



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 1

WEDNESDAY 17 AUGUST 1988

1 OPENING OF THE SESSION

The House met at 12.00 noon, pursuant to a Proclamation of His Excellency the Governor, dated 10 August 1988.

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.)
J. A. ROWLAND,
Governor.

} By His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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 seventeenth day of August, 1988: 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 seventeenth day of August, 1988; and I proclaim that the said Legislative Council and Legislative Assembly shall assemble for the despatch of business on that day, at 12 o'clock at 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 tenth day of August, 1988.

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 this Honourable House attend His Excellency immediately in the Legislative Council Chamber.

The House went, and being returned—

Mr Speaker left the Chair at 1.10 p.m., until 2.30 p.m.

Mr Speaker resumed the Chair at the hour named.

3 MESSAGES FROM THE GOVERNOR

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

9 August, 1988

Children (Detention Centres) Amendment Bill
Essential Services Bill
Independent Commission Against Corruption (Amendment) Bill
Industrial Arbitration (Amendment) Bill
Parliamentary Committees Enabling Bill
Prisons (Amendment) Bill
Transport Appeal Boards (Amendment) Bill.

4 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 3 August 1988, returning the Independent Commission Against Corruption (Amendment) Bill, without amendment.

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5 APPOINTMENT OF TEMPORARY CHAIRMEN OF COMMITTEES

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

John David Booth
Frederick Douglas Claude Caterson
Jack Richard Face
Mervyn Leslie Hunter
Roger Corfield Anson Wotton

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

6 LEAVE OF ABSENCE

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.

7 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude consideration of motions in relation to Sessional Orders.

8 INTRODUCTION OF PUBLIC BILLS

Ordered, on motion of Mr Dowd, 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.

9 DIVISIONS AND QUORUMS

Ordered, on motion of Mr Dowd, That during the present session, unless otherwise ordered—

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

(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.

10 PRIVATE MEMBERS' STATEMENTS

Ordered, on motion of Mr Dowd, 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;

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- (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.

11 DAYS AND HOURS OF SITTING

Ordered, on motion of Mr Dowd, 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.

12 ADJOURNMENT OF THE HOUSE

Ordered, on motion of Mr Dowd, 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.

13 NOTICE OF MOTIONS

Ordered, on motion of Mr Dowd, 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.

✓ 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.

14 TIME LIMITS OF SPEECHES

Ordered, on motion of Mr Dowd, 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 Opposition or one member deputed by him, 1st speaking thereafter—unspecified
Any other member—20 minutes*
Reply—unspecified

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(ii) Introduced by a Private Member

Mover—45 minutes
Premier or one minister deputed by him—unspecified
Leader of 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

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 Opposition or one member deputed by him—unspecified number of periods limited to 20 minutes each.
Any other member—Three periods each on any one question not exceeding
(a) first occasion—15 minutes
(b) subsequent occasions—10 minutes then 5 minutes

* 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.

15 PERSONAL EXPLANATION

Ordered, on motion of Mr Dowd, 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.

16 ALTERNATIVE FORM OF AMENDMENT

Ordered, on motion of Mr Dowd, 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.

17 DIVISIONS—RECORDING OF PAIRS

Ordered, on motion of Mr Dowd, 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.

18 COGNATE BILLS

Ordered, on motion of Mr Dowd, 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.

19 NEW CLAUSES AND SCHEDULES

Ordered, on motion of Mr Dowd, 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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20 PREPARATION OF BILLS FOR ASSENT

Ordered, on motion of Mr Dowd, 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.

21 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, 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.

22 PETITIONS

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

Mr Chappell—from certain citizens requesting that the Minister for Education and Youth Affairs review the proposed changes to the Higher School Certificate.

Mr Turner—from certain citizens requesting that the punishments which may be imposed upon those found guilty of offences against children be reappraised.

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

Mr Turner—from certain citizens requesting that the juvenile warning system be abolished.

Mr Phillips—from certain citizens requesting the establishment of an inquiry to investigate the needs of the physically and intellectually disabled.

Mr Brereton—from certain citizens opposing the proposed changes to certain State Rail Authority practices.

Mr Brereton—from certain citizens requesting an increase in the supply of low-cost rental accommodation in the inner city.

Miss Machin—from certain citizens requesting increased staffing levels in the Taree Police Division.

Mr Cruickshank, Mr Hatton and Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Mr Booth—from certain citizens requesting a reduction in the cost of fares and utility charges.

Mr Yeomans—from certain citizens requesting a review of the policies of the Department of Education.

Mr Langton—from certain citizens requesting an independent inquiry into education.

Mr Langton—from certain citizens requesting that society be protected from the harmful effects of moral pollution.

Mr Langton—from certain citizens requesting that certain steps be taken to prevent the spread of Acquired Immune Deficiency Syndrome.

Mr Langton—from certain citizens requesting the elimination of prostitution.

Mr Langton—from certain citizens requesting support for legislation to protect the unborn.

Mr Small—from certain citizens requesting bans on power boating and water and jet skiing on the Murray River.

23 NOTICES OF MOTIONS

24 PAPERS

(1) Mr Greiner laid upon the Table—

Report to Parliament under section 31 of the Ombudsman Act concerning a misleading and inaccurate newspaper article alleging that the Ombudsman is investigating Mr J. Hatton, M.P.

Referred to the Printing Committee.

(2) Mr Armstrong laid upon the Table—

Report of the Homebush Abattoir Corporation for the year ended 31 March 1988.

Report of the Sydney Market Authority for the year ended 31 March 1988.

Stock Diseases Act 1923—Stock Diseases Regulation 1936—amendment of regulations 142, 146, substituted regulation 144. (Gazette 126/1988 (2).)

Referred to the Printing Committee.

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(3) Mr Schipp laid upon the Table—

Builders Licensing Act 1971—Builders Licensing Regulations—amendment of regulation 28. (Gazette 95/1988.)

Housing Act 1976—Notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for housing purposes at Evans Head. (Gazette 133/1987.)

Referred to the Printing Committee.

(4) Mr Baird laid upon the Table—

Motor Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 95, 110F, 110G, schedule F. (Gazettes 119/1988 (2), 123/1988.)

State Roads Act 1986—

(a) State Roads (Excess Vehicle Weight Permit) Regulation 1987—amendment of clause 3 and the schedule. (Gazette 118/1988.)

(b) Notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for road purposes at—

Blakehurst and South Hurstville. (Gazette 123/1988.)

Five Dock. (Gazette 123/1988.)

Howes Valley. (Gazette 123/1988.)

Kelso and Bathurst. (Gazette 123/1988.)

Kogarah. (Gazette 119/1988.)

Koloona. (Gazette 123/1988.)

Marsden. (Gazette 119/1988.)

Mooball. (Gazette 123/1988.)

Morisset. (Gazette 119/1988.)

Nabiac. (Gazette 123/1988.)

North Parramatta. (Gazette 123/1988.)

North Sydney. (Gazette 123/1988.)

Penshurst. (Gazette 123/1988.)

Robertson. (Gazette 119/1988.)

Rockton. (Gazette 123/1988.)

Rocky Gully. (Gazette 119/1988.)

Sunnyside. (Gazette 123/1988.)

Referred to the Printing Committee.

(5) Mr Peacocke laid upon the Table—

Consumer Claims Tribunals Act 1987—Consumer Claims Tribunals Regulation 1988—clauses 1 to 18, schedule 1, amendment of clauses 6, 16. (Gazettes 41/1988, 105/1988.)

Fair Trading Act 1987—

(a) Consumer Protection (Date Stamping) Regulation 1978—amendment of clause 15. (Gazette 187/1987.)

(b) order under section 31. (Gazette 102/1988.)

Referred to the Printing Committee.

25 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Report of the Regulation Review Committee on—

- (a) Regulation amending the Justices (Warrants of Commitment) Regulation 1986 published in Gazette No. 8 of 15 January 1988.
- (b) Rule amending the Local Courts (Civil Claims) Rules published in Gazette No. 8 of 15 January 1988.

Ordered to be printed.

26 SUSPENSION OF STANDING ORDERS

Mr Greiner moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the notice of motion given this day by the honourable member for Blacktown.

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

Debate ensued.

Question put and passed.

Mr Aquilina moved, That the Minister for Education and Youth Affairs no longer possesses the confidence of this House.

Mr Phillips moved, That the question be now put.

Question put and passed.

Original question put.

The House divided.

Ayes 45

Ms Allan	Mr Harrison	Mr Nagle
Mr Amery	Mr Hatton	Mr Newman
Mr Aquilina	Mr Hunter	Mr Paciullo
Mr A. S. Aquilina	Mr Irwin	Mr Page
Mr Arkell	Mr Keegan	Mr Price
Mr Booth	Mr Knight	Mr Primrose
Mr Brereton	Mr Knowles	Dr Refshauge
Mr Carr	Mr Langton	Mr Rogan
Mr Cleary	Mr Lovelee	Mr Rumble
Mrs Crosio	Mr McManus	Mr Walsh
Mr Davoren	Mr Markham	Mr Whelan
Mr Doyle	Mr Martin	
Mr Face	Mr H. F. Moore	
Mr Ferguson	Ms Moore	Tellers
Ms Fraser	Mr Moss	Mr Beckroge
Mr Gibson	Mr J. H. Murray	Mr Christie

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Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Shultz
Mr Baird	Mr Jeffery	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr J. D. 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	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
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Griffiths	Mr Rixon	Mr Beck
Mr Greiner	Mr Roberts	Mr Phillips

And so it passed in the negative.

27 QUESTIONS

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

28 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

And there being no members seeking the call.

Question not put.

29 LAW OF EVIDENCE BILL

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

Question put and passed.

Bill read a first time.

30 THE GOVERNOR'S OPENING SPEECH

Mr Speaker reported that the House had this day attended the Governor in the Legislative Council Chamber, when His Excellency had been pleased to deliver an Opening Speech to both Houses of Parliament. 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 Second Session of the Forty-Ninth Parliament of New South Wales.

The Government is committed to clean and open Government, to creating a sound financial base for the State's future and pursuing excellence and choice in the basic services it provides.

The New South Wales economy is currently performing better than the other States of Australia. In terms of output, employment, consumer spending, home building approvals, non-residential building approvals or trading bank lending to business, growth in this State exceeds increases in other States for most of the past year.

New South Wales farmers have benefited from the recent strength of commodity prices. However, sustained economic improvement will depend upon the maintenance of commodity prices as well as stronger investment growth.

The challenge for the New South Wales Government lies in fostering industry restructuring and the development of more highly processed export products.

However, no progress will be made in the absence of responsible Federal and State Government fiscal management. Depending on continued moderation in wages outcomes, our farm and business costs will be reduced. The result will be a further improvement in our international competitiveness.

The Government is committed to improving the economy, efficiency, and effectiveness of the public sector. Central to the strategy is the need to contain the size of Government, without reducing essential services, by lifting the productivity of public administration.

Before the Government can undertake significant expenditure initiatives or tax cuts, it must reverse the explosive growth in debt, which threatens to overwhelm the Budget.

At the same time, the Government has moved to introduce a more responsible approach by public authorities to borrowings through more realistic pricing policies, vigorous cost-benefit appraisal procedures for all capital works and encouragement of the use of asset sales to retire debt.

The Government's aim is to eliminate the entire Budget sector borrowing requirement over the next few years.

The combination of the Government's economic and financial policies will lead to a leaner and more efficient and effective public sector.

The result will be lower real prices for services. The Government will then be able to get on with its plan of tax reform.

In accordance with its overall objective of achieving more productive use of resources, the Government will continue with its reforms to the structure of administration.

The Office of Public Management is being established to assist the Government in the organisation and administration of the public sector.

Later this month the Public Sector Management Act will be proclaimed. Proposals will be brought forward for the establishment of a Senior Executive Service, and on appeals and promotions procedures.

A comprehensive audit of the State's financial obligations and assets has been undertaken by an independent Commission of Audit.

This report was released on 1st August, 1988. It shows that the State has been living beyond its means. The report includes suggestions to the Government on how to tackle the problems identified, over the next five years.

The issue of the Financial Statements, the Pre-Budget Statement and the Audit Commission Report, represent a major step by the Government in fulfilling its obligations of informing the people of the State's current and prospective financial position.

The Government is developing a strategy for the improved efficiency of public sector business undertakings through commercialisation, corporatisation and, where appropriate, privatisation.

Public sector organisations will be classified according to their financial dependence and service characteristics to improve their performance.

The Forestry Commission of New South Wales is to be established as a commercial Corporation. The Investment Corporation and State Brickworks are being privatised.

The State's financial liabilities and assets will be more actively managed with the help of private fund managers. The Treasury Corporation has been restructured to operate on a more commercial basis.

Top priority is being given by the Government to a reduction of the debt burden, and then to provide substantial tax benefits to facilitate economic activity and wealth creation.

Nowhere has the improvement in the State economy been more evident than in the labour market. The unemployment rate has fallen from 8.6 per cent in June 1987 to 7.3 per cent in June 1988. During the last financial year, 123 000 persons found jobs in New South Wales compared with a total of 240 300 in Australia as a whole.

The Government is presently reviewing all State-funded employment schemes. A new youth employment scheme, the "Start to Life" scheme, is to commence shortly.

New legislation will establish a Training Advisory Council to streamline the procedures relating to apprenticeship and employment based training.

Public sector superannuation schemes will be reviewed to ensure that neither employees or employers will be disadvantaged because of recent decisions of the Commonwealth Government.

Industrial relations reform will be addressed by the formation of a tripartite Labour Relations Consultative Committee, and a "Green Paper" is being prepared.

A Committee has been established to review the Workcover Scheme. It will investigate the feasibility of re-introducing some form of common law rights.

Transcover is to be reformed to include an element of Common Law to give individuals the right of access to the courts.

The Government has a primary commitment to the restoration of law and order and the security of the citizens of New South Wales.

A record sum of \$1.089 million will be spent on law and order and public safety this financial year.

A program of improved police facilities, better service to the public, and increased police strength is underway. The Government will fund 1 600 additional police officers' positions over its first term in office.

Capital spending in 1988-89 will increase by 160 per cent and some \$153 million is to be expended on works projects.

A review of legislation affecting police services will be undertaken in association with plans to modernise the Police Force.

Action will be taken to establish a single drug agency to combat trafficking and other drug related crime.

Arrangements are now well underway towards the establishment of the Independent Commission Against Corruption.

Witness protection procedures in the State has been reviewed by the Government. Comprehensive improvements will be implemented.

The Government is developing initiatives to assist victims of crime. These will include the adoption of a Charter of Victims Rights, and funding the Victims Compensation Tribunal from all proceeds of actions under the Crimes (Confiscation of Profits) Act and a "tax" on all persons convicted of crimes, as well as from general revenue.

A review is being undertaken into the management of the Court system. Measures already in place to reduce delays include more Judges, Magistrates, increased days of sittings and the first phase of a computerised Justice Information System in the higher Criminal Courts.

This year will see significant progress towards the completion of the "Courtnet System" which will provide all court registries with computerised administrative systems.

A package of reforms will be brought forward to provide for truth in sentencing and address the question of prisoner classification.

A range of measures to get drugs out of the prison system has been initiated and these will be pursued vigorously.

A \$53 million capital works program is underway to relieve the serious problems of overcrowding of New South Wales gaols. A recruiting program for 500 prison officers and tradesmen in the prison system is underway.

The fostering of sound business activities and practices so as to promote New South Wales as the business centre of Australia, is reflected by the consolidation of the Business and Consumer Affairs Departments into one Agency.

The Government is committed to the abolition of unnecessary business licences, laws and regulations. It is proceeding to establish one-stop-shop business licensing, and the introduction of a single licence regime for businesses.

The Government fully supports the work of the Parliamentary Regulation Review Committee in the systematic review of regulations based on their staged repeal as a way to reduce the burden of regulations upon business and the public generally.

Trade development will be facilitated by the internationalisation of New South Wales Industry.

An exhibition of New South Wales technology and products will be held in Guangzhou, Peoples Republic of China next year, to assist our industry to assess the China market and, more importantly, to further cement the close relationship between New South Wales and our sister province, Guangdong.

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A significant initiative of the Government is the appointment of a Co-ordinator General with responsibility for co-ordinating major development projects in the State.

The task forces established for the Hunter and Illawarra will advise the Government on the opportunities, needs and requirements of the regions.

A record \$1,125 million will be allocated for roadworks this financial year, following the progressive implementation of the Government's commitment to allocate funds raised from petrol taxes for road funding.

Major projects include the Gore Hill Freeway, the City West Link, the F4 Freeway between Lapstone and Regentville and the Campbelltown Bypass.

New initiatives to involve the private sector in the funding and operation of Tollways will allow the diversion of funds to other important road projects.

The Government will introduce polaroid type photographic drivers' licences, together with optional one, three and five year licences.

A contract will be let shortly for a new wave-piercer ferry for the Circular Quay to Manly route at an estimated cost of \$20 million.

The removal of the restrictions on long distance coach services will provide a range of benefits to the travelling public.

The Government has acted decisively to develop competitive air services in New South Wales.

The management of roads and traffic will be enhanced by the amalgamation of three of the State's transport authorities.

Legislative change is proposed to make the State Rail Authority more efficient, more manageable, and capable of operating competitively in a commercial environment.

The Government has embarked upon a major review of ports and maritime services in New South Wales aimed at providing a more economically efficient system for the delivery of port and navigation services.

The Government is considering the options available to it to place the Grain Handling Authority's operations on a more commercial basis.

The Government is particularly concerned at the neglect shown to the role of the private sector in the provision of housing.

The following initiatives are being taken to assist with home ownership:

\$250 million to be provided under the Premier Low Start Loan program during 1988-89.

\$440 million to be provided under the Affordable Home Loan Program. \$64 million of this amount will be applied to the "Ready to Buy" scheme for public housing tenants wishing to buy their homes or purchase on the open market. These public housing tenants will also be granted a subsidised interest rate, exemption from Stamp Duty, and the waiving of other conveyancing charges, to achieve home ownership.

The first home purchase limit for stamp duty concessions has been increased to \$125,000.

A "land tax" holiday for investors in new rental housing projects will be introduced from 1st January, 1989.

A new role is being developed in the provision of retirement housing for older people who need care services in addition to their housing. The program includes housing for public rental and for sale, close to community based facilities.

Legislation is to be introduced to reform the residential tenancy law to safeguard the essential interests of landlords and tenants.

The Cabinet Committee on Urban Development has been established to co-ordinate all aspects of the land release process and ensure the availability of land at a realistic price.

A Ministerial Inquiry into Homelessness is considering the lack of accommodation particularly in the inner city area and is examining the causes of homelessness.

The involvement of the private sector in residential land development, by reducing the retail presence of Landcom through the wholesaling of undeveloped land to industry will be encouraged.

During 1988-89 the Department of Housing will increase its production program for residential land sales to 8,000 homesites, to redress the critical shortage of developed land on the market.

The Government is determined to streamline the management and organisation of health service administration to significantly improve the delivery of public health care in New South Wales.

Area Health Services covering the Sydney, Hunter and Illawarra regions have been restructured to create ten new areas replacing the previous 23. Greater local control, streamlined decision making and financial savings will result from this major restructuring of health administration.

\$3,764 million has been allocated for health services recurrent funding in 1988-89. This represents a significant increase, in real terms, over the previous year's expenditure.

The introduction of "Global Budgeting" in the health system will give managers greater financial flexibility and accountability.

Planning is proceeding for a new \$70 million hospital at Albury. St. George Hospital will be expanded by another 100 beds and 2 new operating theatres.

Waiting lists for admission to public hospitals will benefit from organisational changes which will provide better services for patients. Negotiations with orthopaedic surgeons, aimed at restoring the full range of services in public hospitals, are also continuing.

The private hospital system is being revitalised and already the Government has approved construction of 14 new hospitals to reduce problems in the public sector.

Services for the developmentally disabled and for people with mental illness are being reviewed by an Implementation Committee. A Royal Commission into mental health services will also be held.

A review of the secondary curriculum is to be undertaken, with emphasis on high priority areas. The Government will prepare a discussion paper for public comment before any curriculum changes are made.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 August 1988

Some 200 leading teachers will be appointed in the Government's first term to promote quality teaching and improve curriculum development.

The Government is to introduce Special Education Services in Government schools for children with disabilities and learning difficulties at a cost of \$20 million per annum when fully implemented.

Computer education funding is being increased by \$52 million over the next four years to provide for an effective "School Link" network.

A further eight new Selective High Schools will be established in metropolitan regions.

