amendment Bill.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Liquor Act 1982 with respect to the supply of liquor to minors; to increase certain fees; and for other purposes" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
30 November 1990

JOHN JOHNSON
President

LIQUOR (MISCELLANEOUS AMENDMENTS) BILL

Schedule of the amendment referred to in Message of 30 November 1990.

JOHN EVANS
Clerk of the Parliaments

Page 8, schedule 3, item (7). From proposed section 117G omit "under the age of 16 years".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Registered Clubs Act 1976 in relation to persons under the age of 18 years; and for other purposes" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
30 November 1990

JOHN JOHNSON
President

REGISTERED CLUBS (MISCELLANEOUS AMENDMENTS) BILL

Schedule of the amendment referred to in Message of 30 November 1990.

JOHN EVANS
Clerk of the Parliaments

Page 4, schedule 1, item (3). From proposed section 57B omit "under the age of 16 years".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered, by Mr Speaker, That the amendments made by the Legislative Council in these bills be taken into consideration forthwith.

48 LIQUOR (MISCELLANEOUS AMENDMENTS) BILL
REGISTERED CLUBS (MISCELLANEOUS AMENDMENTS) BILL

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 Liquor (Miscellaneous Amendments) Bill and in the Registered Clubs (Miscellaneous Amendments) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments in these bills.

Report adopted.

49 INDUSTRIAL ARBITRATION (ENTERPRISE AGREEMENTS)
AMENDMENT BILL

The Order of the Day having been 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 bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had disagreed to Legislative Council amendment 1 and agreed to the remainder of the Legislative Council amendments.

Report adopted.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

Ordered, on motion of Mr Fahey, 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 30 November 1990 a.m. requesting the concurrence of the Legislative Assembly with the amendments to the Industrial Arbitration (Enterprise Agreements) Amendment Bill 1990 as set forth in the Schedule to that Message, acquaints the Legislative Council as follows:

Amendment Nos 2, 3 and 4. The Assembly agrees with the proposed amendments.

Amendment No. 1. The Assembly disagrees with the proposed amendment because:

The clause as drafted properly allows a complete discretion to the Industrial Commission to obtain and take into account the views of any State peak organisation as to whether or not a lodged enterprise agreement is contrary to the public interest (within the meaning of the clause).

The clause as drafted allows no lesser rights to the Labor Council of New South Wales to intervene in enterprise agreement registration approval proceedings than currently exists generally for that particular State peak organisation under the Industrial Arbitration Act 1940.

It would be an inappropriate interference with the independence and orderly administrative arrangements of the Industrial Commission to impose mandatory consultation requirements on the Commission in regard to the role of State peak organisations in the registration approval process for enterprise agreements.

The amendment will delay the processing of lodged enterprise agreements for registration and may be needlessly burdensome on State peak organisations.

And the Assembly requests the concurrence of the Legislative Council in its disagreement from this Council amendment in the Bill.

Legislative Assembly
30 November 1990 p.m.

K. R. ROZZOLI
Speaker

50 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would have precluded the resumption of the adjourned second reading debate on the Parliamentary Committees Enabling Bill.

Debate ensued.

Question put and passed.

51 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the resumption of the adjourned second reading debate on the Industrial Arbitration (Voluntary Unionism) Amendment Bill (No. 2).

52 INDUSTRIAL ARBITRATION (VOLUNTARY UNIONISM)
AMENDMENT BILL (No. 2)

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

And the question being again proposed—

The House resumed the said adjourned debate.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

The House divided.

Ayes 49

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Kerr	Mr Smith
Mr Berry	Mr Longley	Mr Tink
Mr Books	Miss Machin	Mr Turner
Mr Booth	Mr Matheson	Mr Webster
Mr Causley	Mr Merton	Mr West
Mr Chappell	Dr Metherell	Mr White
Mr Cochran	Ms Moore	Mr Yabsley
Mrs Cohen	Mr Morris	Mr Yeomans
Mr Collins	Mr Murray	Mr Zammit
Mr Dowd	Mr Packard	
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	
Mr Fraser	Mr Petch	Tellers
Mr Giachan	Mr Pickard	
Mr Graham	Ms Read	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

Noes 39

Mr Amery	Mr Langton	Mr Primrose
Mr Anderson	Mr Lovelec	Dr Refshauge
Mr Aquilina	Mr McManus	Mr Rogan
Mr A. S. Aquilina	Mr Markham	Mr Rumble
Mr Cleary	Mr Martin	Mr Scully
Mr Doyle	Mr Mills	Mr Shedden
Mr Face	Mr H. F. Moore	Mr Unsworth
Mr Gibson	Mr Moss	Mr Walsh
Mrs Grusovin	Mr J. H. Murray	Mr Whelan
Mr Harrison	Mr Nagle	
Mr Hunter	Mr Newman	Tellers
Mr Irwin	Ms Nori	
Mr Knight	Mr Page	Mr Beckroge
Mr Knowles	Mr Price	Mr Yeadon

Pair

Mr Park

Ms Allan

And so it was resolved in the affirmative.