The first senior high school consisting of Year 11 and 12 students will be established at St. Marys.

The Government is committed to ensuring that every child in a rural area will receive the same quality education as those in the metropolitan area.

The secondary text book allowance is to be doubled over the next two years.

Improved enrolment procedures will be introduced at TAFE Colleges, to ensure equity of access to courses.

Students will be able to include in their Higher School Certificate program courses which are accredited by the Board of TAFE Studies and the Board of Secondary Education.

The Government will provide 20 000 additional TAFE places by 1992, beginning this year with 5 000 places in vocationally oriented courses for unemployed 15-19 year olds.

My Government has begun a reform of welfare services with the aim of placing greater emphasis on support for family life. The changed name of the new Department of Family and Community Services reflects this new focus.

Substantial amendments were made to the Children (Care and Protection) Act to establish a better balance between the interests of parents and their children.

Steps have been taken to forge a new and improved relationship with the non-government sector in the delivery of welfare services.

The Government is acutely aware of the growing problems of child homelessness. Additional resources will be provided for adolescent support programs. Amendments were made to the legislation to ensure that needy children could be provided with care.

A full review is being made of the manner of funding alternate care for children with a view to enhancing the role of non-government agencies in care arrangements.

Forty-five long day child care centres are being constructed which will provide 3 600 additional places. The program is being fast-tracked and the majority should be completed by the end of the year.

The Government is firmly committed to significant changes and new directions in Aboriginal Affairs in New South Wales in order to redress the previous slow rate of progress and provide real opportunities for advancement and the well being of the Aboriginal people.

The new directions include "mainstreaming" of Aboriginal services by the direction of funds to existing State Departments for expenditure on Aboriginal needs and priorities which will be determined only after a comprehensive program of consultation.

The primary purpose of the consultative program is to give the Aboriginal people the opportunity of presenting their views on the Government's new directions and to allow for discussion in the areas of Aboriginal health, housing, education and employment.

The Government's new directions will not lead to any loss of lands or assets currently held, but rather will be concerned in assisting the better management of those lands and assets and encouraging greater participation by Aboriginal people in the State's social and economic progress.

The Government is determined to ensure that the opportunities of people of a non-English speaking background are not hampered by lack of access to education or training.

Accordingly, it will give urgent attention to the English in the Workplace program, which directs language training to employed persons of a non-English speaking background.

The Government recognises the vital role of language education, both in helping to make multiculturalism work, and in broadening our international horizons. Our efforts in this regard must increase within a rational policy framework which has broad community support. A working party has been established to develop a New South Wales State Language Policy. It will make recommendations on English as a second language, languages other than English, and bilingual education.

The headquarters of the New South Wales Fire Brigade are to be relocated into new facilities within the Central Business District.

A review of fire-fighting resources is to be undertaken to ensure that urban fire stations are located in the best possible sites.

A new Crown Lands Act will provide a modern, simple framework for the effective administration and management of Crown Land in New South Wales.

The Government supports the State's integrated Land Information System as a means of streamlining conveyancing processes of reducing costs to the public. Work is being accelerated and land related data now offers great potential for export income for the State.

The Government will act to ensure water supplies for irrigation in country areas. Work on proposed enlargement of Pindari Dam will involve expenditure of some \$57 million. The raising of the wall of Burrinjuck Dam to upgrade flood security is estimated at \$27 million.

The provision of an additional dam in the Gwydir Valley, to provide more water to cotton farmers in the north-west of the State, is being investigated.

Legislation will be introduced to improve the mechanism for regional river basin management. It will greatly assist in flooding, drainage, waterways degradation and pollution problems.

In celebration of our Bicentenary, a Demonstration Forest has been established at Macquarie Woods between Bathurst and Orange. The Woods will combine a living museum and working forest for public education and enjoyment.

A joint Government and private enterprise will promote export opportunities for New South Wales agricultural products in the international marketplace with particular emphasis on South East Asia. A Rural Costs Analysis Unit will be established to investigate, report and recommend on costs incurred in the overall production and marketing of these products.

The Government will introduce a strategic plan to eradicate the footrot disease in sheep which is costing the industry about \$60 million per year.

Farmers will be given assistance through advisory systems to help them choose between alternative farming options.

The Government is proceeding with plans for the development of an advanced minerals processing industry to ensure that maximum benefits are achieved from the State's mineral resources.

Action is proceeding with a view to a more modern mineral exploration and mining code being produced.

An independent inquiry will examine all future applications for increases in electricity prices. It will report no later than March, 1989 with recommendations for a new and more responsible electricity pricing structure.

The Government has taken steps to put Elcom on a more responsible business footing as befits one of the major industrial undertakings in the nation.

These developments have one aim only—the creation of the cheapest electricity supply system in mainland Australia with an honest and equitable distribution of cost to all consumers.

My Government will continue the steady progress of environmental protection of the natural environment, and control of environmental degradation in New South Wales. There will be improvements to pollution monitoring and control, and effluent disposal.

Priority will be given to improvement of the management of our national parks and conservation areas. Any development within them will only occur in an environmentally acceptable fashion.

The Sydney Water Board is undertaking an accelerated program of sewerage construction. Significant reductions in waiting times for many communities in their connection to proper effluent disposal services are expected.

The Government will introduce a new coastline management policy establishing procedures to reduce the impact of coastline hazards such as erosion and inundation resulting from the oceanic processes along the State's coastline.

The Government is committed to the upgrading of all the State's lakes and estuaries. An estuarine management program is to be established. The Government has already approved funding for a feasibility study into the provisions of an improved entrance to the Tweed River.

The construction of the Hunter and Central Coast Sewerage Schemes have been accelerated by the provision of additional Government funding.

The Government has established a working party to review with the Local Government and Shires Associations the system of rating and rate pegging.

The plight of pensioners is of concern to the Government. An examination of the system of pensioner rate rebates is being undertaken.

Legislation will be introduced to return a democratically elected council to the City of Sydney.

A new strategy for Central Sydney is about to be released to further the growth of the business, commercial and recreational functions of the City.

An Industrial Land Development Program is being prepared to identify zoned and serviced industrial land to meet Sydney's needs for at least 5 years.

The tourism industry remains a significant contributor to the State's economy. It is as an integral part of our future growth strategy, generating over \$9 billion annually and employing some 140 000 people.

Some 19 million domestic and 1.5 million international visitors were welcomed to New South Wales making our State the most popular destination for all visitors.

More emphasis will continue to be placed on marketing the State's attractions, as this is regarded as the key to our success in the tourism industry.

The Government will bid for the Olympic Games to be held in Sydney in 1996. Homebush Bay has been targeted as the major site for development of an Olympic Stadium, and other international standard sporting facilities.

The highly successful Sports Scholarship Scheme has been expanded in cooperation with private enterprise. In 1988-89 some \$650,000 will be available for allocation to the State's leading athletes.

A review of funding policies and guidelines for Arts support programs will be undertaken by the new Arts Advisory Council.

The new Film and Television Office will vigorously promote New South Wales as a location for film production and assist film and television projects.

Extensions to the Art Gallery will open later this year. A gallery of contemporary art is to be established in the Maritime Services Board Building at Circular Quay.

HONOURABLE MEMBERS—

Legislative proposals will include:—

- The re-introduction of the Freedom of Information Bill;
- The re-introduction of the Wills, Probate and Administration (Amendment) Bill;
- Amendments to the Operations and Processes for the Conduct of State Elections;
- Repeal of the Private Health Establishments Act;
- The Extension of the Limitation Period in Personal Injury Actions;
- The Constitutional Recognition of Local Government;
- The Strengthening of the Office of the Ombudsman;
- Additional Penalties for Firearm Offences;
- The Introduction of Keno in Registered Clubs;
- Amendment of the Public Hospitals Act Relating to Contracts of Visiting Medical Officers;
- Proposals for the Interstate Transfer of Young Offenders;
- The Establishment of a Water Resources Council.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 August 1988

HONOURABLE MEMBERS OF THE PARLIAMENT OF NEW SOUTH WALES,

You will be aware that my term as 33rd Governor of New South Wales will draw to its close in January next. I shall then have had the honour of serving as Her Majesty's representative in this great State for eight years, and of having held Her Majesty's commissions for almost forty-six years.

In consequence this is the last time that I shall have the privilege of opening, this, our oldest Parliament.

I wish, therefore, to take the opportunity to express my thanks and deep appreciation for the unfailing courtesy and support and the many kindnesses that have been granted to me and my wife by the Parliament and by its members, past and present, and through you to the people of New South Wales. I am sure that this support will continue to be forthcoming for my successor.

It remains for me now to extend every good wish to you all.

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

Mr Griffiths moved, and Mr Chappell 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:

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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.

Mr Amery moved, That this debate now be adjourned.

Question put and passed.

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

31 ADJOURNMENT

Mr Causley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.52 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES,
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 2

THURSDAY 18 AUGUST 1988

I PETITIONS

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

Mr McManus—from certain citizens requesting the upgrading of pedestrian crossings in the Picton central business district.

Mr Graham—from certain citizens requesting that existing abortion services not be restricted.

Miss Machin—from certain citizens opposing the proposed closure of Ellenborough Police Station.

Mr Roberts—from certain citizens requesting the restoration of supplementary staffing in one teacher schools.

Mr Amery—from certain citizens opposing the announced changes to public education.

Mr H. F. Moore—from certain citizens requesting support for legislation to protect the unborn.

Mr Rumble—from certain citizens requesting the reconsideration of the 1988/89 budget for education.

Ms Fraser—from certain citizens requesting the reconsideration of education funding to maintain the quality of education at Leichhardt Public School.

Mr Martin—from certain citizens opposing the development of The Anchorage Port Stephens complex at Corlette.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report and Determinations under section 5b of the Parliamentary Remuneration Tribunal Act 1975 dated 29 July 1988.

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

Report of the Lake Illawarra Authority for the seven months ended 31 March 1988.

Referred to the Printing Committee.

(3) Mr Causley laid upon the Table—

Auctioneers and Agents Act 1941—Auctioneers and Agents Regulations—regulation 74, amendment of regulation 71, schedule 2. (Gazette 56/1988.)

Conveyancing Act 1919—

(a) Conveyancing (Sale of Land) Regulation 1988—clauses 1 to 6, schedule 1, amendment of clause 5. (Gazettes 56/1988, 91/1988.)

(b) Conveyancing (Vendor Disclosure and Warranty) Regulation 1986—clauses 5A, 12, amendment of clause 5. (Gazette 56/1988.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS—CENSURE OF THE MINISTER FOR ADMINISTRATIVE SERVICES AND ASSISTANT MINISTER FOR TRANSPORT

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 Administrative Services and Assistant Minister for Transport, notice of which was given by him this day for tomorrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 August 1988

Question put.

The House divided.

Ayes 45

Ms Allan	Mr Harrison	Mr Newman
Mr Amery	Mr Hatton	Ms Nori
Mr Aquilina	Mr Hunter	Mr Paciullo
Mr A. S. Aquilina	Mr Irwin	Mr Page
Mr Arkell	Mr Keegan	Mr Price
Mr Booth	Mr Knowles	Dr Refshauge
Mr Brereton	Mr Langton	Mr Rogan
Mr Carr	Mr Lovelee	Mr Rumble
Mr Cleary	Mr McManus	Mr Walsh
Mrs Crosio	Mr Mack	Mr Welsh
Mr Davoren	Mr Markham	Mr Whelan
Mr Doyle	Mr Martin	
Mr Face	Mr H. F. Moore	
Mr Ferguson	Ms Moore	Tellers
Ms Fraser	Mr Moss	Mr Beckroge
Mr Gibson	Mr Nagle	Mr Christie

Noes 57

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 Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	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 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 Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Pair

Mr Smiles

Mr J. H. Murray

And so it passed in the negative.

6 QUESTIONS (continuation of entry No. 4)**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 Griffiths, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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. 4 of the Printing Committee for the first session of the Forty-ninth Parliament and Report No. 1 of the Printing Committee for the second session of the Forty-ninth Parliament.

9 REFERENCE TO STATUTORY DECLARATIONS—STATEMENT BY SPEAKER

Mr Speaker said that earlier today the honourable member for Ashfield had quoted from the booklet *Decisions from the Chair* an encapsulation of a ruling by Speaker Kelly that an honourable member referring to a statutory declaration must indicate who had made it and the address at which it had been made. The honourable member for Ashfield had then asked him to direct the Premier to table the statutory declaration.

An examination of the context of the debate, from which originated the ruling quoted by the honourable member for Ashfield, was a salutary reminder that the encapsulations in *Decisions from the Chair* are but a reference and that members should peruse Hansard in order to acquaint themselves with the context and circumstances of the debate from which a ruling has been drawn.

The honourable member for Ashfield might well recall the particular circumstances of the debate to which he referred, as he was the member to whom Speaker Kelly had addressed his ruling.

In that debate a point of order had been taken that the honourable member for Ashfield had been quoting at length from a statutory declaration and that he should make the document available to the House for examination.

The essence of Speaker Kelly's ruling related to the statutory declaration being made available to the House for examination and not to making the name and address of its deponent known to the House.

Speaker Kelly had ruled that if it had been the intention of the honourable member for Ashfield to quote long passages from the statutory declaration he would have asked him to make the document available to the House for inspection. If he had used his own composition when referring to passages in the document it would have been sufficient to indicate the name of the person who had made the statutory declaration and the address at which it had been made.

As the honourable member for Ashfield had not quoted long passages from the statutory declaration Speaker Kelly had not required him to make the document available to the House.

Furthermore, Speaker Kelly not only had not required the honourable member for Ashfield to indicate the name of the person who had made the statutory declaration and the address at which it had been made, he had ruled that the honourable member could not incorporate the document in Hansard.

Mr Speaker said that the honourable the Premier had made the statutory declaration available to him for inspection. In view of the length of the passages quoted, he had deemed them not to be "long passages" within the compass of Speaker Kelly's ruling.

The Attorney General had also indicated that the subject matter of the statutory declaration was under investigation.

On the basis of Speaker Kelly's ruling, he did not propose to direct the Premier to make the document available for examination. Furthermore, he would follow Speaker Kelly's precedent and not require the Premier to make known to the House the name and address of the deponent.

He was however, concerned at the growing practice of quoting from statutory declarations and warned honourable members that in future they might well find the Chair applying Speaker Kelly's ruling more strictly, that is, a stricter interpretation of what might be described as "long passages". Honourable members, therefore, should not in future quote from statutory declarations unless they were prepared, if called upon to do so, to identify the name and address of the deponent.

Mr Speaker warned all honourable members that future debate upon this matter must not infringe upon the provisions of Standing Order 151, whereby allusion or attribution of allegations or imputation of improper motives to any honourable member were to be dealt with by way of substantive motion.

10 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.21 p.m., until Tuesday, 23 August 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 3

TUESDAY 23 AUGUST 1988

1 PETITIONS

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

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

Mr Greiner—from certain citizens opposing the proposed changes to the Northumberland Area Health Board.

Mr Beckroge—from certain citizens requesting that the quality of education in Broken Hill be maintained.

Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Mr Price—from certain citizens requesting consultation on the proposed changes to public education.

2 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 10 June 1988.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975 dated 22 July 1988.

Report of Correction of Determination pursuant to section 15A of the Statutory and Other Offices Remuneration Act 1975 dated 4 July 1988.

Referred to the Printing Committee.

(2) Mr Fahey laid upon the Table—

Reports of the State Superannuation Board and State Public Service Superannuation Board for the nine months ended 31 March 1988 and the Public Authorities Superannuation Board and Police Superannuation Board for the year ended 31 March 1988 prepared by the State Authorities Superannuation Board.

Bread Act 1969—Bread (Hours of Work) Regulation 1986—clauses 6C, 6D, schedules 4, 5, 6, amendment of clauses 5, 6, schedule 1. (Gazette 49/1988.)

Building and Construction Industry Long Service Payments Act 1986—Building and Construction Industry Long Service Payments Regulation 1986—amendment of clauses 6, 10. (Gazettes 18/1988, 28/1988.)

Construction Safety Act 1912—

(a) Construction Safety Regulations 1950—amendment of regulations 157B, 159H. (Gazette 22/1988.)

(b) Repeal of the regulation published in Gazette 33/1987. (Gazette 105/1988.)

Factories, Shops and Industries Act 1962—

(a) Chaff-cutting Machines (Safety) Regulation 1980—amendment of clause 9. (Gazette 22/1988.)

(b) Explosive-powered Tool Regulations—amendment of regulation 10. (Gazette 22/1988.)

(c) Factories (Health and Safety—Circular Saws) Regulations 1943—amendment of regulation 15. (Gazette 22/1988.)

(d) Factories (Health and Safety—Dipping in Flammable Solutions) Regulation 1976—amendment of clauses 9, 12. (Gazette 22/1988.)

(e) Factories (Health and Safety—Gas for Colouring or Ripening Fruit) Regulations 1941—amendment of regulations 13, 17, 18. (Gazette 22/1988.)

(f) Factories (Health and Safety) General Regulations 1913—amendment of regulations 18A, 51. (Gazette 22/1988.)

(g) Factories (Health and Safety—Hearing Conservation) Regulation 1979—amendment of clauses 1, 14. (Gazette 22/1988.)

(h) Factories (Health and Safety—Refrigerating Chambers) Regulations 1937—amendment of regulation 2. (Gazette 22/1988.)

(i) Factories (Health and Safety—Spray Painting) Regulation 1977—amendment of clause 26. (Gazette 22/1988.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

23 August 1988

- (j) Locomotive Regulations—amendment of regulations 2, 7. (Gazette 22/1988.)
- (k) Luminous Radioactive Substances Regulations—amendment of regulation 24. (Gazette 22/1988.)
- (l) Rural Industries (Notification of Accidents) Regulations—amendment of regulation 4. (Gazette 22/1988.)
- (m) Shops (Closing Hours—Special Provisions) Regulation 1988—clauses 1, 2. (Gazette 110/1988.)
- (n) Shops (Registration and Opening and Closing Hours) Regulations—regulation 20c, amendment of regulations 20, 20A, 20B, substituted regulation 19. (Gazettes 190/1987, 49/1988, 52/1988, 88/1988, 114/1988.)
- (o) Timber Industry (Health and Safety) Regulation 1982—amendment of clause 17. (Gazette 22/1988.)
- (p) Welding Regulations—amendment of regulation 7. (Gazette 22/1988.)
- (q) Repeal of the regulation published in Gazette 33/1987. (Gazette 105/1988.)

Industrial Arbitration Act 1940—

- (a) Industrial Arbitration (General) Regulations—regulation 53A. (Gazette 199/1987.)
- (b) Industrial Arbitration (Theatrical Agencies and Theatrical Employers) Regulations 1952—amendment of regulations 4 to 11, substituted regulations 1, 2, omission of part III, forms 5 to 10. (Gazette 56/1988.)
- (c) Industrial Arbitration (Theatrical Agents and Theatrical Employers—Licensing) Regulation 1988—clauses 1 to 12, schedule 1. (Gazette 56/1988.)

Industrial Arbitration (Theatrical Agents and Employers) Amendment Act 1987—
Industrial Arbitration (Theatrical Agents and Employers) Transitional Provisions
Regulation 1988—clauses 1 to 5, substituted clause 5. (Gazettes 71/1988, 77/1988.)

Occupational Health and Safety Act 1983—

- (a) Occupational Health and Safety (Asbestos Removal Contractors) Regulation 1988—clauses 1 to 14, schedule 1. (Gazette 41/1988.)
- (b) Occupational Health and Safety (First-aid) Regulation 1987—amendment of clause 2, repeal of the regulation. (Gazettes 196/1987, 41/1988, 105/1988.)
- (c) Occupational Health and Safety (Inspectors' Notices) Regulation 1988—clauses 1 to 10. (Gazette 56/1988.)
- (d) Occupational Health and Safety (Pest Control) Regulation 1988—clauses 1 to 33, schedules 1, 2. (Gazette 18/1988.)

Workers Compensation Act 1987—

- (a) Workers Compensation (General Rehabilitation Programs) Regulation 1988—clauses 1 to 25. (Gazette 33/1988.)
- (b) Workers Compensation (Review Officers) Regulation 1987—clause 13. (Gazette 173/1988.)

Referred to the Printing Committee.

(3) Mr Causley laid upon the Table—

Closer Settlement (Amendment) Act 1914—Gazette notice setting forth the mode in which it is proposed to deal with certain lands under section 13 of the Act. (Gazette 95/1988.)

Crown Lands Consolidation Act 1913—

- (a) Gazette notices (2) setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazettes 95/1988, 102/1988.)
- (b) Errata notice concerning the mode in which it was proposed to deal with certain lands under section 25 of the Act published in Gazette 65/1988. (Gazette 99/1988.)

Public Roads Act 1902—Abstracts (13) of resumptions under section 8 of the Act, for public road purposes. (Gazettes 88/1988 (2), 91/1988, 95/1988 (3), 99/1988 (3), 102/1988 (4).)

Referred to the Printing Committee.

(4) Mr Hay laid upon the Table—

Report of the Sydney Cove Redevelopment Authority for the year ended 31 March 1988.

Local Government Act 1919—amendment of ordinances 1, 51, 96. (Gazettes 85/1988 (2), 88/1988.)

Referred to the Printing Committee.

3 QUESTIONS

Paper: Mr Yabsley laid upon the Table the Report of the Inquiry into the Central Industrial Prison by His Honour A. G. Muir, Q.C., dated August 1988, Volumes 1, 2 and 3 (Appendices).

Referred to the Printing Committee.

4 SUSPENSION OF STANDING ORDERS

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

5 VOTE OF CENSURE—MINISTER FOR ADMINISTRATIVE SERVICES AND ASSISTANT MINISTER FOR TRANSPORT

Mr Carr moved, That this House censures the Minister for Administrative Services and Assistant Minister for Transport for knowingly misleading the House with allegations of political interference in the leasing of office space.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

23 August 1988

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 56

Mr Andrews	Mr Griffiths	Mr Schipp
Mr Armstrong	Mr Hartcher	Mr Schultz
Mr Baird	Mr Hay	Mr Singleton
Mr Berry	Mr Jeffery	Mr Small
Mr Books	Mr Kerr	Mr Smiles
Mr J. D. Booth	Miss Machin	Mr Smith
Mr Caterson	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	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 Wotton
Mr Dowd	Mr Peacocke	Mr Yabsley
Mr Downy	Mr Petch	Mr Yeomans
Mr Fahey	Mr Photios	Mr Zammit
Mr Glachan	Mr Pickard	Tellers
Mr Graham	Mr Rixon	Mr Beck
Mr Greiner	Mr Roberts	Mr Phillips

Noes 45

Ms Allan	Mr Hatton	Ms Nori
Mr Amery	Mr Hunter	Mr Page
Mr Aquilina	Mr Irwin	Mr Price
Mr Arkell	Mr Knight	Mr Primrose
Mr Booth	Mr Knowles	Dr Refshauge
Mr Brereton	Mr Langton	Mr Rogan
Mr Carr	Mr Lovelee	Mr Shedden
Mr Cleary	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Mack	Mr Walsh
Mr Davoren	Mr Markham	Mr Welsh
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr H. F. Moore	
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	Tellers
Mr Gibson	Mr Nagle	Mr Beckroge
Mr Harrison	Mr Newman	Mr Christie

Pairs

Mr Longley	Mr A. S. Aquilina
Dr Metherell	Mr Paciullo

And so it was resolved in the affirmative.

23 August 1988

Original question put.

The House divided.

Ayes 45

Ms Allan	Mr Hatton	Ms Nori
Mr Amery	Mr Hunter	Mr Page
Mr Aquilina	Mr Irwin	Mr Price
Mr Arkell	Mr Knight	Mr Primrose
Mr Booth	Mr Knowles	Dr Refshauge
Mr Brereton	Mr Langton	Mr Rogan
Mr Carr	Mr Lovetee	Mr Shedden
Mr Cleary	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Mack	Mr Walsh
Mr Davoren	Mr Markham	Mr Welsh
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr H. F. Moore	
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	Tellers
Mr Gibson	Mr Nagle	Mr Beckroge
Mr Harrison	Mr Newman	Mr Christie

Noes 57

Mr Andrews	Mr Hartcher	Mr Schultz
Mr Armstrong	Mr Hay	Mr Singleton
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr J. D. Booth	Mr Matheson	Mr Souris
Mr Caterson	Mr Merton	Mr Tink
Mr Causley	Dr Metherell	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
Mr Cochran	Mr Morris	Mr West
Mr 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	Mr Rixon	Tellers
Mr Greiner	Mr Roberts	Mr Beck
Mr Griffiths	Mr Schipp	Mr Phillips

Pair

Mr Longley

Mr Paciullo

And so it passed in the negative.

6 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 Griffiths, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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.

7 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

8 THE GOVERNOR'S OPENING SPEECH

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

Mr Martin 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.

9 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.13 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 4

WEDNESDAY 24 AUGUST 1988

1 PETITIONS

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

Mr Park—from certain citizens opposing the electronic transfer of funds for Totalizator Agency Board betting.

Mr Keegan—from certain citizens requesting that the State Lotteries branches at Newcastle and Kotara not be closed.

Mr Greiner—from certain citizens requesting the reopening of Lawrence Hargrave Drive between Coalcliff and Scarborough.

Mr J. D. Booth—from certain citizens requesting support for legislation to protect the unborn.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

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

Mr Cruickshank, Mr Doyle and Mr Gibson—from certain citizens opposing the announced changes to public education.

Mr Downy—from certain citizens opposing the proposed extension of hotel trading hours.

Mr Downy—from certain citizens requesting support for all community housing programs.

Ms Nori—from certain citizens requesting an increase in the supply of low-cost rental accommodation in the inner city.

Mr Yeomans—from certain citizens requesting the closure of the Sea Breeze Hotel, Blakehurst.

2 PAPERS

(1) Mr Armstrong laid upon the Table—

Marketing of Primary Products Act 1983—Marketing of Primary Products (Polls and Elections) Regulation 1984—amendment of clauses 6 to 9, 14, 25, 26, 34 to 36, 41. (Gazette 134/1988.)

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Bail Act 1978—Bail Regulation 1979—amendment of clause 11, schedule 1, omission of clause 8A. (Gazette 134/1988.)

District Court Act 1973—District Court Rules 1973—amendment of parts 1, 5, 8, 14, 22A, 26, 29, 34 to 37, 40 to 44, 52. (Gazette 134/1988 (2).)

Referred to the Printing Committee.

(3) Mr Causley laid upon the Table—

Report of the River Murray Commission for the year ended 30 June 1987.

Water Board Act 1987—Water Board (Transitional Provisions) Regulation 1987—clauses 1 to 5. (Gazette 99/1988.)

Water Supply Authorities Act 1987—Water Supply Authorities (Transitional) Regulation 1987—clauses 1 to 5. (Gazette 99/1988.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 August 1988

3 MINISTERIAL STATEMENT—PRISON METHADONE PROGRAM

Mr Yabsley made a ministerial statement concerning the Methadone Program in prisons.

Papers: Mr Yabsley laid upon the Table—

Evaluation of the New South Wales Department of Corrective Services Prison Methadone Program: Study 5—Views of Key Personnel involved with the Administration of the New South Wales Prison Methadone Program, dated March 1988.

Evaluation of the New South Wales Department of Corrective Services Prison Methadone Program: Study 6—Results of Community Urinalyses for Clients on the New South Wales Prison Methadone Program, dated July 1988.

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 the following motion, That this House notes the appointment of Mr Ross Sayers as the new Chairman and Chief Executive of the State Rail Authority.

Question put.

The House divided.

Ayes 42

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Mr Primrose
Mr Booth	Mr Langton	Dr Refshauge
Mr Brereton	Mr Lovelee	Mr Rogan
Mr Carr	Mr McManus	Mr Rumble
Mr Cleary	Mr Markham	Mr Shedden
Mrs Crosio	Mr Martin	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Walsh
Mr Doyle	Mr Moss	Mr Whelan
Mr Face	Mr J. H. Murray	
Mr Ferguson	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hunter	Mr Paciullo	Mr Christie

24 August 1988

Noes 63

Mr Andrews	Mr Hatton	Mr Roberts
Mr Armstrong	Mr Hay	Mr Schipp
Mr Baird	Mr Jeffery	Mr Shultz
Mr Berry	Mr Keegan	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr J. D. Booth	Mr Longley	Mr Smiles
Mr Caterson	Miss Machin	Mr Smith
Mr Causley	Mr Mack	Mr Tink
Mr Chappell	Mr Matheson	Mr Turner
Mr Cochran	Mr Merton	Mr Webster
Mrs Cohen	Dr Metherell	Mr Welsh
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
Ms Fraser	Mr Park	Mr Zammit
Mr Glachan	Mr Peacocke	
Mr Graham	Mr Petch	
Mr Greiner	Mr Photios	Tellers
Mr Griffiths	Mr Pickard	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Pair

Mr Souris

Mr A. S. Aquilina

And so it passed in the negative.

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 the consideration forthwith of the following motion, That this House condemns the Attorney General for his failure to support the Legal Aid Service of the State and permitting the closure of Local Courts.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

24 August 1988

The House divided.

Ayes 42

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Mr Primrose
Mr Booth	Mr Langton	Dr Refshauge
Mr Brereton	Mr Lovelee	Mr Rogan
Mr Carr	Mr McManus	Mr Rumble
Mr Cleary	Mr Markham	Mr Shedden
Mrs Crosio	Mr Martin	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Walsh
Mr Doyle	Mr Moss	Mr Whelan
Mr Face	Mr J. H. Murray	
Mr Ferguson	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hunter	Mr Paciullo	Mr Christie

Noes 64

Mr Andrews	Mr Hartcher	Mr Rixon
Mr Arkell	Mr Hatton	Mr Roberts
Mr Armstrong	Mr Hay	Mr Schipp
Mr Baird	Mr Jeffery	Mr Schultz
Mr Berry	Mr Keegan	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr J. D. Booth	Mr Longley	Mr Smiles
Mr Catterson	Miss Machin	Mr Smith
Mr Causley	Mr Mack	Mr Tink
Mr Chappell	Mr Matheson	Mr Turner
Mr Cochran	Mr Merton	Mr Webster
Mrs Cohen	Dr Metherell	Mr Welsh
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
Ms Fraser	Mr Park	Mr Zammit
Mr Glachan	Mr Peacocke	
Mr Graham	Mr Petch	Tellers
Mr Greiner	Mr Photios	Mr Beck
Mr Griffiths	Mr Pickard	Mr Phillips

Pair

Mr Souris

Mr A. S. Aquilina

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 Order of the Day for resumption of the debate on the Address in Reply being postponed until after consideration of Government Business, Notice of Motion No. 1.

24 August 1988

9. TEACHING SERVICES (AMENDMENT) BILL

Dr Metherell moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Teaching Services Act 1980 to make further provision with respect to the conditions of employment of teachers in the Teaching Services; and for other purposes.

Question put.

The House divided.

Ayes 57

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 J. D. Booth	Miss Machin	Mr Smith
Mr Caterson	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 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 Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 49

Ms Allan	Mr Hunter	Ms Nori
Mr Amery	Mr Irwin	Mr Paciullo
Mr Aquilina	Mr Keegan	Mr Page
Mr Arkell	Mr Knight	Mr Price
Mr Booth	Mr Knowles	Mr Primrose
Mr Brereton	Mr Langton	Dr Refshaug
Mr Carr	Mr Lovelee	Mr Rogan
Mr Cleary	Mr McManus	Mr Rumble
Mrs Crosio	Mr Mack	Mr Shedden
Mr Davoren	Mr Markham	Mr Unsworth
Mr Doyle	Mr Martin	Mr Walsh
Mr Face	Mr H. F. Moore	Mr Welsh
Mr Ferguson	Ms Moore	Mr Whelan
Ms Fraser	Mr Moss	
Mr Gibson	Mr J. H. Murray	Tellers
Mr Harrison	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Newman	Mr Christie

Pair

Mr Souris

Mr A. S. Aquilina

And so it was resolved in the affirmative.

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 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 Griffiths, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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 Griffiths, That the Address in Reply to the Governor's Opening Speech be now adopted by this House.

DISTINGUISHED VISITOR

Mr Speaker drew the attention of the House to the presence in the Speaker's Gallery of the Lord High Chancellor of Great Britain.

Mr Knowles 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 10.18 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 5

THURSDAY 25 AUGUST 1988

1 PETITIONS

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

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

Mr Hunter—from certain citizens opposing the announced changes to public education.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Collins laid upon the Table—

Miscellaneous Acts (Mental Health) Repeal and Amendment Act 1983—
Miscellaneous Acts (Mental Health) Savings and Transitional Regulation 1985—
amendment of clause 8. (Gazette 105/1988.)

Pharmacy Act 1964—Pharmacy Regulations—amendment of regulation 38B.
(Gazette 114/1988 (2).)

Poisons Act 1966—Poisons Regulations—regulation 26A, amendment of regulations
20, 24, 27, 31D, 33B, 38, 40A, 42A, 43, 52, 64, appendices A, B, G. (Gazettes 114/1988,
118/1988.)

Public Health Act 1902—Public Health Regulations—amendment of schedule 24A. (Gazette 105/1988.)

Pure Food Act 1908—Pure Food Regulations 1937—amendment of regulations 1, 1D, 2A, 16, 19, 19B, 24C, 29, 33, 34, 36, 42, 44, 45, 49, 55, 61, 63A, 65A, 66, 77, substituted regulations 16A, 24, 24A, 31, 67. (Gazettes 105/1988, 110/1988.)

Referred to the Printing Committee.

(2) Mr Pickard laid upon the Table—

Coal Mines Regulation Act 1982—Coal Mines Regulation (General Welfare and First Aid—Underground Mines) Regulation 1984—amendment of clause 38. (Gazette 12/1988.)

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—

(a) power station at Munmorah Power Station. (Gazette 132/1988.)

(b) transmission lines between—

Armidale and Inverell. (Gazette 132/1988.)

Murrumburrah and Wagga Wagga. (Gazette 132/1988.)

Mines Inspection Act 1901—Mines Inspection General Rules 1901—rule 77. (Gazette 18/1988.)

Mines Rescue Act 1925—Mines Rescue Regulations 1925—regulation 54EE, schedule ix, amendment of regulations 31 to 34. (Gazettes 12/1988, 49/1988.)

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

Local Government and Other Authorities (Superannuation) Act 1927—Local Government and Other Authorities (Superannuation) Regulation 1978—clause 19. (Gazette 56/1988.)

Public Authorities Superannuation Act 1985—

(a) Public Authorities Superannuation (Cootamundra Shire Council Gas Employees) Regulation 1988—clauses 1 to 4. (Gazette 56/1988.)

(b) Public Authorities Superannuation (Salary) Regulation 1987—clauses 1 to 5. (Gazette 193/1987.)

(c) Public Authorities Superannuation (Transitional Provisions) Regulation 1985—clauses 13 to 15. (Gazette 49/1988.)

State Authorities Superannuation Act 1987—

(a) State Authorities Superannuation Regulation 1988—clauses 1 to 5. (Gazette 56/1988.)

(b) State Authorities Superannuation (Transitional Provisions) Regulation 1988—clauses 1 to 50, schedules 1, 2. (Gazette 59/1988.)

State Authorities Non-contributory Superannuation Act 1987—State Authorities Non-contributory Superannuation Regulation 1988—clauses 1 to 10. (Gazette 56/1988.)

State Public Service Superannuation Act 1985—State Public Service Superannuation Regulation 1985—clause 6B, amendment of clauses 3, 5, substituted clause 6B, omission of clauses 5, 6, 6A. (Gazettes 193/1987, 56/1988.)

Superannuation Act 1916—Superannuation Regulations—regulation 18E, amendment of regulations 15, 18D, substituted regulations 1B, 18, 18E, omission of regulations 15, 16, 18A to 18D. (Gazettes 193/1987, 56/1988.)

Superannuation Administration Act 1987—Superannuation Administration (Staff) Transitional Regulation 1988—clauses 1 to 4. (Gazette 56/1988.)

Referred to the Printing Committee.

4 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Second Report of the Regulation Review Committee on—

- (i) Local Government Act 1919—Ordinance amending Ordinance No. 46 published in Gazette No. 41 of 26 February 1988.
- (ii) Local Government Act 1919—Ordinance amending Ordinance No. 5 published in Gazette No. 52 of 11 March 1988.
- (iii) Fisheries and Oyster Farms Act 1935—Fisheries and Oyster Farms (Towra Point Aquatic Reserve) Regulation published in Gazette No. 196 of 24 December 1987.
- (iv) State Roads Act 1986—State Roads (Excess Vehicle Weight Permit) Regulation 1987 published in Gazette No. 136 of 28 August 1987.
- (v) Compensation Court Act 1984—Rule amending Compensation Court Rules 1984 published in Gazette No. 66 of 31 March 1988.
- (vi) Availability of New South Wales Acts and Regulations.
- (vii) Explanatory Note to accompany new Regulations.

Ordered to be printed.

5 MINISTERIAL STATEMENT—1996 SUMMER OLYMPICS

Mr Greiner made a ministerial statement concerning the bid by the city of Sydney for the 1996 Summer Olympic Games.

Mr Carr also addressed the House.

6 QUESTIONS

Mr Aquilina moved, That the honourable member for Lachlan, Mr Armstrong, be not further heard.

Question put.

The House divided.

Ayes 40

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Mr Primrose
Mr A. S. Aquilina	Mr Langton	Dr Refshauge
Mr Booth	Mr Lovelee	Mr Rogan
Mr Brereton	Mr McManus	Mr Rumble
Mr Carr	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Walsh
Mr Doyle	Mr Moss	Mr Whelan
Mr Ferguson	Mr J. H. Murray	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hunter	Mr Paciullo	Mr Christie

Noes 64

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Arkell	Mr Hatton	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 J. D. Booth	Miss Machin	Mr Smith
Mr Catterson	Mr Mack	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 Welsh
Mr Collins	Ms Moore	Mr West
Mr Cruickshank	Mr Morris	Mr White
Mr Dowd	Mr Murray	Mr Wotton
Mr Downy	Mr D. L. Page	Mr Yabsley
Mr Fahey	Mr Park	Mr Yeomans
Ms Fraser	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

Pair

Mr Hay

Mrs Crosio

And so it passed in the negative.

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 Griffiths, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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.

MAIDEN SPEECHES—STATEMENT BY ACTING SPEAKER

Mr Acting Speaker J. D. Booth said that for many years it had been the convention in this Chamber that a member making his or her first speech was heard in silence. Conversely, the member acknowledged the convention by omitting from the speech contentious or offensive material.

On several occasions this Session, maiden speakers had transgressed the convention, which had concerned the Speaker, the Deputy-Speaker and himself.

Acting Speaker Booth warned all members who were yet to make their maiden speeches that it was the expectation of the Chair that the convention would be observed. Members enjoying the courtesy of being heard in silence should not abuse that courtesy by launching offensive, challenging or controversial attacks on either members of this Parliament or members of the public.

Mr Newman 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. 2 of the Printing Committee.

9 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.18 p.m., until Tuesday, 30 August 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 6

TUESDAY 30 AUGUST 1988

1 MINISTERIAL STATEMENT—PERISHER VALLEY SEWAGE

Mr Moore made a ministerial statement concerning sewage discharge in the Perisher Valley area of Kosciusko National Park.

Paper: Mr Moore laid upon the Table—Report into Raw Sewage Situation—Kosciusko National Park.

Referred to the Printing Committee.

Mr Carr also addressed the House.

2 MAIDEN SPEECHES—STATEMENT BY SPEAKER

Mr Speaker said that for many years it had been the convention in this Chamber that a member making his or her first speech was heard in silence. Maiden speakers, in acknowledgement of this indulgence, had, in turn, refrained from broaching contentious material.

At the last sitting, Acting Speaker J. D. Booth had advised the House that on several occasions this session maiden speakers had failed to observe this convention, which had caused the Chair great concern.

Mr Speaker drew to the attention of all honourable members the ruling of Speaker Ellis that an honourable member should not reflect on private citizens unless he or she was satisfied that there were compelling considerations of public interest requiring him or her to do so.

Mr Speaker said that if an honourable member wished to make a serious charge against a member of the public, he or she should normally do so by moving a substantive motion framed in precise terms and capable of being answered by any honourable member choosing to defend the person under attack.

Honourable members were aware of Speakers' rulings that the Address in Reply is not an appropriate debate in which to launch attacks on other members or private citizens.

Mr Speaker wished to advise those honourable members, who failed to observe the conventions in making their maiden speech, that they would be called to order.

Mr Speaker concluded by saying that he trusted that it would not be necessary in this House for the Chair to direct a maiden speaker to resume his or her seat.