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 without amendment.

Mr Fahey moved, That the Report be now adopted.

The House divided.

Ayes 45

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Cochran
Mrs Cohen
Mr Collins
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner

Mr Griffiths
Mr Hartcher
Mr Hay
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Pickard

Mr Rixon
Mr Schipp
Mr Schultz
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 41

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Cleary
Mr Doyle
Mr Face
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight
Mr Knowles
Mr Langton

Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price
Mr Primrose

Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Whelan

Tellers

Mr Beckroge
Mr Yeadon

Pair

Mr Park

Ms Allan

And so it was resolved in the affirmative.

And Mr Speaker having consented to the third reading being taken forthwith—

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

53 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the resumption of the consideration of the Legislative Council amendment in the Constitution and Parliamentary Electorates and Elections (Amendment) Bill at this sitting.

Debate ensued.

Mr Phillips moved, That the question be now put.

The House divided.

Ayes 45

Mr Andrews	Mr Griffiths	Mr Rixon
Mr Armstrong	Mr Hartcher	Mr Schipp
Mr Baird	Mr Hay	Mr Schultz
Mr Berry	Mr Kerr	Mr Tink
Mr Books	Mr Longley	Mr Turner
Mr Booth	Miss Machin	Mr Webster
Mr Causley	Mr Matheson	Mr West
Mr Cochran	Mr Merton	Mr White
Mrs Cohen	Dr Metherell	Mr Yabsley
Mr Collins	Mr Morris	Mr Yeomans
Mr Dowd	Mr Murray	Mr Zammit
Mr Downy	Mr Packard	
Mr Fahey	Mr D. L. Page	Tellers
Mr Glachan	Mr Peacocke	
Mr Graham	Mr Petch	Mr Beck
Mr Greiner	Mr Pickard	Mr Phillips

Noes 41

Mr Amery	Mr Lovelee	Ms Read
Mr Anderson	Mr McManus	Dr Refshauge
Mr Aquilina	Mr Markham	Mr Rogan
Mr A. S. Aquilina	Mr Martin	Mr Rumble
Mr Cleary	Mr Mills	Mr Scully
Mr Doyle	Mr H. F. Moore	Mr Shedden
Mr Face	Ms Moore	Mr Unsworth
Mr Gibson	Mr Moss	Mr Walsh
Mrs Grusovin	Mr J. H. Murray	Mr Whelan
Mr Harrison	Mr Nagle	
Mr Hunter	Mr Newman	Tellers
Mr Irwin	Ms Nori	
Mr Knight	Mr Page	Mr Beckroge
Mr Knowles	Mr Price	Mr Yeadon
Mr Langton	Mr Primrose	

Pair

Mr Park

Ms Allan

And so it was resolved in the affirmative.

Original question put.

The House divided.

Ayes 45

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr Booth
Mr Causley
Mr Cochran
Mrs Cohen
Mr Collins
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Greiner

Mr Griffiths
Mr Hartcher
Mr Hay
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Metherell
Mr Morris
Mr Murray
Mr Packard
Mr D. L. Page
Mr Peacocke
Mr Petch
Mr Pickard

Mr Rixon
Mr Schipp
Mr Schultz
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

Noes 39

Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Cleary
Mr Doyle
Mr Face
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter
Mr Irwin
Mr Knight
Mr Knowles

Mr Langton
Mr Lovelee
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr H. F. Moore
Ms Moore
Mr Moss
Mr Nagle
Mr Newman
Ms Nori
Mr Page
Mr Price

Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Walsh
Mr Whelan

Tellers

Mr Beckroge
Mr Yeadon

Pair

Mr Park

Ms Allan

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

54 CONSTITUTION AND PARLIAMENTARY ELECTORATES AND
ELECTIONS (AMENDMENT) BILL

The Order of the Day having been read, Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the amendment made by the Legislative Council in the bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendment.

Mr Dowd, on behalf of Mr Greiner, moved, That the Report be now adopted.

Debate ensued.

Mr Phillips moved, That the question be now put.

The House divided.

Ayes 44

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Kerr	Mr Tink
Mr Berry	Mr Longley	Mr Turner
Mr Books	Miss Machin	Mr Webster
Mr Booth	Mr Matheson	Mr West
Mr Causley	Mr Merton	Mr White
Mr Cochran	Dr Metherell	Mr Yabsley
Mrs Cohen	Mr Morris	Mr Yeomans
Mr Collins	Mr Murray	Mr Zammit
Mr Dowd	Mr Packard	
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	Tellers
Mr Glachan	Mr Petch	
Mr Graham	Mr Pickard	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

Noes 39

Mr Amery	Mr Langton	Mr Price
Mr Anderson	Mr Lovelee	Mr Primrose
Mr Aquilina	Mr McManus	Ms Read
Mr A. S. Aquilina	Mr Markham	Dr Refshauge
Mr Cleary	Mr Martin	Mr Rogan
Mr Doyle	Mr Mills	Mr Scully
Mr Face	Mr H. F. Moore	Mr Shedden
Mr Gibson	Ms Moore	Mr Walsh
Mrs Grusovin	Mr Moss	Mr Whelan
Mr Harrison	Mr J. H. Murray	
Mr Hunter	Mr Nagle	Tellers
Mr Irwin	Mr Newman	
Mr Knight	Ms Nori	Mr Beckroge
Mr Knowles	Mr Page	Mr Yeadon

Pair

Mr Park

Ms Allan

And so it was resolved in the affirmative.