3 PETITIONS

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

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

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Sportsground.

Mr Yeomans—from certain citizens requesting the closure of the Sea Breeze Hotel, Blakehurst.

Mr Beckroge and Mr Webster—from certain citizens opposing the announced changes to public education.

Mr McManus and Mr Markham—from certain citizens requesting a reduction in the cost of fares and utility charges.

Mr Hatton—from certain citizens requesting the consolidation of the two categories of impairment under the Anti-Discrimination Act.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Murray laid upon the Table—

Report of the State Brickworks for the year ended 31 March 1988.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 August 1988

(2) Mr Schipp laid upon the Table—

Report of the Council of Auctioneers and Agents for the year ended 31 March 1988.

Referred to the Printing Committee.

(3) Mr Moore laid upon the Table—

Water Supply Authorities Act 1987—

(a) Repeal of Hunter District Water Board by-laws 1 to 6. (Gazette 110/1988.)

(b) Repeal of the Hunter District Water Board (Sundry Charges) Regulation 1987. (Gazette 110/1988.)

Referred to the Printing Committee.

(4) Mr Pickard laid upon the Table—

Electricity Commission Act 1950—Notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for the purpose of transmission lines between Sydney South and Sydney West. (Gazette 134/1988.)

Referred to the Printing Committee.

(5) Mr Causley laid upon the Table—

Water Act 1912—Water (Part II) Regulations—regulation 41B, substituted regulation 42. (Gazette 105/1988.)

Water Administration Act 1986—Water Administration (Corporation Seal) Regulation 1988—clauses 1 to 3. (Gazette 102/1988.)

Referred to the Printing Committee.

(6) Mr Hay laid upon the Table—

Undertaking by the Minister for Local Government and Minister for Planning to amend Ordinance No. 46 of the Local Government Act 1919.

Referred to the Printing Committee.

6 QUESTIONS

Paper: Mr Greiner laid upon the Table—Tax Reform and New South Wales Economic Development: Review of the State Tax System by the New South Wales Tax Task Force dated August 1988.

Referred to the Printing Committee.

7 SUSPENSION OF STANDING ORDERS—CORRECTIVE SERVICES ADMINISTRATION

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 Corrective Services for his announcement of the termination of the Bauer inquiry and the consequent crisis which has developed in the prison system.

Question put and passed.

Mr Langton moved, That this House condemns the Minister for Corrective Services for his announcement of the termination of the Bauer inquiry and the consequent crisis which has developed in the prison system.

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

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 58

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 J. D. 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	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
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 45

Ms Allan	Mr Hatton	Mr Newman
Mr Amery	Mr Hunter	Ms Nori
Mr Aquilina	Mr Irwin	Mr Page
Mr A. S. Aquilina	Mr Keegan	Mr Price
Mr Arkell	Mr Knight	Dr Refshauge
Mr Booth	Mr Knowles	Mr Rogan
Mr Brereton	Mr Langton	Mr Rumble
Mr Carr	Mr McManus	Mr Shedden
Mr Cleary	Mr Mack	Mr Walsh
Mrs Crosio	Mr Markham	Mr Welsh
Mr Davoren	Mr Martin	Mr Whelan
Mr Doyle	Mr H. F. Moore	
Mr Ferguson	Ms Moore	Tellers
Ms Fraser	Mr Moss	Mr Beckroge
Mr Gibson	Mr J. H. Murray	Mr Christie
Mr Harrison	Mr Nagle	

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 August 1988

And so it was resolved in the affirmative.

Original question put.

The House divided.

Ayes 40

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

Noes 64

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Arkell	Mr Hatton	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Jeffery	Mr Singleton
Mr Berry	Mr Keegan	Mr Small
Mr Books	Mr Kerr	Mr Smiles
Mr J. D. Booth	Mr Longley	Mr Smith
Mr Caterson	Miss Machin	Mr Souris
Mr Causley	Mr Mack	Mr Tink
Mr Chappell	Mr Matheson	Mr Turner
Mr Cochran	Mr Merton	Mr Webster
Mrs Cohen	Dr Metherell	Mr Welsh
Mr Collins	Mr Moore	Mr West
Mr Cruickshank	Mr Morris	Mr White
Mr Dowd	Mr Murray	Mr Wotton
Mr Downy	Mr D. L. Page	Mr Yabsley
Mr Fahey	Mr Park	Mr Yeomans
Ms Fraser	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	Mr Beck
Mr Griffiths	Mr Rixon	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 such interruptions of the Order of the Day for the resumption of the debate on the Address in Reply to permit consideration of:

- (i) Government Business, Notices of Motions Nos 1 and 2;
- (ii) all stages of the Australian Mutual Provident Society Bill; and
- (iii) Government Business, Order of the Day No. 1.

9 AUSTRALIAN MUTUAL PROVIDENT SOCIETY BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the application of certain laws to the Australian Mutual Provident Society.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 Dowd, read a third time.

10 FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Foreign Judgments (Reciprocal Enforcement) Act 1973 to make provision for the restriction of the enforcement of certain judgments.

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.

11 EVIDENCE (EVIDENCE ON COMMISSION) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Evidence Act 1898 in relation to the taking of evidence outside the State for the purposes of proceedings in the State and in relation to the taking of evidence in the State for the purposes of proceedings outside the State; and to amend the Crimes Act 1900 for an associated purpose.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 August 1988

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.

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 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 Griffiths, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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 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.

14 TEACHING SERVICES (AMENDMENT) 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.

Mr J. H. Murray 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 future day.

15 ADJOURNMENT

Dr Metherell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.44 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 7

WEDNESDAY 31 AUGUST 1988

1 PETITIONS

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

Mr A. S. Aquilina—from certain citizens requesting the retention of the name Chifley University College for the proposed Western Sydney University College.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

Mr Murray, Mr Park and Mr Petch—from certain citizens opposing the announced changes to public education.

Mr Jeffery—from certain citizens requesting the continuation of vehicle access to Gap Beach.

Mr Moss—from certain citizens requesting a reduction in the cost of fares and utility charges.

2 NOTICES OF MOTIONS

P 80811-36555-1

3 PAPERS

(1) Mr Armstrong laid upon the Table—

Report of the Fish Marketing Authority for the year ended 31 March 1988.

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Report by the Attorney General of New South Wales pursuant to section 23 of the Listening Devices Act 1984 for 1987.

Referred to the Printing Committee.

(3) Mr Baird laid upon the Table—

Motor Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulation 33A. (Gazette 134/1988.)

Road Obstructions (Special Provisions) Act 1979—Road Obstructions (Special Provisions) Regulation 1988—clauses 1 to 5. (Gazette 118/1988.)

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—

Barham. (Gazette 134/1988.)

Katoomba. (Gazette 134/1988.)

Mullaley. (Gazette 134/1988.)

Wahroonga. (Gazette 134/1988.)

Transport Authorities Act 1980—Notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes at Yenda. (Gazette 126/1988.)

Referred to the Printing Committee.

(4) Mr Yabsley laid upon the Table—

Probation and Parole Act 1983—Probation and Parole Regulation 1984—amendment of clauses 6, 18, 19, 25, schedule 2. (Gazette 123/1988.)

Referred to the Printing Committee.

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 Minister for Health for his failure to respond to the needs of people with developmental disabilities.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

31 August 1988

The House divided.

Ayes 47

Ms Allan	Mr Harrison	Mr Newman
Mr Amery	Mr Hatton	Ms Nori
Mr Aquilina	Mr Hunter	Mr Page
Mr A. S. Aquilina	Mr Irwin	Mr Price
Mr Arkell	Mr Keegan	Mr Primrose
Mr Booth	Mr Knight	Dr Refshauge
Mr Brereton	Mr Knowles	Mr Rogan
Mr Carr	Mr Langton	Mr Rumble
Mr Cleary	Mr McManus	Mr Shedden
Mrs Crosio	Mr Markham	Mr Unsworth
Mr Davoren	Mr Martin	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Welsh
Mr Face	Ms Moore	Mr Whelan
Mr Ferguson	Mr Moss	Tellers
Ms Fraser	Mr J. H. Murray	Mr Beckroge
Mr Gibson	Mr Nagle	Mr Christie

Noes 58

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 J. D. 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	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
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Pickard	Mr Beck
Mr Greiner	Mr Rixon	Mr Phillips
Mr Griffiths	Mr Roberts	

And so it passed in the negative.

6 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude such interruptions of the Order of the Day for the resumption of the debate on the Address in Reply to permit consideration of:

- (i) Government Business, Notices of Motions Nos 1 to 6; and
- (ii) Government Business, Order of the Day No. 1.

7 BAIL (FURTHER 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 with respect to presumptions in favour of bail for certain minor offences.

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 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Deputy Speaker reported a message from the Legislative Council dated 31 August 1988, returning the Australian Mutual Provident Society Bill, without amendment.

9 DEFAMATION (CRIMINAL DEFAMATION) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend section 50 of the Defamation Act 1974 to require the prior consent of the Attorney General to a prosecution for the indictable misdemeanour constituted by that section.

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.

10 SALE OF GOODS (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Sale of Goods Act 1923 for the purpose of reforming and clarifying aspects of the law relating to the rescission of contracts of sale of goods on the ground of misrepresentation, the enforceability of certain unwritten contracts and the acceptance of goods; and for other purposes.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
31 August 1988

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.

11 NEW SOUTH WALES INVESTMENT CORPORATION (SALE) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the sale of the business undertaking of the New South Wales Investment Corporation; to repeal the New South Wales Investment Corporation Act 1986; 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 debate made an Order of the Day for a future day.

12 BOOK PURCHASERS' PROTECTION (REPEAL) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to repeal the Book Purchasers' Protection Act 1899; and for associated 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 debate made an Order of the Day for a future day.

13 DOG (AMENDMENT) BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Dog Act 1966 to provide for penalty notices for certain offences; and to amend consequentially 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 (Mrs Crosio) and the resumption of the debate made an Order of the Day for a future day.

14 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 Griffiths, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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.

15 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

16 SUPPLEMENTARY ANSWER

Mr Baird, by leave, gave a supplementary answer to a question without notice asked by the honourable member for Maroubra this day, concerning the State Rail Authority finances.

17 THE GOVERNOR'S OPENING SPEECH

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
31 August and 1 September 1988 a.m.

Mr Longley moved, That this debate be now adjourned.

Question put and passed.

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

18 TEACHING SERVICES (AMENDMENT) 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 Auburn, Mr Nagle, be allowed to continue his speech for a further period of ten minutes.

And the House continuing to sit after midnight—

THURSDAY 1 SEPTEMBER 1988 a.m.

Question put.

The House divided.

Ayes 56

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 J. D. Booth	Mr Matheson	Mr Smith
Mr Caterson	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 Wotton
Mr Downy	Mr Peacocke	Mr Yabsley
Mr Fahey	Mr Petch	Mr Yeomans
Mr Glachan	Mr Photios	Mr Zammit
Mr Graham	Mr Pickard	Tellers
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

31 August and 1 September 1988 a.m.

Noes 40

Ms Allan	Mr Hunter	Mr Nagle
Mr Amery	Mr Irwin	Mr Newman
Mr Aquilina	Mr Keegan	Ms Nori
Mr Arkell	Mr Knight	Mr Page
Mr Brereton	Mr Knowles	Mr Price
Mr Cleary	Mr Langton	Dr Refshauge
Mrs Crosio	Mr Lovelee	Mr Rogan
Mr Doyle	Mr McManus	Mr Rumble
Mr Face	Mr Markham	Mr Walsh
Mr Ferguson	Mr Martin	Mr Whelan
Ms Fraser	Mr H. F. Moore	
Mr Gibson	Ms Moore	Tellers
Mr Harrison	Mr Moss	Mr Beckroge
Mr Hatton	Mr J. H. Murray	Mr Christie

Pairs

Mr Dowd	Mr Booth
Mr Greiner	Mr Unsworth

And so it was resolved in the affirmative.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

Question put.

The House divided.

Ayes 56

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 J. D. Booth	Mr Matheson	Mr Smith
Mr Caterson	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 Wotton
Mr Downy	Mr Peacocke	Mr Yabsley
Mr Fahey	Mr Petch	Mr Yeomans
Mr Glachan	Mr Photios	Mr Zammit
Mr Graham	Mr Pickard	Tellers
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
31 August and 1 September 1988 a.m.

Noes 40

Ms Allan	Mr Hunter	Mr Nagle
Mr Amery	Mr Irwin	Mr Newman
Mr Aquilina	Mr Keegan	Ms Nori
Mr Arkell	Mr Knight	Mr Page
Mr Brereton	Mr Knowles	Mr Price
Mr Cleary	Mr Langton	Dr Refshauge
Mrs Crosio	Mr Lovelee	Mr Rogan
Mr Doyle	Mr McManus	Mr Rumble
Mr Face	Mr Markham	Mr Walsh
Mr Ferguson	Mr Martin	Mr Whelan
Ms Fraser	Mr H. F. Moore	
Mr Gibson	Ms Moore	Tellers
Mr Harrison	Mr Moss	Mr Beckroge
Mr Hatton	Mr J. H. Murray	Mr Christie

Pairs

Mr Dowd	Mr Booth
Mr Greiner	Mr Unsworth

And so it was resolved in the affirmative.

Bill read a third time.

19 ADJOURNMENT

Dr Metherell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.07 a.m., until 10.30 a.m., this day.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 8

THURSDAY 1 SEPTEMBER 1988

1 PETITIONS

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

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

Mr D. L. Page—from certain citizens opposing the announced changes to public education.

Mr Face—from certain citizens requesting that the State Lotteries branches at Newcastle and Kotara not be closed.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

Mr Turner—from certain citizens requesting continued access for four wheel drive vehicles to Yagon and Treachery Beaches.

2 NOTICES OF MOTIONS

P 80811-36564

3 PAPERS

Mr Greiner laid upon the Table—

Report of the Ombudsman under section 27 of the Ombudsman Act concerning the failure of Tallaganda Shire Council to implement the Ombudsman's recommendation to set a minimum amount of the rate under section 126 (2) (c) (iii) of the Local Government Act for vacant flood liable land.

Referred to the Printing Committee.

4 MINISTERIAL STATEMENT—BUILDING CONSTRUCTION EMPLOYEES AND BUILDERS' LABOURERS FEDERATION

Mr Fahey made a ministerial statement concerning the establishment of an inquiry to be conducted by Mr R. P. Meagher, Q.C., into the appropriate means of amending legislation to ensure that union officials observe their fiduciary obligations to their unions and members.

5 QUESTIONS

Disorder: By order of Mr Speaker, the honourable member for Campbelltown, Mr Knight, was removed from the Chamber by the Serjeant-at-Arms.

Following upon representations as to the circumstances from which arose the conduct of the honourable member for Campbelltown, occasioning his removal, Mr Speaker (by leave) withdrew the order.

6 SUSPENSION OF STANDING ORDERS—WATER BOARD COMPUTER CONTRACTS

Ordered, on the motion of Mr Moore, 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 a motion calling upon the Government to institute a full public inquiry into the purchasing and servicing contracts of computers by the Sydney Water Board, notice of which was given by the honourable member for South Coast, this day for tomorrow.

Mr Hatton moved, That this House calls upon the Government to institute a full public inquiry into the purchasing and servicing contracts of computers by the Sydney Water Board.

Debate ensued.

Motion, by leave, withdrawn.

7 SPECIAL ADJOURNMENT

Ordered, on motion of Mr Dowd, That this House at its rising this day do adjourn until Tuesday, 13 September 1988, at 2.15 p.m.

8 SUSPENSION OF STANDING ORDERS

Ordered, on 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, Notices of Motions Nos 3 and 4.

9 PEACE TRUST (REPEAL) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to repeal the Peace Trust Act 1987 and to enact provisions consequent on the repeal of that Act.

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 Booth) and the resumption of the debate made an Order of the Day for a future day.

10 INDUSTRIAL ARBITRATION (REVOCATION OF PROCLAMATION) BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to revoke a proclamation commencing the Industrial Arbitration (Theatrical Agents and Employers) Amendment Act 1987 and to enact provisions consequent on the revocation of the proclamation.

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.

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 Griffiths, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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 Cruickshank 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 PRINTING COMMITTEE

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

13 ADJOURNMENT

Mr Singleton moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.08 p.m., until Tuesday, 13 September 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 9

TUESDAY 13 SEPTEMBER 1988

1 DISTINGUISHED VISITOR

Mr Speaker drew the attention of honourable members to the presence in the Gallery of Pierre Duchesne, Secretary-General of the National Assembly of Quebec.

2 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message dated 6 September 1988 from His Excellency the Governor assenting to the Australian Mutual Provident Society Bill.

3 PETITIONS

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

Mr Hatton, Mr McManus and Mr H. F. Moore—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

Ms Moore—from certain citizens requesting that the quality of education in Technical and Further Education colleges be maintained.

Mr Murray and Mr Wotton—from certain citizens opposing the proposed closure of the Colin Blumner Regional Veterinary Laboratory at Armidale.

Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Mr Moore—from certain citizens opposing any encroachment upon Selkirk Park, Killara.

Mr Dowd—from certain citizens requesting the retention of current staff levels at Greenwich Infants and Primary Schools.

Mr H. F. Moore—from certain citizens requesting an amendment to the regulations concerning overcrowding on school buses.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Stamp Duties Act 1920—Stamp Duties Regulations 1934—regulation 1B, amendment of regulations 1, 3, 5, 6, 9, 26 to 31, 32, 32A, 37, 38, 39, 42, 43, 44, 44A, 44AA, 44B, 46, 48 to 52, 55, 56, 58 to 61, 63, 64, 65, 68, forms A, A (1), A (2), BR, C, C2, C3, C4, D, DD, HA, J, LSU, N, O, P, Q, R, V, W, Z, Z1, ZL, ZL1, omission of regulations 7, 10 to 23, 57, 62, 67, forms A (3), A (4), A (5), CC, DA K, LI, S. (Gazettes 114/1988, 126/1988.)

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Report of the Judicial Commission for the year ended 30 June 1988.

Supreme Court Act 1970—Supreme Court Rules—amendment no. 210. (Gazette 138/1988.)

Referred to the Printing Committee.

(3) Mr Moore laid upon the Table—

National Parks and Wildlife Act 1974—

(a) Fauna Protection Regulations 1949—amendment of regulations 8, 15B. (Gazette 118/1988.)

(b) Native Plants Protection Regulation 1975—amendment of clause 9, schedule 1. (Gazette 118/1988.)

Noise Control Act 1975—Noise Control Regulation 1975—parts 5A, 8A, schedules 2A, 5A, amendment of clauses 13, 26, parts 5, 8, schedules 2, 5. (Gazette 110/1988.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1988

(4) Mr West laid upon the Table—

Lotteries and Art Unions Act 1901—balance sheets of Art Unions in aid of—
Beehive Industries Co-operative Limited
Canterbury Bankstown Rugby League Club Injured Players Fund
Grace Bros. Staff Aid to Charities
Greenacres Association for the Handicapped
Havenlee School for the Handicapped
Kurrajong Complex Challenge Foundation of New South Wales
Lake Illawarra Police Citizens Boys Club
Lions Club of Goulburn
Mater Misericordiae Hospital
Psychiatric Rehabilitation Association (2)
Red Bend Catholic College
Royal Blind Society of New South Wales
Sydney Maritime Museum
The Foundation for Disabled
World Polio Plus Programme.

Referred to the Printing Committee.

(5) Mr Fahey laid upon the Table—

Report of the President of the Industrial Commission for 1986.

Report of the Industrial Registrar under the Trade Union Act, 1881, for 1985.

Report of the Occupational Health, Safety and Rehabilitation Council for the year ended 30 June, 1987.

Referred to the Printing Committee.

(6) Mr Causley laid upon the Table—

Forestry Act 1916—

(a) Notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for the purposes of Mount Mitchell State Forest No. 308. (Gazette 123/1988.)

(b) Gazette notice setting forth the mode in which it is proposed to deal with certain lands under section 15 of the Act. (Gazette 105/1988.)

Public Works Act 1912—Notification of acquisition, appropriation and/or resumption of land and/or easements for the construction of a dam across the Manilla River near Manilla. (Gazette 187/1987.)

Wentworth Irrigation Act 1890—Wentworth Irrigation By-laws 1926—regulation 12A, amendment of regulations 2, 3, 4, 5A, 6, 8, 8A, 9, 9A, 10, 10A, 11 to 17, 17A, 18, 20, 21, substituted regulation 1. (Gazette 134/1988.)

Referred to the Printing Committee.

(7) Mr Hay laid upon the Table—

Local Government Act 1919—amendment of ordinance 50. (Gazette 123/1988.)

Referred to the Printing Committee.

6 MINISTERIAL STATEMENT—INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Greiner made a ministerial statement concerning the appointment of Mr Ian Temby, Q.C., as the first Commissioner for the Independent Commission Against Corruption.

Mr Carr also addressed the House.

7 QUESTIONS

Paper: Mr Greiner laid upon the Table a purported letter from the Premier of Victoria.

Referred to the Printing Committee.

SPEAKER'S RULING—ANSWERS BY MINISTERS TO QUESTIONS WITHOUT NOTICE

The Speaker said that the length of ministers' answers to questions without notice had been the subject of criticism for some years. Speaker Kelly had on many occasions ruled that the Speaker had no power to direct a minister as to the manner in which he chose to reply, other than to draw that minister's attention to the length of his answer and suggest that as a courtesy to the House he should draw his answer to its conclusion as quickly as possible.

The Speaker said that it was his intention to restore Question Time as the forum for members seeking information from ministers and to afford them the maximum opportunity to do so.

Although previous rulings were at variance, the Speaker believed it was essential to restore the role of Question Time.

To this end he intended to apply Standing Order 78 to ministers' answers. (Under the Standing Order a member is required to be relevant, and not so develop his answer as to debate the matter.)

The Speaker said that should a minister in replying go beyond the question asked, his answer could be ruled a ministerial statement and be deferred until the time allotted for questions had expired, thus allowing the Leader of the Opposition to reply.

In reaching this position the Speaker had drawn on the rulings of his predecessors.

Speaker Weaver on 16 December 1937 had ruled that:—

“ when the occasion arises that a Minister makes so lengthy a reply to a question that in my judgement it borders on a Ministerial statement . . . the Leader of the Opposition shall have an opportunity to answer it. I think Ministers should not take advantage of the House at question time to make lengthy answers to questions which, in ordinary circumstances, would be Ministerial statements, . . . ”

Speaker Clyne on 1 October 1942 had ruled that while a minister—

“ . . . confines himself to a reply to the question he will be in order. If he goes beyond that it will become a Ministerial statement and the Leader of the Opposition will have the right to reply.”

Speaker Ellis on 3 March 1966 had said:—

“ . . . I will assume that a question which is itself lengthy or involved, or which raises matters too large to be dealt with briefly and within the limits of an answer to a question, must necessarily involve a Minister in making a lengthy and involved reply and that, because of this, the reply itself would be likely to assume all the qualities of a ministerial statement.

Such questions, therefore, must in future be placed upon the notice paper unless the Minister to whom the question is directed intimates to the Chair that he is willing and able to reply briefly, or that he will answer the question by way of a ministerial statement. In the former event, I will allow the Minister to answer the question briefly. In the latter event, I will allow him to reply by way of ministerial statement at the end of question time.”

The Speaker said that honourable members would appreciate that this procedure was designed solely to protect the rights of private members in Question Time. If it failed to achieve this object or had unforeseen consequences, it would be reviewed. This ruling would be published in the Votes and Proceedings so that honourable members and ministers might study it. It would take effect from next Tuesday.

Honourable members were cautioned against asking broad ambit questions which invited extensive replies. Such questions could be ruled out of order, as a minister's reply would almost inevitably constitute a ministerial statement.

The Speaker said that, alternatively, if a minister wished to respond in the form of a ministerial statement, he could do so at the end of Question Time.

Paper: Mr Peacocke laid upon the Table the Report of the New South Wales Corporate Affairs Commission Task Force on Corporate Crime, dated March 1988.

Referred to the Printing Committee.

8 SUSPENSION OF STANDING ORDERS

Ordered, on 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 to permit consideration of the Supply Bill 1988.

9 SUPPLY BILL

Mr Fahey 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 1988-1989.

Question put and passed.

Bill presented and read a first time.

Mr Fahey declared that the Supply Bill was an urgent bill.

Question—That the bill be considered an urgent bill—put and passed.

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

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be taken 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 Griffiths, That the following Address in Reply to the Governor's Opening Speech be now adopted by this House—

To His Excellency Air Marshal Sir JAMES ANTHONY ROWLAND, Companion of the Order of Australia, Knight Commander of the Most Excellent Order of the British Empire, upon whom have been conferred the decorations of the Distinguished Flying Cross and the Air Force Cross, 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 Griffiths, That the Address in Reply to the Governor's Opening Speech be now adopted by this House.

Mr Speaker informed the House that he 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 4.00 p.m., on Wednesday, 14 September 1988, at Government House.

13 ADJOURNMENT

Mr Causley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.09 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 10

WEDNESDAY 14 SEPTEMBER, 1988

1 PETITIONS

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

Mr Books, Ms Fraser and Mr McManus—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mr Graham—from certain citizens requesting the sale of Department of Housing land at Greenwood Estate, Berkeley Vale.

Mr Park—from certain citizens opposing the proposed closure of the Colin Blumner Regional Veterinary Laboratory at Armidale.

Mr Harrison—from certain citizens requesting support for legislation to protect the unborn.

Mr McManus—from certain citizens opposing the announced changes to public education.

Ms Fraser and Mr Paciullo—from certain citizens requesting that the Paddy's Market site remain at Haymarket.

Mr Welsh—from certain citizens requesting the renovation and maintenance of the 100 year old school building at Swansea Public School.

Ms Moore—from certain citizens opposing any legislation removing Kings Cross from the Central Business District of Sydney.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Collins laid upon the Table—

Report of the response of the Sydney Opera House Trust to the Report of the New South Wales Commission of Audit.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Children (Detention Centres) Act 1987—Children (Detention Centres) Regulation 1988—clause 49A, amendment of clauses 5, 12, 23, 24. (Gazette 123/1988.)

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Energy Administration Act 1987—Energy Labelling and Standards (Refrigerative Air Conditioners) Regulation 1987—amendment of clause 26. (Gazette 123/1988.)

Referred to the Printing Committee.

(4) Mr Fahey laid upon the Table—

Workers Compensation Act 1987—

- (a) Workers Compensation (Fees and Costs) Regulation 1988—clauses 1 to 33, schedules 1, 2. (Gazette 58/1988.)
- (b) Workers Compensation (General) Regulation 1987—parts 3A, 4A, substituted clause 9A. (Gazettes 199/1987, 66/1988.)
- (c) Workers Compensation (Savings and Transitional Provisions) Regulation 1987—amendment of clause 6. (Gazette 199/1987.)
- (d) Workers Compensation (Savings and Transitional Provisions) Regulation 1987 (No. 2)—amendment of clause 10. (Gazette 199/1987.)

Workers Compensation (Dust Diseases) Act 1942—Workers' Compensation (Dust Diseases) (Amendment of Schedule) Regulation 1987—clauses 1, 2. (Gazette 199/1987.)

Referred to the Printing Committee.

(5) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—

- (a) Bathurst Showground By-law 1988—clauses 1 to 25. (Gazette 119/1988.)
- (b) Regulations for the management of French's Forest General Cemetery—substituted schedule of fees and charges. (Gazette 114/1988.)
- (c) Woolgoolga Beach and Lakes Reserve By-law 1988—clauses 1 to 22. (Gazette 134/1988.)

Necropolis Act 1901—Necropolis (General) Regulation 1978—clause 13, amendment of clause 3. (Gazette 123/1988.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 September 1988

4 MINISTERIAL STATEMENT—KENO

Mr West made a ministerial statement concerning the implementation of Keno in New South Wales.

Paper: Mr West laid upon the Table—Report to the Chief Secretary by the Keno Task Force on the proposals for the implementation of Club Keno, dated September 1988.

Referred to the Printing Committee.

Mr Carr also addressed the House.

5 MINISTERIAL STATEMENT—ANOREXIA NERVOSA PATIENTS

Mr Collins made a ministerial statement concerning two anorexia nervosa patients in a public hospital.

6 QUESTIONS

DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the gallery of a delegation of the Standing Committee of the Guangdong Provincial People's Congress.

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 support for the option to close Prince Henry Hospital at Little Bay.

Question put.

The House divided.

Ayes 44

Ms Allan	Mr Hunter	Mr Paciullo
Mr Amery	Mr Irwin	Mr Page
Mr Aquilina	Mr Keegan	Mr Price
Mr A. S. Aquilina	Mr Knowles	Mr Primrose
Mr Booth	Mr Langton	Dr Refshauge
Mr Brereton	Mr McManus	Mr Rogan
Mr Carr	Mr Mack	Mr Rumble
Mr Cleary	Mr Markham	Mr Shedden
Mrs Crosio	Mr Martin	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Walsh
Mr Doyle	Ms Moore	Mr Welsh
Mr Face	Mr Moss	Mr Whelan
Mr Ferguson	Mr Nagle	Tellers
Mr Gibson	Mr Newman	Mr Beckroge
Mr Harrison	Ms Nori	Mr Christie

Noes 58

Mr Andrews	Mr Hatton	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr J. D. 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	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
Mr Graham	Mr Photios	
Mr Greiner	Mr Pickard	Tellers
Mr Griffiths	Mr Rixon	Mr Beck
Mr Hartcher	Mr Roberts	Mr Phillips

Pairs

Mr Berry	Mr Knight
Mr Glachan	Mr J. H. Murray

And so it passed in the negative.

8 LEAVE OF ABSENCE

Ordered, on the motion of Mr Beckroge, That leave of absence for the present session be granted to Dawn Fraser, Member for Balmain, on account of absence from the State.

9 CONSTITUTION (GOVERNOR'S SALARY) AMENDMENT BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Constitution Act 1902 so as to make provision for the salary of the Governor, and to repeal the Governor's Salary Act 1901.

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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 September 1988

10 POLICE REGULATION (REINSTATEMENT) BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to make special provisions for the reinstatement of Mr Philip Neville Arantz as a member of the Police Force and for associated 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 Rogan) and the resumption of the debate made an Order of the Day for a future day.

11 INDUSTRIAL ARBITRATION (ADJUSTMENT OF AWARDS) 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 to provide for the adjustment of awards following certain decisions of the Australian Conciliation and Arbitration Commission; 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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

12 CITY OF SYDNEY BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the constitution of the City of Sydney and the City of South Sydney; to make provisions for planning and major development within the City of Sydney; to repeal and amend certain enactments; 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.

Interruption:

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 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
14 September 1988

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.

J. A. ROWLAND,
Governor.

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

13 DRUG MISUSE AND TRAFFICKING, (FURTHER AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Drug Misuse and Trafficking Act 1985 with respect to prohibited plants and prohibited drugs.

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 debate made an Order of the Day for a future day.

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
14 September 1988

15 STRATA TITLES (LEASEHOLD) AMENDMENT BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Strata Titles (Leasehold) Act 1986 and the Miscellaneous Acts (Leasehold Strata Schemes) Amendment Act 1986 with respect to certain appeals.

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.

16 NEW SOUTH WALES INVESTMENT CORPORATION (SALE) 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.

DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the gallery of delegates to the 34th Conference of the Commonwealth Parliamentary Association, Australia 1988.

Question put.

The House divided.

Ayes 58

Mr Andrews	Mr Jeffery	Mr Schultz
Mr Arkell	Mr Keegan	Mr Singleton
Mr Armstrong	Mr Kerr	Mr Small
Mr Baird	Mr Longley	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr J. D. Booth	Mr Matheson	Mr Souris
Mr Caterson	Mr Merton	Mr Tink
Mr Causley	Dr Metherell	Mr Turner
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
Mr Graham	Mr Pickard	
Mr Griffiths	Mr Rixon	Tellers
Mr Hartcher	Mr Roberts	Mr Beck
Mr Hay	Mr Schipp	Mr Phillips

Noes 37

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Knowles	Mr Primrose
Mr Aquilina	Mr Langton	Dr Refshauge
Mr A. S. Aquilina	Mr Lovelee	Mr Rogan
Mr Booth	Mr McManus	Mr Rumble
Mr Cleary	Mr Markham	Mr Shedden
Mrs Crosio	Mr Martin	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Walsh
Mr Doyle	Mr Moss	Mr Whelan
Mr Ferguson	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hunter	Mr Paciullo	Mr Christie

Pairs

Mr Berry	Mr Carr
Mr Greiner	Mr J. H. Murray

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.

17 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.08 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 11

THURSDAY 15 SEPTEMBER 1988

1 PETITIONS

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

Mr Andrews, Mr Books and Mr Murray—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mr Davoren—from certain citizens opposing the announced changes to public education.

Mr Page—from certain citizens requesting that existing abortion services not be restricted.

Mr Welsh—from certain citizens requesting the renovation and maintenance of the 100 year old school building at Swansea Public School.

Mr Merton—from certain citizens opposing certain development in Eyles Avenue, Carlingford.

Mr Face—from certain citizens requesting that the State Lotteries branches at Newcastle and Kotara not be closed.

2 PAPERS

(1) Mr Greiner laid upon the Table—

Public Sector Management Act 1988—

- (a) Public Sector Management (General) Regulation 1988—clauses 1 to 73. (Gazette 140/1988.)
- (b) Public Sector Management (Stores and Services) Regulation 1988—clauses 1 to 44. (Gazette 140/1988.)

Referred to the Printing Committee.

(2) Mr Peacocke laid upon the Table—

Report to the Department of Industrial Development and Decentralisation upon Western Sydney Leisure and Entertainment—A Market Analysis and Development Strategy prepared by Gutteridge Haskins and Davey, dated January 1988.

Referred to the Printing Committee.

3 AUDITOR-GENERAL'S REPORT

Mr Speaker laid upon the Table—

Report of the Auditor-General for 1987–88 upon—

- (1) The Auditor-General's Office for the year ended 30 June 1988.
- (2) The Treasurer's Public Accounts and Other Reviews for the year ended 30 June 1988, Volume 2.

Ordered to be printed.

4 QUESTIONS**5 SUSPENSION OF STANDING ORDERS**

Mr Page moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion, That this House calls for the dismissal of the Minister for Housing for:

- (1) Misleading the House on 2 August 1988;
- (2) Misleading the House on 1 September 1988; and
- (3) Misleading the House on 14 September 1988.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 September 1988

The House divided.

Ayes 40

Ms Allan	Mr Harrison	Mr Page
Mr Amery	Mr Hunter	Mr Price
Mr Aquilina	Mr Irwin	Mr Primrose
Mr A. S. Aquilina	Mr Knowles	Dr Refshauge
Mr Booth	Mr Langton	Mr Rogan
Mr Brereton	Mr Lovelee	Mr Rumble
Mr Carr	Mr McManus	Mr Shedden
Mr Cleary	Mr Markham	Mr Unsworth
Mrs Crosio	Mr Martin	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Whelan
Mr Doyle	Mr Moss	
Mr Face	Mr Newman	Tellers
Mr Ferguson	Ms Nori	Mr Beckroge
Mr Gibson	Mr Paciullo	Mr Christie

Noes 59

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

Pairs

Mr Berry	Mr Knight
Mr Glachan	Mr J. H. Murray

And so it passed in the negative.

6 MINISTERIAL STATEMENT—GRAIN HANDLING AUTHORITY

Mr Greiner made a ministerial statement concerning the Grain Handling Authority.

Mr Carr also addressed the House.

7 MINISTERIAL STATEMENT—DOCTOR STEWART FLEMING

Mr Collins made a ministerial statement concerning investigations by the Special Credentials Committee of the Macarthur Area Health Service into allegations concerning Doctor Fleming's practices in gynaecology and obstetrics.

Mr Carr also addressed the House.

8 INDUSTRIAL ARBITRATION (REVOCATION OF PROCLAMATION) 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.

9 PEACE TRUST (REPEAL) 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.

Mr Rogan 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.

It being 2.15 p.m., General Business proceeded with.

10 LAW AND ORDER

Mr J. D. Booth moved, pursuant to notice, That this "House" commends the Government on its achievements in the areas of law and order, in successfully implementing its major commitments within six months of achieving office.

Debate ensued.

Mr Amery moved, That the question be amended by leaving out all the words after the word "House" and inserting "condemns the Government for its failure to properly support the legal system and its administration throughout the State."

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 September 1988

Debate continued.

Mr Beckroge moved, That the question be now put.

Question put.

The House divided.

Ayes 37

Ms Allan	Mr Harrison	Mr Paciullo
Mr Amery	Mr Hunter	Mr Page
Mr Aquilina	Mr Irwin	Mr Price
Mr A. S. Aquilina	Mr Knowles	Mr Primrose
Mr Booth	Mr Langton	Dr Refshauge
Mr Brereton	Mr Lovelee	Mr Rogan
Mr Carr	Mr McManus	Mr Shedden
Mr Cleary	Mr Markham	Mr Unsworth
Mrs Crosio	Mr Martin	Mr Whelan
Mr Davoren	Mr Moss	
Mr Doyle	Mr Nagle	Tellers
Mr Ferguson	Mr Newman	Mr Beckroge
Mr Gibson	Ms Nori	Mr Christie

Noes 56

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

And so it passed in the negative.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

11 PRINTING COMMITTEE

Mr Small brought up Report No. 4 of the Printing Committee.

12 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.22 p.m., until Tuesday, 20 September 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 12

TUESDAY 20 SEPTEMBER 1988

1 PETITIONS

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

Mr Beckroge, Mr Kerr and Mr Moss—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mr Longley and Mr Moss—from certain citizens requesting that the Paddy's Market site remain at Haymarket.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

Mr Harrison and Dr Refshauge—from certain citizens opposing the closure of the Shellharbour School of Dental Therapy.

Mr Welsh—from certain citizens requesting the renovation and maintenance of the 100 year old school building at Swansea Public School.

Mr Cruickshank—from certain citizens requesting a reduction in the size of home economics classes.

Mr Beck—from certain citizens opposing government grants to the homosexual community.

2 NOTICES OF MOTIONS

P 80824-37160

3 PAPERS

(1) Mr Greiner laid upon the Table—

Actuarial report pursuant to section 10 of the Parliamentary Contributory Superannuation Act 1971 by the Government Actuary as at 30 June 1987.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 11 August 1988.

Referred to the Printing Committee.

(2) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—

(a) Abstracts (2) and schedule of Crown Lands intended to be dedicated, or added to existing dedications, for public purposes in accordance with section 24 of the Act.

(b) Gazette notices (4) setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazettes 105/1988, 110/1988, 119/1988, 138/1988.)

Public Roads Act 1902—Abstracts (34) of resumptions under section 8 of the Act, for public road purposes. (Gazettes 105/1988 (3), 110/1988 (4), 114/1988 (4), 118/1988 (2), 119/1988 (4), 123/1988 (2), 126/1988 (16), 132/1988 (2), 134/1988 (4), 138/1988 (2).)

Referred to the Printing Committee.

4 ELECTORAL DISTRICT OF PORT STEPHENS—ORDER OF COURT OF DISPUTED RETURNS

Mr Speaker informed the House that the Clerk had received from the Prothonotary a copy of the Order of the Court of Disputed Returns upon the Petition relating to the election in the Port Stephens electorate, declaring the election of Robert Douglas Martin to serve in the Legislative Assembly for the Electoral District of Port Stephens and the said election for the said Electoral District, absolutely void.

By direction of Mr Speaker, the Clerk laid the document on the Table.

Ordered to be printed.

5 QUESTIONS

6 VACANT SEAT—ELECTORAL DISTRICT OF PORT STEPHENS

Ordered, on motion of Mr Greiner, That the seat of Robert Douglas Martin, member for the Electoral District of Port Stephens is now vacant by reason of the Court of Disputed Returns having declared the election of the said Robert Douglas Martin to serve in the Legislative Assembly for the Electoral District of Port Stephens, and the said election for the said Electoral District, absolutely void.

7 VACANT SEAT—ELECTORAL DISTRICT OF NORTH SHORE

Mr Speaker informed the House that on 16 September 1988, he had received a letter from Edward Carrington Mack, resigning his seat as member for the Electoral District of North Shore.

Ordered, on motion of Mr Greiner, That the seat of Edward Carrington Mack, member for the Electoral District of North Shore, has become, and is now vacant, by reason of the resignation therefrom by the said Edward Carrington Mack.

8 LOTTO (AMENDMENT) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Lotto Act 1979 to provide for the introduction of other forms of lotto and for other purposes; and to validate certain matters.

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

9 POLICE REGULATION (REINSTATEMENT) 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 Greiner, read a third time.

10 CITY OF SYDNEY 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.

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 CITY OF SYDNEY BILL

Resumption of the interrupted 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.