Original question put—That the Report be now adopted.

The House divided.

Ayes 44

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Kerr	Mr Tink
Mr Berry	Mr Longley	Mr Turner
Mr Books	Miss Machin	Mr Webster
Mr Booth	Mr Matheson	Mr West
Mr Causley	Mr Merton	Mr White
Mr Cochran	Dr Metherell	Mr Yabsley
Mrs Cohen	Mr Morris	Mr Yeomans
Mr Collins	Mr Murray	Mr Zammit
Mr Dowd	Mr Packard	
Mr Downy	Mr D. L. Page	Tellers
Mr Fahey	Mr Peacocke	
Mr Glachan	Mr Petch	Mr Beck
Mr Graham	Mr Pickard	Mr Phillips
Mr Griffiths	Mr Rixon	

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 and 30 November 1990 p.m.

Noes 39

Mr Amery	Mr Langton	Mr Price
Mr Anderson	Mr Lovelee	Mr Primrose
Mr Aquilina	Mr McManus	Ms Read
Mr A. S. Aquilina	Mr Markham	Dr Refshauge
Mr Cleary	Mr Martin	Mr Rogan
Mr Doyle	Mr Mills	Mr Scully
Mr Face	Mr H. F. Moore	Mr Shedden
Mr Gibson	Ms Moore	Mr Walsh
Mrs Grusovin	Mr Moss	Mr Whelan
Mr Harrison	Mr J. H. Murray	
Mr Hunter	Mr Nagle	Tellers
Mr Irwin	Mr Newman	
Mr Knight	Ms Nori	Mr Beckroge
Mr Knowles	Mr Page	Mr Yeadon

Pair

Mr Park

Ms Allan

And so it was resolved in the affirmative.

55 LIBRARY COMMITTEE

Ordered, on motion of Mr Dowd (by leave), That Patrick Carl Scully be appointed to the Library Committee in the place of Stanley Alfred James Knowles, resigned.

56 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put.

The House divided.

Ayes 46

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Kerr	Mr Schultz
Mr Baird	Mr Longley	Mr Tink
Mr Berry	Miss Machin	Mr Turner
Mr Books	Mr Matheson	Mr Webster
Mr Booth	Mr Merton	Mr West
Mr Causley	Dr Metherell	Mr White
Mr Cochran	Ms Moore	Mr Yabsley
Mrs Cohen	Mr Morris	Mr Yeomans
Mr Collins	Mr Murray	Mr Zammit
Mr Dowd	Mr Packard	
Mr Downy	Mr D. L. Page	
Mr Fahey	Mr Peacocke	
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Pickard	
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Noes 37

Mr Amery	Mr Langton	Mr Primrose
Mr Anderson	Mr Lovelee	Dr Refshauge
Mr Aquilina	Mr McManus	Mr Rogan
Mr A. S. Aquilina	Mr Markham	Mr Scully
Mr Cleary	Mr Martin	Mr Shedden
Mr Doyle	Mr Mills	Mr Walsh
Mr Face	Mr H. F. Moore	Mr Whehan
Mr Gibson	Mr Moss	
Mrs Grusovin	Mr J. H. Murray	
Mr Harrison	Mr Nagle	
Mr Hunter	Mr Newman	Tellers
Mr Irwin	Ms Nori	
Mr Knight	Mr Page	Mr Beckroge
Mr Knowles	Mr Price	Mr Yeadon

Pair

Mr Park

Ms Allan

And so it was resolved in the affirmative.

The House adjourned accordingly at 7.30 p.m., until Tuesday, 12 February 1990, at 2.15 p.m.



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 stands adjourned to Wednesday, 20th day of February, 1991, and the Legislative Assembly stands adjourned to Tuesday, the 12th day of February, 1991: Now I, in pursuance of the power and authority vested in me by the Constitution Act, 1902, hereby prorogue the said Legislative Council and Legislative Assembly to Friday, the 8th day of February, 1991; and I proclaim that the said Legislative Council and Legislative Assembly shall assemble for the despatch of business on Wednesday, 20th day of February, 1991, at 12 o'clock noon, 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 sixth day of February, 1991.

By His Excellency's Command,

WAL MURRAY.

GOD SAVE THE QUEEN!