Debate adjourned (Mr Moss) and the resumption of the debate made an Order of the Day for a later hour of the day.

13 APPROPRIATION BILL

(1) Mr Speaker laid upon the Table a copy of the Consolidated Fund Estimates 1988-89 (Budget Paper No. 3) (Volumes I and II).

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 1988-89 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 1987-88; 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 debate made an Order of the Day for a future day.

14 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 1988-89 (Budget Paper No. 2).

(3) Financial Arrangements between the Commonwealth and New South Wales 1988-89 (Budget Paper No. 4).

(4) Capital Works Program 1988-89—List of Projects (Budget Paper No. 5).

Ordered to be printed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1988

15 CITY OF SYDNEY 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—

Question put.

The House divided.

Ayes 51

Mr Andrews	Mr Jeffery	Mr Small
Mr Armstrong	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
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 Graham	Mr Rixon	
Mr Griffiths	Mr Schipp	Tellers
Mr Hartcher	Mr Schultz	Mr Beck
Mr Hay	Mr Singleton	Mr Phillips

Noes 41

Ms Allan	Mr Hunter	Ms Nori
Mr Amery	Mr Irwin	Mr Paciullo
Mr Aquilina	Mr Keegan	Mr Page
Mr Arkell	Mr Knight	Mr Price
Mr Breerton	Mr Knowles	Dr Refshauge
Mr Cleary	Mr Langton	Mr Rogan
Mrs Crosio	Mr Lovelee	Mr Rumble
Mr Davoren	Mr McManus	Mr Shedden
Mr Doyle	Mr Markham	Mr Unsworth
Mr Face	Mr H. F. Moore	Mr Walsh
Mr Ferguson	Ms Moore	Mr Welsh
Mr Gibson	Mr Moss	Tellers
Mr Harrison	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Newman	Mr Christie

Pairs

Mr Glachan	Mr A. S. Aquilina
Mr Greiner	Mr Booth
Mr Pickard	Mr Carr
Mr Roberts	Mr J. H. Murray

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

And the Committee continuing to sit after midnight—

WEDNESDAY 21 SEPTEMBER 1988 a.m.

Mr Speaker resumed the Chair, and the Chairman reported the bill without amendment.

Mr Hay moved, That the Report be now adopted.

Question put.

The House divided.

Ayes 52

Mr Andrews	Mr Hay	Mr Singleton
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
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 Graham	Mr Rixon	Tellers
Mr Griffiths	Mr Schipp	Mr Beck
Mr Hartcher	Mr Schultz	Mr Phillips

Noes 41

Ms Allan	Mr Hunter	Ms Nori
Mr Amery	Mr Irwin	Mr Paciullo
Mr Aquilina	Mr Keegan	Mr Page
Mr Arkell	Mr Knight	Mr Price
Mr Breerton	Mr Knowles	Dr Refshauge
Mr Cleary	Mr Langton	Mr Rogan
Mrs Crosio	Mr Lovelee	Mr Rumble
Mr Davoren	Mr McManus	Mr Shedden
Mr Doyle	Mr Markham	Mr Unsworth
Mr Face	Mr H. F. Moore	Mr Walsh
Mr Ferguson	Ms Moore	Mr Welsh
Mr Gibson	Mr Moss	Tellers
Mr Harrison	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Newman	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 and 21 September 1988 a.m.

Pairs

Mr Berry	Mr A. S. Aquilina
Mr Glachan	Mr Booth
Mr Greiner	Mr Carr
Mr Pickard	Mr J. H. Murray
Mr Roberts	Mr Whelan

And so it was resolved in the affirmative.

And Mr Speaker having consented to the third reading being taken forthwith—

Mr Hay moved, That this bill be now read a third time.

Question put.

The House divided.

Ayes 52

Mr Andrews	Mr Hay	Mr Singleton
Mr Armstrong	Mr Jeffery	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
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 Graham	Mr Rixon	Tellers
Mr Griffiths	Mr Schipp	Mr Beck
Mr Hartcher	Mr Schultz	Mr Phillips

Noes 41

Ms Allan	Mr Hunter	Ms Nori
Mr Amery	Mr Irwin	Mr Paciullo
Mr Aquilina	Mr Keegan	Mr Page
Mr Arkell	Mr Knight	Mr Price
Mr Breerton	Mr Knowles	Dr Refshauge
Mr Cleary	Mr Langton	Mr Rogan
Mrs Crosio	Mr Lovelee	Mr Rumble
Mr Davoren	Mr McManus	Mr Shedden
Mr Doyle	Mr Markham	Mr Unsworth
Mr Face	Mr H. F. Moore	Mr Walsh
Mr Ferguson	Ms Moore	Mr Welsh
Mr Gibson	Mr Moss	Tellers
Mr Harrison	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Newman	Mr Christie

Pairs

Mr Berry	Mr A. S. Aquilina
Mr Glachan	Mr Booth
Mr Greiner	Mr Carr
Mr Pickard	Mr J. H. Murray
Mr Roberts	Mr Whelan

And so it was resolved in the affirmative.

Bill read a third time.

16 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 20 September 1988, returning the Supply Bill, without amendment.

17 ADJOURNMENT

Mr Hay moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.43 a.m., until 2.15 p.m., this day.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 13

WEDNESDAY 21 SEPTEMBER 1988

1 DEATH OF HENRY BASIL TURNER, M.A.(CANTAB.), A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Speaker informed the House of the death of Henry Basil Turner, M.A.(Cantab.), a former member of the Legislative Assembly and that, on behalf of the House, he had extended to Mrs Turner 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 Amery, Mr Irwin, Mr Langton, Ms Nori, Mr Photios, Mr Tink, Mr Yabsley, Mr Yeomans and Mr Zammit—from certain citizens requesting that the Paddy's Market site remain at Haymarket.

Mr Harrison, Mr Langton, Mr Markham, Mr Souris and Mr Webster—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mr Doyle—from certain citizens opposing the announced changes to public education.

Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Mr Rumble—from certain citizens opposing the closure of the Shellharbour School of Dental Therapy.

Mr Dowd—from certain citizens opposing the proposed rezoning of land designated as open space in the Lane Cove Local Environmental Plan.

Mr Chappell—from certain citizens opposing the proposed closure of the Colin Blunner Regional Veterinary Laboratory at Armidale.

3 NOTICES OF MOTIONS

4 PAPERS

Mr Collins laid upon the Table—

Report of the Medical Board for the period 1 October 1987 to 31 March 1988.

Fluoridation of Public Water Supplies Act 1957—notification of approval for the addition of fluorine to the Bulahdelah water supply. (Gazette 95/1988.)

Poisons Act 1966—proclamations amending the Poisons List. (Gazettes 123/1987, 162/1987, 165/1987, 170/1987, 2/1988 (2), 28/1988, 63/1988, 114/1988, 126/1988.)

Referred to the Printing Committee.

5 QUESTIONS

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

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

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

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

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 September 1988

The House divided.

Ayes 59

Mr Andrews	Mr Hay	Mr Schipp
Mr Arkell	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr J. D. Booth	Mr Longley	Mr Smiles
Mr Caterson	Miss Machin	Mr Smith
Mr Causley	Mr Matheson	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mr Cochran	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
Mr Graham	Mr Peacocke	Mr Yeomans
Mr Greiner	Mr Petch	Mr Zammit
Mr Griffiths	Mr Photios	Tellers
Mr Hartcher	Mr Pickard	Mr Beck
Mr Hatton	Mr Rixon	Mr Phillips

Noes 37

Ms Allan	Mr Harrison	Mr Paciullo
Mr Amery	Mr Hunter	Mr Page
Mr Aquilina	Mr Irwin	Mr Price
Mr A. S. Aquilina	Mr Knight	Mr Primrose
Mr Brereton	Mr Knowles	Dr Refshauge
Mr Carr	Mr Langton	Mr Rogan
Mr Cleary	Mr Lovelee	Mr Rumble
Mrs Crosio	Mr McManus	Mr Shedden
Mr Davoren	Mr Markham	Mr Walsh
Mr Doyle	Mr H. F. Moore	Tellers
Mr Face	Mr Moss	Mr Beckroge
Mr Ferguson	Mr Newman	Mr Christie
Mr Gibson	Ms Nori	

Pair

Mr Glachan

Mr J. H. Murray

And so it was resolved in the affirmative.

This being the first occasion during the session upon which the honourable member had been suspended, Mr Speaker announced that his suspension would be for two sitting days.

6 STATEMENT BY SPEAKER—QUESTIONS ON NOTICE OF ROBERT DOUGLAS MARTIN

The Speaker said that honourable members would be aware of the questions on the Questions and Answers Paper standing in the name of Robert Douglas Martin.

On 15 April, 1986, his predecessor, Speaker Kelly, had ordered the notices of motions standing in the name of the former member for Pittwater be struck from the Business Paper, unless the House otherwise directed.

Speaker Kelly had formalised the practice of removing questions upon notice by former members from the Questions and Answers Paper and had formally extended that practice to the notices of motions and questions upon notice of deceased members.

Speaker Kelly had stated that once the notices had been removed from the Business Paper any member could give notice of any of the motions that session.

Mr Speaker said that he intended to extend this ruling to the questions on notice of Robert Douglas Martin. Accordingly, any honourable member might give notice of any of the questions this session.

**7 TREASURY CORPORATION (AMENDMENT) BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT
BILL**

Mr Fahey, 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 Treasury Corporation Act 1983 so as to establish a board of directors for the Treasury Corporation; to vary the conditions of service of the Chief Executive of the Corporation; to extend the powers of the Corporation in relation to financial management; and for other purposes.
- (ii) A bill for an Act to amend the Public Authorities (Financial Arrangements) Act 1987 in relation to government guarantees of repayment of financial accommodation.

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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

8 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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

9 CRIMINAL PROCEDURE (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 to enable a court to correct sentencing errors in criminal proceedings; and to make a consequential amendment of the Justices Act 1902.

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 debate made an Order of the Day for a future day.

10 NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL WILDERNESS (PLANS OF MANAGEMENT) AMENDMENT 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 amend the National Parks and Wildlife Act 1974 to make further provision relating to the preservation and management of national parks, historic sites and certain other areas and the protection of fauna, native plants and Aboriginal relics; and for other purposes.
- (ii) A bill for an Act to amend the Wilderness Act 1987 as a consequence of the enactment of the National Parks and Wildlife (Amendment) Act 1988.

Question put and passed.

Bills presented and read a first time.

Mr Moore moved, That these bills 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 DARLING HARBOUR AUTHORITY (AMENDMENT) BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Darling Harbour Authority Act 1984, and a development plan made under that Act, so as to facilitate the carrying out of certain development; and to validate certain matters.

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 debate made an Order of the Day for a future day.

12 CONSTITUTION (GOVERNOR'S SALARY) 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 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.

13 PEACE TRUST (REPEAL) 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.

Leave granted for the third reading to be moved forthwith.

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

14 DOG (AMENDMENT) 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.

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.

15 INDUSTRIAL ARBITRATION (ADJUSTMENT OF AWARDS) 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.

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 INDUSTRIAL ARBITRATION (ADJUSTMENT OF AWARDS) AMENDMENT BILL

Resumption of the interrupted debate, on the motion of Mr Fahey, 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.

On motion of Mr Fahey, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

18 STRATA TITLES (LEASEHOLD) 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 Causley, read a third time.

19 BOOK PURCHASERS' PROTECTION (REPEAL) 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.

20 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 8.58 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 14

THURSDAY 22 SEPTEMBER 1988

I MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 21 September 1988, returning the Industrial Arbitration (Revocation of Proclamation) 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 relating to the constitution of the City of Sydney and the City of South Sydney; to make provisions for planning and major development within the City of Sydney; to repeal and amend certain enactments; 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 September 1988 a.m.

JOHN JOHNSON
President

CITY OF SYDNEY BILL

Schedule of the amendments referred to in Message of 22 September 1988, a.m.

L. A. JECKELN
Clerk of the Parliaments

No. 1. Page 3. After line 25, insert:

Town clerk

9. (1) The town clerk of the City of Sydney may exercise any function exercisable by a mayor under section 87 (2) of the Principal Act, section 87 (2) (f) excepted.

(2) The town clerk, in the exercise of any such function, is subject to the control and direction of the Lord Mayor of Sydney.

(3) The Lord Mayor of Sydney shall notify the City Council of any direction given for the purposes of this section as soon as practicable after the direction is given.

(4) The town clerk shall not exercise any such function to the extent to which the City Council has resolved that the function not be exercised by the clerk.

No. 2. Page 3, clause 10, lines 34 and 35. Omit "may be divided into wards", insert instead "shall be divided into 3 wards".

No. 3. Page 4, clause 10. After line 2, insert:

(3) Except as provided by subsection (2), nothing in this section limits section 58 of the Principal Act.

No. 4. Page 11, clause 31, lines 4-6. Omit all words on those lines, insert instead:

(2) This Act does not affect the application of any provision of the Planning Act except to such extent (if any) as is necessary to give effect to the provisions of this Act.

No. 5. Page 11, clause 33, lines 30-35. Omit all words on those lines, insert instead:

Members of the Planning Committee

33. (1) The Planning Committee shall consist of 9 members, being—

- (a) the Lord Mayor of Sydney;
- (b) the Mayor of South Sydney;
- (c) 2 aldermen of the City of Sydney elected by the City Council;
- (d) the Director of Planning under the Planning Act; and
- (e) 4 qualified persons appointed by the Minister.

(2) A person is qualified for the purposes of subsection (1) (e) if the person has, in the opinion of the Minister, special knowledge or experience in architecture, building construction, civic design, heritage conservation, town planning, environmental planning, engineering, transport planning, tourism or the arts.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 September 1988

- No. 6. Page 16, Schedule 1, line 22. Omit "33 (d)", insert instead "33 (1) (e)".
- No. 7. Page 16, Schedule 1, line 23. Omit "33 (b)", insert instead "33 (1) (c)".
- No. 8. Page 17, Schedule 1, lines 6-8. Omit all words on those lines.
- No. 9. Page 17, Schedule 1. After line 13, insert:
- (2) The Mayor of South Sydney may appoint an alderman of the City of South Sydney to be the alternate member for the Mayor.
- No. 10. Page 17, Schedule 1, line 20. Omit "An alternate member while acting in the office of a member", insert instead "An alternate member may only act in the office of the member for whom that alternate member is the alternate member during the illness or absence of the member and while so acting, the alternate member".
- No. 11. Page 18, Schedule 1, line 3. Omit all words on that line.
- No. 12. Page 19, Schedule 1, line 2. Omit "4", insert instead "5".
- No. 13. Page 19, Schedule 1, lines 17-19. Omit "other than such of the provisions of the Ordinance as the Planning Committee, with the approval of the Minister, determines by order in writing should be excluded", insert instead "except in so far as provision is otherwise made by or under this Act".
- No. 14. Page 20, Schedule 2. After line 10, insert:
- (5) Section 23I (Construction and use of monorail)—
- At the end of the section, insert:
- (5) This section does not apply to any part of the scheduled works which are of a different nature or which are to be constructed over a different course than the nature or course of the scheduled works at the commencement of this subsection.
- (6) Section 23J (Application of certain legislation)—
- After section 23J (1), insert:
- (1A) Subsection (1) does not apply to any part of the scheduled works which are of a different nature or which are to be constructed over a different course than the nature or course of the scheduled works at the commencement of this subsection.
- No. 15. Page 27, Schedule 3. After line 31, insert:
- (2) The Minister shall not exercise any function under this clause after the expiration of 30 days after the commencement of Part 2 of this Act.
- No. 16. Page 28, Schedule 3, line 25. After "provision", insert "of this Act".

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 provide for the sale of the business undertaking of the New South Wales Investment Corporation; to repeal the New South Wales Investment Corporation Act 1986; 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
21 September 1988

JOHN JOHNSON
President

NEW SOUTH WALES INVESTMENT CORPORATION (SALE) BILL

Schedule of the amendments referred to in Message of 21 September 1988

L. A. JECKELN
Clerk of the Parliaments

- No. 1. Page 3, Part 2, clause 5, line 37. Omit "may", insert instead "shall".
- No. 2. Page 4, Part 2, clause 5, lines 2 and 3. Omit "may be given to persons who express an interest in the sale", insert instead "shall be given to persons who express a bona fide interest in the sale as prospective purchasers and undertake to comply in all respects with the provisions of section 15".

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 make special provisions for the reinstatement of Mr Philip Neville Arantz as a member of the Police Force and for associated purposes" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
21 September 1988 a.m.

JOHN JOHNSON
President

POLICE REGULATION (REINSTATEMENT) BILL

Schedule of the amendments referred to in Message of 22 September 1988, a.m.

L. A. JECKELN
Clerk of the Parliaments

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- No. 1. Page 2, clause 4 (heading to read "Reinstatement from 1971") lines 18-20. Omit all words on those lines, insert instead:
- (3) Mr. Arantz shall be taken to have been appointed to the rank of superintendent (at the grade of superintendent) with effect from the commencement of this section.
- No. 2. Page 3, clause 5, line 8. After "1971", insert "and ending immediately before the commencement of this section".
- No. 3. Page 3, clause 5, lines 9-11. Omit all words on those lines, insert instead:
- (4) In addition to the application of the Police Regulation (Superannuation) Act 1906 to Mr. Arantz in respect of his service after the commencement of this section, that Act applies to him as if he had served as a senior sergeant during the period referred to in section 4 (1) and had been promoted to the rank of superintendent at that commencement.
- (5) Notwithstanding subsection (4)—
- (a) section 17 (3) of the Police Regulation (Superannuation) Act 1906 does not apply to Mr. Arantz in respect of any amounts paid to him under that Act before that commencement and he is not liable to refund any such amount; and
- (b) Mr. Arantz is not liable to make any contributions under that Act in respect of any period before the commencement of this section.

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.

2 PETITIONS

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

Ms Moore—from certain citizens requesting the retention of part-time teachers in colleges of Technical and Further Education.

Mr Markham—from certain citizens opposing the closure of the Shellharbour School of Dental Therapy.

Mr Rumble— from certain citizens opposing the announced changes to public education.

Mr Ferguson— from certain citizens requesting that the Paddy's Market site remain at Haymarket.

3 PAPER

Mr Speaker laid upon the Table—

Corrigendum to the Report for 1987-88 of the Auditor-General (Volume 2), laid upon the Table on 15 September 1988.

Ordered to be printed.

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Ombudsman under section 27 of the Ombudsman Act concerning the failure of the Darling Harbour Authority to fully comply with the recommendations made by the Ombudsman in a report pursuant to section 26 of the Ombudsman Act.

Referred to the Printing Committee.

(2) Mr Fahey laid upon the Table—

Workers Compensation Act 1987—

(a) Workers Compensation (General) Regulation 1987—part 11, substituted part 9. (Gazettes 110/1988, 126/1988.)

(b) Workers Compensation (Insurance Premiums) Regulation 1987—amendment of clauses 5, 8, schedule 1. (Gazette 109/1988.)

(c) Workers Compensation (Savings and Transitional Provisions) Regulation 1987—amendment of clause 6. (Gazette 95/1988.)

Referred to the Printing Committee.

(3) Mr Causley laid upon the Table—

Conveyancing Act 1919—Conveyancing Act Regulations 1961—substituted schedule 3. (Gazette 118/1988.)

Real Property Act 1900—Real Property Act Regulations 1970—substituted schedule 3. (Gazette 118/1988.)

Strata Titles Act 1973—Strata Titles Act Regulations 1974—substituted regulations 52, 80. (Gazette 118/1988.)

Referred to the Printing Committee.

5 QUESTIONS

6 MINISTERIAL STATEMENT—PUBLIC HOSPITAL STAFFING

Mr Collins made a ministerial statement concerning staffing levels in the public hospital system.

Mr Carr also addressed the House.

7 CITY OF SYDNEY 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 City of Sydney Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

8 NEW SOUTH WALES INVESTMENT CORPORATION (SALE) 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 New South Wales Investment Corporation (Sale) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

9 POLICE REGULATION (REINSTATEMENT) 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 Police Regulation (Reinstatement) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had disagreed with the Council amendments.

On motion of Mr Dowd, the Report was adopted.

On motion of Mr Dowd, the following message was sent to the Legislative Council—

Mr PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 22 September 1988 a.m., requesting its concurrence in the amendments made by the Council in the Police Regulation (Reinstatement) Bill, acquaints the Legislative Council that the Legislative Assembly disagrees with the amendments because:

the bill as it stands was the bill which was passed by the Assembly without division or amendment;

the Government adheres to its stated undertaking to reinstate Mr Arantz in the terms of the bill as passed by the Assembly.

And the Assembly requests the concurrence of the Legislative Council in its disagreement from the Council amendments in the bill.

Legislative Assembly
22 September 1988

K. R. ROZZOLI
Speaker

10 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising this day do adjourn until Tuesday, 11 October 1988, at 2.15 p.m.

Question put and passed.

11 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 Appropriation Bill.

Question put and passed.

12 APPROPRIATION 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 Longley 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.

It being 2.15 p.m., General Business proceeded with.

13 HOUSING

Mr Page moved, pursuant to notice, That this House condemns the Government for its inadequate housing policies.

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

14 PRINTING COMMITTEE

Mr Small brought up Report No. 5 of the Printing Committee.

15 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, 11 October 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 15

TUESDAY 11 OCTOBER 1988

1 MESSAGES FROM THE GOVERNOR

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

30 September 1988

City of Sydney Bill

Industrial Arbitration (Revocation of Proclamation) Bill

New South Wales Investment Corporation (Sale) Bill

Supply Bill.

2 PETITIONS

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

Mr J. H. Murray—from certain citizens requesting that the Paddy's Market site remain at Haymarket.

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr Wotton—from certain citizens requesting the upgrading of level crossings.

Mr Page—from certain citizens requesting the reinstatement of former Department of Housing tenants at Millers Point to departmental waiting lists.

Mr Booth, Mr Cleary, Mr Graham, Dr Refshauge and Mr Singleton—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mr Phillips—from certain citizens requesting the establishment of a special purpose school at Bankstown.

Miss Machin—from certain citizens requesting that the quality of education in Technical and Further Education colleges be maintained.

Mr Aquilina, Mr Phillips and Mr Zammit—from certain citizens requesting support for legislation to protect the unborn.

Mr Causley—from certain citizens opposing the proposed staffing cuts in state schools.

Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Mr Dowd—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Office of State Revenue for the year ended 30 June 1988.

Statistical Return in respect of the By-election in the Electoral District of Vacluse held on 18 June 1988.

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—
 - Ben Boyd National Park. (Gazette 173/1987.)
 - Ku-ring-gai Chase National Park. (Gazette 167/1987 (2).)
 - Marramarra National Park. (Gazette 144/1987.)
 - Tarlo River National Park. (Gazette 173/1987.)
 - Yuraygir National Park. (Gazette 193/1987.)
- (b) Notifications under section 49 dedicating lands as part of—
 - Barren Grounds Nature Reserve. (Gazette 173/1987.)
 - Big Bush Nature Reserve. (Gazette 167/1987.)
 - Cameron's Gorge Nature Reserve. (Gazette 173/1987.)
 - Richmond River Nature Reserve. (Gazette 173/1987.)
 - The Basin Nature Reserve. (Gazette 193/1987.)

Referred to the Printing Committee.

(3) Dr Metherell laid upon the Table—

Report on the Future Structure of Higher Education in New South Wales by the Office of Higher Education, dated September 1988.

Colleges of Advanced Education Act 1975—

(a) amendment of, and additions to, the by-laws of Mitchell College of Advanced Education. (Gazette 77/1988.)

(b) Riverina-Murray Institute of Higher Education (Murray Campus Board of Management) Regulation 1988—clauses 1 to 6, schedule 1. (Gazette 63/1988.)

Macquarie University Act 1964—amendment of, and additions to, the by-laws of Macquarie University. (Gazettes 66/1988, 132/1988 (2).)

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 a technical college at Petersham. (Gazette 114/1988.)

University and University Colleges Act 1900—amendment of, and additions to, the by-laws of the University of Sydney. (Gazettes 66/1988 (3), 85/1988, 88/1988 (2), 99/1988 (2), 114/1988, 123/1988 (3), 126/1988, 132/1988.)

University of Newcastle Act 1964—amendment of, and additions to, the by-laws of the University of Newcastle. (Gazettes 68/1988 (4), 126/1988.)

University of New England Act 1953—amendment of, and additions to, the by-laws of the University of New England. (Gazette 126/1988.)

University of New South Wales Act 1968—amendment of, and additions to, the by-laws of the University of New South Wales. (Gazettes 85/1988, 95/1988.)

University of Wollongong Act 1972—amendment of, and additions to, the by-laws of the University of Wollongong. (Gazette 138/1988.)

Referred to the Printing Committee.

(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—

Ascot Vale. (Gazette 138/1988.)

Bombala. (Gazette 138/1988.)

Campbelltown. (Gazette 138/1988.)

Coffs Harbour. (Gazette 138/1988.)

Hay. (Gazette 138/1988.)

Linley Point. (Gazette 138/1988.)

North Narrabeen. (Gazette 138/1988.)

Sandy Hill. (Gazette 138/1988.)

Thackaringa. (Gazette 138/1988 (4).)

Woonona. (Gazette 138/1988.)

Yetman. (Gazette 138/1988.)

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Electricity Commission Act 1950—

- (a) notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for transmission lines between—
 - Armidale and Coffs Harbour. (Gazette 142/1988.)
 - Bayswater and Mount Piper. (Gazette 142/1988.)
 - Wallerawang and Sydney South. (Gazette 142/1988.)
 - Wellington and Dubbo. (Gazette 142/1988.)
- (b) erratum notices concerning—
 - (i) electricity transmission lines between—
 - Chullora and Canterbury published in Gazette 91/1988. (Gazette 142/1988.)
 - Murrumburrah and Yass published in Gazette 85/1988. (Gazette 142/1988.)
 - (ii) radio repeater station at Saddleback Peak published in Gazette 91/1988. (Gazette 138/1988.)

Referred to the Printing Committee.

(6) Mr Causley laid upon the Table—

Return of amounts expended under the provisions of section 13 of the Forestry Act 1916 for the year ended 30 June 1988.

Referred to the Printing Committee.

(7) Mr Yabsley laid upon the Table—

Prisons Act 1952—Prisons Regulations 1968—regulations 108D, 108E, 108F, amendment of regulations 11, 21A, 24, 59, 60, 76A, 78, 79A, 92, 93, 95F, 96AA, 96B, 96E, 108, 109A, 109B, 109C, 122, 132, forms 6, 9, omission of regulation 134. (Gazette 134/1988.)

Referred to the Printing Committee.

5 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 June 1988.
- (b) Ordinary Returns as at 30 June 1988.

Ordered to be printed.

6 ELECTION PETITIONS—ORDERS OF COURT OF DISPUTED RETURNS

Mr Speaker informed the House that the Clerk had received from the Prothonotary—

A copy of the election petition from Walter Robert Scott against the return of Robert Douglas Martin as the then member of the Legislative Assembly for the Electoral District of Port Stephens.

A copy of the election petition from Ian Francis Yates against the return of Barrie John Unsworth as the member of the Legislative Assembly for the Electoral District of Rockdale.

A copy of the Order of the Court of Disputed Returns upon the Petition relating to the election in the Rockdale electorate.

A copy of the Order of the Court of Disputed Returns upon the Petition relating to the election in the Port Stephens electorate and a copy of the judgment, both of which were tabled and ordered to be printed on 20 September 1988.

By direction of Mr Speaker, the Clerk laid the documents on the Table.

Ordered that the documents not previously ordered to be printed, be printed.

7 SUSPENSION OF STANDING ORDERS—BICENTENNIAL NAVAL SALUTE

Mr Greiner moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of a motion concerning the Bicentennial Naval Salute, notice of which was given by the honourable member for Middle Harbour, this day for tomorrow.

Question put and passed.

Mr Collins moved, That this House congratulates the federal government, the Australian Bicentennial Authority and the New South Wales Bicentennial Council on the planning and execution of the recent Bicentennial Naval "Salute"; and endorses the commitment of the federal and state governments to permit warships of allied nations to berth and, if necessary, undertake basic repairs, in Sydney Harbour, or other suitable New South Wales ports, as part of Australia's obligations under treaty relationships.

Debate ensued.

Ms Moore moved, That the question be amended by leaving out all words after the word "Salute" and inserting "however condemns the policies which permit warships, carrying nuclear weapons, to enter Sydney Harbour".

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

Debate continued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 55

Mr Andrews	Mr Griffiths	Mr Schultz
Mr Armstrong	Mr Hartcher	Mr Singleton
Mr Baird	Mr Hay	Mr Small
Mr Berry	Mr Jeffery	Mr Smiles
Mr Books	Mr Kerr	Mr Smith
Mr J. D. Booth	Mr Longley	Mr Souris
Mr Catterson	Miss Machin	Mr Tink
Mr Causley	Mr Matheson	Mr Turner
Mr Chappell	Mr Merton	Mr Webster
Mr Cochran	Dr Metherell	Mr West
Mr Cohen	Mr Moore	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 Photios	
Mr Glachan	Mr Pickard	Tellers
Mr Graham	Mr Rixon	Mr Beck
Mr Greiner	Mr Schipp	Mr Phillips

Noes 44

Ms Allan	Mr Gibson	Ms Nori
Mr Amery	Mr Harrison	Mr Paciullo
Mr Aquilina	Mr Hatton	Mr Page
Mr A. S. Aquilina	Mr Hunter	Mr Price
Mr Arkell	Mr Irwin	Dr Refshauge
Mr Booth	Mr Knight	Mr Rogan
Mr Brereton	Mr Langton	Mr Rumble
Mr Carr	Mr Lovelee	Mr Shedden
Mr Cleary	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Markham	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Welsh
Mr Doyle	Ms Moore	Mr Whelan
Mr Face	Mr Moss	Tellers
Mr Ferguson	Mr J. H. Murray	Mr Beckroge
Ms Fraser	Mr Nagle	Mr Christie

Pairs

Mr Morris	Mr Knowles
Mr Petch	Mr Newman

And so it was resolved in the affirmative.

Question put—That the words proposed to be left out stand part of the question and voices given—Mr Speaker stated his opinion that the Ayes had it.

Whereupon Division called for, and Mr Speaker declared the determination of the House to be in the affirmative, as there were only three members (Ms Fraser, Mr Hatton and Ms Moore) in the minority who had challenged his decision.

And so it was resolved in the affirmative.

Original question put and voices given—Mr Speaker stated his opinion that the Ayes had it.

Whereupon Division called for, and Mr Speaker declared the determination of the House to be in the affirmative, as there were only three members (Ms Fraser, Mr Hatton and Ms Moore) in the minority who had challenged his decision.

And so it was resolved in the affirmative.

8 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing and Sessional Orders be suspended as would preclude postponement of private members' statements until after the time allotted for the taking of Questions without notice has expired.

9 QUESTIONS

10 PRINTING COMMITTEE

Ordered, on motion of Mr Dowd, (by leave), That Anthony Saviour Aquilina be appointed a member of the Printing Committee in the place of Robert Douglas Martin.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

12 DARLING HARBOUR AUTHORITY (AMENDMENT) 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 voices given—Mr Caterson, Acting Speaker, stated his opinion that the Ayes had it.

Whereupon Division called for, and Mr Caterson, Acting Speaker, declared the determination of the House to be in the affirmative, as there were only four members (Ms Fraser, Mr Hatton, Ms Moore and Mr Welsh) in the minority who had challenged his decision.

And so it was resolved in the affirmative.

Bill read a second time.

Mr Caterson, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair, and the Chairman reported the bill with an amendment.

On motion of Mr Hay, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

13 APPROPRIATION 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.

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

Ordered, That the honourable member for Wyong, Mr H. F. Moore, 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 Tamworth, Mr Park, be allowed to continue his speech for a further period of ten minutes.

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.

14 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.06 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 16.

WEDNESDAY 12 OCTOBER 1988

1 PETITIONS

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

Mr Beckroge, Mr Downy, Mr Langton and Mr Schipp—from certain citizens requesting support for legislation to protect the unborn.

Mr Markham—from certain citizens requesting that the quality of education at Balgownie Public School be maintained.

Mr Primrose—from certain citizens requesting the redevelopment of the reserve behind the homes in Gidley Crescent, Claymore.

Mr H. F. Moore and Mr Welsh—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr Peacocke—from certain citizens requesting the reinstatement of certain policies and units within colleges of Technical and Further Education and the Department of Education.

Mr McManus—from certain citizens opposing the closure of the Shellharbour School of Dental Therapy.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Mr Dowd—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Mr Rumble—from certain citizens requesting respite accommodation for the relatives of dangerous mental illness patients.

Mr Matheson—from certain citizens opposing any proposed legislation on tobacco advertising and the establishment of health foundations funded by increased tobacco excise.

2 NOTICES OF MOTIONS.

3 PAPERS

(1) Mr Pickard laid upon the Table—

Electricity Commission Act 1950—Notifications of acquisition, appropriation and/or resumptions of land and/or easements under the Public Works Act 1912, for the purposes of—

- (a) power station at Liddell. (Gazette 147/1988.)
- (b) sub-station at Lismore. (Gazette 147/1988.)
- (c) transmission lines between—
 - Armidale and Inverell. (Gazette 147/1988 (2).)
 - Koolkhan and Lismore. (Gazette 147/1988.)
 - Liddell and Newcastle. (Gazette 147/1988.)
 - Lower Tumut and Canberra. (Gazette 147/1988.)
 - Panorama and Bathurst. (Gazette 147/1988.)
 - Royalla and Cooma. (Gazette 147/1988.)
 - Royalla and Cooma No. 2. (Gazette 147/1988.)
 - Shoalhaven and Ulladulla. (Gazette 147/1988.)
 - Tullawarra and Moruya. (Gazette 147/1988.)
 - Wallerawang, Mount Piper and Wellington. (Gazette 147/1988.)
 - Wallerawang and Oberon. (Gazette 147/1988.)
 - Wallerawang and Oberon (Tee to Lilyvale). (Gazette 147/1988.)
- (d) transmission line outlets at Vales Point Power Station. (Gazette 147/1988.)

Referred to the Printing Committee.

(2) Mr Fahey laid upon the Table—

State Authorities Superannuation Act 1987—State Authorities Superannuation (Transitional Provisions) Regulation 1988—amendment of clauses 6, 36, 44. (Gazette 102/1988.)

Referred to the Printing Committee.

4 QUESTIONS

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

12 October 1988

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 Minister for Health and Minister for Arts for cutting health services to the people of country New South Wales.

Question put.

The House divided.

Ayes 37

Ms Allan	Mr Gibson	Mr Page
Mr Amery	Mr Harrison	Mr Price
Mr Aquilina	Mr Hunter	Mr Primrose
Mr A. S. Aquilina	Mr Irwin	Dr Refshauge
Mr Arkell	Mr Knight	Mr Rogan
Mr Booth	Mr Langton	Mr Rumble
Mr Brereton	Mr McManus	Mr Unsworth
Mr Carr	Mr Markham	Mr Walsh
Mr Cleary	Mr H. F. Moore	Mr Whelan
Mrs Crosio	Mr Moss	
Mr Doyle	Mr J. H. Murray	Tellers
Mr Face	Ms Nori	Mr Christie
Mr Ferguson	Mr Paciullo	Mr Davoren

Noes 61

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hatton	Mr Schultz
Mr Baird	Mr Hay	Mr Singleton
Mr Berry	Mr Jeffery	Mr Small
Mr Books	Mr Keegan	Mr Smiles
Mr J. D. Booth	Mr Kerr	Mr Smith
Mr Caterson	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 Welsh
Mr Collins	Mr Moore	Mr West
Mr Cruickshank	Ms Moore	Mr White
Mr Dowd	Mr Murray	Mr Wotton
Mr Downy	Mr D. L. Page	Mr Yabsley
Mr Fahey	Mr Park	Mr Yeomans
Ms Fraser	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Pairs

Mr Morris	Mr Knowles
Mr Petch	Mr Newman

And so it passed in the negative.

6 DARLING HARBOUR AUTHORITY (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.

7 APPROPRIATION 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.

8 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

9 APPROPRIATION 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 Strathfield, Mr Zammit, 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.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 October 1988

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 Goulburn, Mr Webster, be allowed to continue his speech for a further period of ten minutes.

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

10 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.37 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 17

THURSDAY 13 OCTOBER 1988

1 PETITIONS

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

Mr Hunter—from certain citizens requesting a commission of inquiry to determine more efficient usage of recyclable resources.

Mr Hatton—from certain citizens requesting that existing abortion services not be restricted.

Mr Welsh—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr Books and Mr Whelan—from certain citizens requesting support for legislation to protect the unborn.

Ms Fraser—from certain citizens opposing the proposed helicopter facility at Pymont wharf 14.

Mr Andrews—from certain citizens opposing the proposed changes to the regulations under the Child Welfare Act.

2 PAPERS

Mr Greiner laid upon the Table—

Report and Determination under section 5A of the Parliamentary Remuneration Tribunal Act 1975 dated 21 September 1988. (Gazette 151/1988.)

Referred to the Printing Committee.

P 80907-37833

13 October 1988

3 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the Report of the Public Accounts Committee for the year ended 30 June 1988.

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 calls upon the Minister for Education and Youth Affairs to immediately implement legislation for the establishment of a western Sydney university in accordance with option 5 of the Commonwealth-State Joint Working Party Report.

Question put.

The House divided.

Ayes 42

Ms Allan	Mr Harrison	Mr Page
Mr Amery	Mr Hatton	Mr Price
Mr Aquilina	Mr Hunter	Mr Primrose
Mr A. S. Aquilina	Mr Irwin	Dr Refshauge
Mr Booth	Mr Knight	Mr Rogan
Mr Brereton	Mr Langton	Mr Rumble
Mr Carr	Mr Lovelee	Mr Shedden
Mr Cleary	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Markham	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Whelan
Mr Doyle	Ms Moore	
Mr Face	Mr Moss	
Mr Ferguson	Mr J. H. Murray	Tellers
Ms Fraser	Mr Nagle	Mr Beckroge
Mr Gibson	Ms Nori	Mr Christie

Noes 59

Mr Andrews	Mr Griffiths	Mr Schipp
Mr Arkell	Mr Hartcher	Mr Schultz
Mr Armstrong	Mr Hay	Mr Singleton
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Keegan	Mr Smiles
Mr Books	Mr Kerr	Mr Smith
Mr J. D. Booth	Mr Longley	Mr Souris
Mr Catterson	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	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 Photios	Mr Zammit
Mr Glachan	Mr Pickard	Tellers
Mr Graham	Mr Rixon	Mr Beck
Mr Greiner	Mr Roberts	Mr Phillips

Pairs

Mr Morris
Mr Petch

Mr Knowles
Mr Newman

And so it passed in the negative.

6 QUESTIONS (continuation of entry No. 4)

7 HUMAN TISSUE (CORNEA TRANSPLANTS) AMENDMENT BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Human Tissue Act 1983 with respect to removal of human tissue for the purpose of cornea transplants.

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.

8 INDUSTRIAL ARBITRATION (RETAIL TRADE) 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 so as to abolish the Retail Trade Industrial Tribunal; to amend the Factories, Shops and Industries Act 1962 consequentially; and for related 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.

9 APPROPRIATION 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 Dowd 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.

10 FIRE BRIGADES (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 Fire Brigades Act 1909 with respect to the method of calculating contributions to the cost of the work of fire brigades, with respect to the control of fire fighting and in other respects; to make consequential amendments to the Statutory and Other Offices Remuneration Act 1975 and the Valuation of Land Act 1916; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
13 October 1988

JOHN JOHNSON
President

Bill read a first time.

Ordered by Mr Speaker, that the second reading stand an Order of the Day for tomorrow.

11 STATE SPORTS CENTRE TRUST (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 State Sports Centre Trust Act 1984 in relation to easements and parking offences on trust land and to amend consequentially the Justices Act 1902" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
13 October 1988

JOHN JOHNSON
President

Bill read a first time.

Ordered by Mr Speaker, that the second reading stand an Order of the Day for tomorrow.

12 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd, on behalf of the Premier, gave notice of business to be dealt with on 18 October 1988, 19 October 1988, 20 October 1988 and 8 November 1988—

Appropriation Bill.

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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 October 1988

14 PRINTING COMMITTEE

Mr Small brought up Report No. 6 of the Printing Committee.

15 ADJOURNMENT

Mr Murray moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.25 p.m., until Tuesday, 18 October 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 18

TUESDAY 18 OCTOBER 1988

1 ELECTORAL DISTRICTS OF NORTH SHORE AND PORT STEPHENS

Mr Speaker informed the House that, upon the passing of the Resolutions of 20 September 1988, declaring vacant the seats of Edward Carrington Mack, resigned, and Robert Douglas Martin, whose election was declared absolutely void by the Court of Disputed Returns, he had issued two writs on 17 October 1988, in accordance with the direction of section 70 of the Parliamentary Electorates and Elections Act 1912, for the election of two members to serve in the Legislative Assembly for the electoral district of North Shore in the room of Edward Carrington Mack, resigned, and for the electoral district of Port Stephens in the room of Robert Douglas Martin, whose election was declared absolutely void by the Court of Disputed Returns.

Particulars of writs:

Nomination day	21 October 1988
Polling day	5 November 1988
Return of writ	25 November 1988

2 PARLIAMENTARY PRIVILEGE—EXEMPTION FROM ATTENDANCE BY
MEMBER BEFORE THE EQUAL OPPORTUNITY TRIBUNAL—
STATEMENT BY SPEAKER

Mr Speaker said that at the last sitting of the House the Clerk had informed him that the honourable member for Penrith had been summonsed to attend before the Equal Opportunity Tribunal on Monday, 17 October, 1988 and until further excused from

attending, for the purpose of producing to the Tribunal books, papers, writings and any other information stored in electronic or magnetic or tape storage devices in his possession, custody or control.

Mr Matheson had sought the advice of the Clerk as to parliamentary privilege generally, and, more particularly, the service of a summons or subpoena upon a member and the options available to that member.

Following the Clerk's due warning to Mr Matheson of the limited application of parliamentary privilege to this Parliament, Mr Speaker had immediately written to the Judicial Member of the Equal Opportunity Tribunal advising that, having regard to the paramount right of the Parliament to the attendance and service of its members, the Legislative Assembly claimed the privilege of exemption of the honourable member for Penrith from attendance before the Tribunal, while ever the House is sitting.

Mr Speaker said that the Equal Opportunity Tribunal had yet to respond to his letter.

Having claimed the privilege of exemption, Mr Speaker intended to let the matter rest, unless the House otherwise directed.

3 PETITIONS

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

Mr Greiner and Mr Rumble—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mrs Cohen, Mr Glachan, Mr Longley and Mr Smiles—from certain citizens requesting support for legislation to protect the unborn.

Mr Rumble—from certain citizens requesting legislation to establish the right of medical staff in the public hospital system to conscientiously object to partaking in contentious surgical and medical procedures.

Mr Hunter—from certain citizens opposing the proposed staffing cuts in state schools.

Mr Lovelee—from certain citizens requesting that the punishments which may be imposed against those found guilty of offences against children be reappraised.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

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

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Dr Refshauge—from certain citizens requesting that the Paddy's Market site remain at Haymarket.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Armstrong laid upon the Table—

Soil Conservation Act 1938—Soil Conservation Regulations 1947—substituted form 7. (Gazette 149/1988.)

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

Report of the Armidale College of Advanced Education for 1987.

Report of the Catholic College of Education Sydney for 1987.

Report of the Cumberland College of Health Sciences for 1987.

Report of the Higher Education Board for 1987.

Report of the Kuring-gai College of Advanced Education for 1987.

Report of the Mitchell College of Advanced Education for 1987.

Report of the National Institute of Dramatic Art for 1987.

Report of the Newcastle College of Advanced Education for 1987.

Report of the Orange Agricultural College for 1987.

Report of the Riverina-Murray Institute of Higher Education for 1987.

Report of the Sydney College of the Arts for 1987.

Report of the Council of the University of New South Wales for 1987.

Report of the University of Newcastle for 1987.

Referred to the Printing Committee.

(3) Mr Baird laid upon the Table—

Motor Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 2, 54, schedule F. (Gazettes 140/1988, 142/1988.)

State Transport (Co-ordination) Act 1931—State Transport (Co-ordination) Regulations 1931—regulation 106. (Gazette 145/1988.)

Transport Act 1930—Transport (Public Vehicles) Regulations 1930—regulations 15, 30A, amendment of regulation 14. (Gazette 145/1988.)

Referred to the Printing Committee.

6 QUESTIONS

7 CROWN PROCEEDINGS BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to civil proceedings by and against the Crown; to repeal the Claims against the Government and Crown Suits Act 1912; 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.

8 FIRE BRIGADES (AMENDMENT) BILL

The Order of the Day having been read, 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.

9 APPROPRIATION 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.

Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit at a later hour of the day.

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 APPROPRIATION BILL

Resumption of the interrupted consideration of the bill in Committee.

Mr Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman, reported progress and obtained leave to sit again tomorrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 October 1988

12 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 amend the Darling Harbour Authority Act 1984, and a development plan made under that Act, so as to facilitate the carrying out of certain development; and to validate certain matters" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
18 October 1988

JOHN JOHNSON
President

DARLING HARBOUR AUTHORITY (AMENDMENT) BILL

Schedule of the amendment referred to in Message of 18 October 1988

L. A. JECKELN
Clerk of the Parliaments

Page 2, clause 7, lines 33 and 34. Omit "accommodated within the Development Area", insert instead "re-accommodated with minimal reduction in stall size, level with Hay Street throughout that site and with adequate vehicle access points".

Examined,
ADRIAN SOLOMONS
Chairman of Committees

Ordered by Mr Speaker, That the amendment made by the Legislative Council be taken into consideration tomorrow.

13 ADJOURNMENT

Mr Peacocke moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.51 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 19

WEDNESDAY 19 OCTOBER 1988

1 MINISTERIAL ANNOUNCEMENT

Mr Greiner informed the House that on 19 October 1988, His Excellency the Governor had accepted the resignation of the honourable Neil Edward William Pickard, B.A., M.Ed., Dip.Ed., L.Th., M.P., as Minister for Mineral Resources and Minister for Energy and had appointed him as Minister for Minerals and Energy.

2 PETITIONS

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

Mr Chappell, Mr Fahey and Mr Welsh—from certain citizens requesting support for legislation to protect the unborn.

Ms Fraser—from certain citizens opposing the proposed helicopter facility at Pyrmont wharf 14.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

Mr Page—from certain citizens opposing the proposed sale of housing units at Mort Bay.

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

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr Greiner—from certain citizens opposing any proposed legislation on tobacco advertising and the establishment of health foundations funded by increased tobacco excise.

3 NOTICES OF MOTIONS

4 PAPERS

Mr Peacocke laid upon the Table—

Report of the Small Business Development Corporation for the year ended 30 June 1988.

Referred to the Printing Committee.

5 MINISTERIAL STATEMENT—CONFLICTS OF INTEREST

Mr Greiner made a ministerial statement concerning—

(1) the allocation of motor cars funded by the Liberal Party to certain senior members of the Premier's staff and certain senior departmental heads; and

(2) the involvement of the Minister for Education and Youth Affairs in a company called Community Polling.

Mr Carr also addressed the House.

6 QUESTIONS

7 MINISTERIAL STATEMENT—LOCAL GOVERNMENT RATING

Mr Hay made a ministerial statement concerning local government rating.

8 PRINTING COMMITTEE

Mr Dowd, by leave, moved, That the paper, the Report on the Future Structure of Higher Education in New South Wales by the Office of Higher Education, dated September 1988, be referred to the Printing Committee for reconsideration.

Question put and passed.

9 CRIMES (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 offences relating to public order, assaults and car stealing; to amend the Motor Traffic Act 1909 with respect to offences relating to the driving or use of motor vehicles; 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.

10 ROYAL BOTANIC GARDENS AND DOMAIN TRUST (AMENDMENT) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Royal Botanic Gardens and Domain Trust Act 1980 with respect to the use of certain subsurface land of the Trust, 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 (Mr Rogan) and the resumption of the debate made an Order of the Day for a future day.

11 MOTOR VEHICLES TAXATION MANAGEMENT (AMENDMENT) BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Motor Vehicles Taxation Management Act 1949 to extend the categories of exemptions or partial exemptions from motor vehicles tax which may be granted by the Minister.

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 Brereton) and the resumption of the debate made an Order of the Day for a future day.

12 MOTOR TRAFFIC (DRIVING HOURS) AMENDMENT BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Motor Traffic Act 1909 to provide for regulations to be made in relation to restrictions on the hours of driving of certain heavy motor vehicles.

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 Brereton) and the resumption of the debate made an Order of the Day for a future day.

**13 MOTOR TRAFFIC (PENALTY DEFAULTS) AMENDMENT BILL
TRANSPORT (PENALTY DEFAULTS) AMENDMENT BILL**

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

- (i) A bill for an Act to amend the Motor Traffic Act 1909 in relation to the cancellation of licences and vehicle registrations as a consequence of a failure to pay a penalty or other amount in respect of certain offences, and for other purposes.
- (ii) A bill for an Act to amend the Transport Act 1930 in relation to the cancellation of licences and vehicle registrations as a consequence of a failure to pay a penalty or other amount in respect of certain offences, and for other purposes.

Question put and passed.

Bills presented and read a first time.

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

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

14 MOTOR TRAFFIC (BLOOD SAMPLES) AMENDMENT BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Motor Traffic Act 1909 with respect to blood samples taken after a road accident.

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 Brereton) and the resumption of the debate made an Order of the Day for a future day.

15 CHILDREN (CARE AND PROTECTION) FURTHER AMENDMENT BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Children (Care and Protection) Act 1987 so as to make further provision with respect to the care and protection of children" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
19 October 1988

JOHN JOHNSON
President

Bill read a first time.

Ordered by Mr Speaker, that the second reading stand an Order of the Day for tomorrow.

16 DARLING HARBOUR AUTHORITY (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 amendment made by the Legislative Council in the Darling Harbour Authority (Amendment) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendment.

Report adopted.

17 FIRE BRIGADES (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.

And Mr Speaker having consented to the third reading being taken forthwith—

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

18 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 19 October 1988, returning the following bills, without amendment:

Constitution (Governor's Salary) Amendment Bill

Industrial Arbitration (Adjustment of Awards) Amendment Bill.

19 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.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit at a later hour of the day.

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

20 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

21 APPROPRIATION BILL

Resumption of the interrupted consideration of the bill in Committee.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit again tomorrow.

22 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.29 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 20

THURSDAY 20 OCTOBER 1988

1 PETITIONS

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

Mr Hunter—from certain citizens opposing the announced changes to public education.

Mr Rogan—from certain citizens requesting that the staff of Padstow North public school be maintained at the present level.

Mr Shedden—from certain citizens opposing the proposed closure of nine State Lotteries branches.

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Ms Fraser—from certain citizens opposing the proposed helicopter facility at Pymont wharf 14.

Mr Arkell—from certain citizens opposing the proposed disposition or leasing of Wollongong Showground.

Mr Chappell, Mr Cleary and Mr Yeomans—from certain citizens requesting support for legislation to protect the unborn.

2 PAPERS

(1) Mr Greiner laid upon the Table—

Report and Determination under section 14 of the Statutory and Other Offices Remuneration Tribunal Act 1975, dated 27 September 1988. (Gazette 153/1988.)

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Supplemental Agreement to the Housing Agreement dated 12 March 1985 between the Commonwealth of Australia and the States and the Northern Territory of Australia.

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Fair Trading Act 1987—orders under section 31. (Gazettes 140/1988, 149/1988.)

Weights and Measures Act 1915—Weights and Measures Regulations 1917—omission of part 7A. (Gazette 140/1988.)

Referred to the Printing Committee.

3 QUESTIONS

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

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

4 MINISTERIAL STATEMENT—DECENTRALIZATION

Mr Peacocke made a ministerial statement concerning decentralization.

Mr Carr also addressed the House.

5 NATIONAL CRIME AUTHORITY (STATE PROVISIONS) AMENDMENT BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the National Crime Authority (State Provisions) Act 1984 as a consequence of amendments to the National Crime Authority Act 1984 of the Commonwealth" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
20 October 1988

JOHN JOHNSON
President

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 October 1988

Bill read a first time.

Ordered by Mr Speaker, that the second reading stand an Order of the Day for tomorrow.

6 SPECIAL ADJOURNMENT

Ordered, on motion of Mr Dowd, pursuant to notice, That this House at its rising this day do adjourn until Tuesday, 8 November 1988, at 2.15 p.m.

7 PRECEDENCE OF BUSINESS

Mr Dowd moved, pursuant to notice, That on Thursday, 20 October 1988 and Thursday, 10 November 1988, Government Business shall take precedence of General Business.

Question put and passed.

8 REVENUE LAWS (RECIPROCAL POWERS) AMENDMENT BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Revenue Laws (Reciprocal Powers) Act 1987 in respect of the exercise of certain powers and the issuing of certificates for certain 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 Whelan) and the resumption of the debate made an Order of the Day for a future day.

9 CHILDREN (CARE AND PROTECTION) FURTHER AMENDMENT BILL

The Order of the Day having been read, Mr Moore moved, That this bill be now read a second time.

And the question having been proposed—

Debate adjourned (Mr Aquilina) and the resumption of the 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.

Mr Speaker resumed the Chair, and Mr Caterson, Temporary Chairman, reported progress and obtained leave to sit again at a later hour of the day.

11 POLICE REGULATION (REINSTATEMENT) BILL

(1) Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council, having had under consideration the Legislative Assembly's Message dated 22 September 1988 in reference to the Police Regulation (Reinstatement) Bill, insists upon its amendments disagreed to by the Assembly in the Bill, for the following reasons:

(1) Under the Constitution Act 1902, and in accordance with the constitutional principles and practice repeatedly affirmed by the Legislative Council, the Council is entitled to make the amendments in such a Bill in the circumstances in which they were made.

(2) Under the bi-cameral system in force in New South Wales the Legislative Council is a part of the Legislature and intended to be an effective House capable of making amendments of the nature of the amendments which have been made in the Bill.

(3) The Bill, as presented to the Council, did not provide adequate redress for the grave injustice which has been suffered and continues to be suffered by Mr Philip Neville Arantz and his family.

(4) The Bill, as amended by the Council, fulfills the Premier's commitment to fully reinstate Mr Arantz.

(5) The Bill, as amended by the Council, acknowledges that Mr Arantz acted out of the highest motives, and that he is an honourable and truthful person who should be allowed to serve as a police officer until he retires at age 60 years.

(6) Notional reinstatement effectively brings forward the date of the enforced retirement of Mr Arantz from 1972 to 1988.

(7) The Council deplores the attempted intimidation of Mr Arantz and his family by the threatened withdrawal of the Police Regulation (Reinstatement) Bill.

(8) In the light of all events in this matter, including recent statements by Dr Amoury Vane and former Assistant Commissioner Howard Fulton concerning the initial assessment of Mr Arantz and subsequent enforced removal to a hospital for psychiatric examination, it is only just and equitable that Mr Arantz should be accorded full reinstatement as a member of the New South Wales Police Force with all rights and responsibilities.

(9) The Assembly has failed to advance any cogent reasons for not accepting the Council's amendments.

Legislative Council
20 October 1988

JOHN JOHNSON
President

Ordered by Mr Speaker, That the Legislative Council's message in reference to the amendment in this bill be taken into consideration forthwith.

(2) The Order of the Day having been read for the consideration in Committee of the Whole of the Legislative Council's message of 20 October 1988, in reference to the amendments in this bill—

Mr Dowd moved, That the Order of the Day be discharged.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 October 1988

Debate ensued.

Question put.

The House divided.

Ayes 55

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Berry	Mr Jeffery	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr J. D. Booth	Mr Longley	Mr Smiles
Mr Caterson	Miss Machin	Mr Smith
Mr Causley	Mr Matheson	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mr Cochran	Dr Metherell	Mr Turner
Mrs Cohen	Mr Moore	Mr Webster
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr White
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 Pickard	Tellers
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 37

Mr Amery	Mr Harrison	Mr Primrose
Mr Aquilina	Mr Hunter	Dr Refshauge
Mr A. S. Aquilina	Mr Irwin	Mr Rogan
Mr Arkell	Mr Keegan	Mr Rumble
Mr Booth	Mr Knight	Mr Shedden
Mr Brereton	Mr Lovelee	Mr Unsworth
Mr Carr	Mr McManus	Mr Walsh
Mr Cleary	Mr Markham	Mr Welsh
Mrs Crosio	Mr H. F. Moore	Mr Whelan
Mr Doyle	Mr Moss	
Mr Ferguson	Mr J. H. Murray	Tellers
Ms Fraser	Mr Nagle	Mr Beckroge
Mr Gibson	Ms Nori	Mr Christie

Pair

Mr Photios

Mr Knowles

And so it was resolved in the affirmative.

20 October 1988

(3) Mr Dowd moved, That the bill be withdrawn.

Question put.

The House divided.

Ayes 59

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

Noes 33

Mr Amery	Mr Hunter	Dr Refshauge
Mr Aquilina	Mr Irwin	Mr Rogan
Mr A. S. Aquilina	Mr Knight	Mr Rumble
Mr Booth	Mr Lovelee	Mr Shedden
Mr Brereton	Mr McManus	Mr Unsworth
Mr Carr	Mr Markham	Mr Walsh
Mr Cleary	Mr H. F. Moore	Mr Whelan
Mrs Crosio	Mr Moss	
Mr Doyle	Mr J. H. Murray	Tellers
Mr Ferguson	Mr Nagle	Mr Beckroge
Mr Gibson	Ms Nori	Mr Christie
Mr Harrison	Mr Primrose	

Pair

Mr Photios

Mr Knowles

And so it was resolved in the affirmative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 October 1988

(4) Mr Dowd moved, That the following message be sent to the Legislative Council.

Mr PRESIDENT

The Legislative Assembly acquaint the Legislative Council that they have discharged the order of the day for the consideration of the Council's Message of 20 October 1988, in reference to the amendments made in the Police Regulation (Reinstatement) Bill and have withdrawn the said Bill.

Legislative Assembly
20 October 1988

K. R. Rozzoli
Speaker

Question put.

The House divided.

Ayes 60

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Arkell	Mr Hay	Mr Schultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Berry	Mr Keegan	Mr Small
Mr Books	Mr Kerr	Mr Smiles
Mr J. D. Booth	Mr Longley	Mr Smith
Mr Caterson	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 Welsh
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr White
Mr Dowd	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Park	Mr Yeomans
Mr Fahey	Mr Peacocke	Mr Zammit
Ms Fraser	Mr Petch	
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 33

Mr Amery	Mr Hunter	Dr Refshauge
Mr Aquilina	Mr Irwin	Mr Rogan
Mr A. S. Aquilina	Mr Knight	Mr Rumble
Mr Booth	Mr Lovelee	Mr Shedden
Mr Brereton	Mr McManus	Mr Unsworth
Mr Carr	Mr Markham	Mr Walsh
Mr Cleary	Mr H. F. Moore	Mr Whelan
Mrs Crosio	Mr Moss	
Mr Doyle	Mr J. H. Murray	
Mr Ferguson	Mr Nagle	Tellers
Mr Gibson	Ms Nori	Mr Beckroge
Mr Harrison	Mr Primrose	Mr Christie

Pair

Mr Wotton

Mr Knowles

And so it was resolved in the affirmative.

12 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 proceeded with at this sitting.

13 OMBUDSMAN (PARLIAMENTARY SELECT COMMITTEES) 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 "An Act to amend section 34 of the Ombudsman Act 1974 to enable the Ombudsman (including any former Ombudsman) and his officers to disclose confidential information to Parliamentary Select Committees" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
20 October 1988

JOHN JOHNSON
President

Bill read a first time.

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

Debate adjourned (Mr Dowd) and the resumption of the debate made an Order of the Day for tomorrow.

14 PRINTING COMMITTEE

Mr Small brought up Report No. 7 of the Printing Committee.

15 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.20 p.m., until Tuesday, 8 November 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 21

TUESDAY 8 NOVEMBER 1988

1 MESSAGES FROM THE GOVERNOR

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

26 October 1988

Constitution (Governor's Salary) Amendment Bill

Fire Brigades (Amendment) Bill

Industrial Arbitration (Adjustment of Awards) Amendment Bill.

2 VACANT SEAT—ELECTORAL DISTRICT OF WALLSEND

Mr Speaker informed the House of the death which took place on 1 November 1988, of Kenneth George Booth, lately serving in the Legislative Assembly of New South Wales as member for the electoral district of Wallsend.

Ordered, on motion of Mr Greiner, That the seat of Kenneth George Booth, member for the electoral district of Wallsend, has become, and is now vacant, by reason of the death of the said Kenneth George Booth.

3 DEATH OF KENNETH GEORGE BOOTH, A FORMER MINISTER OF THE CROWN

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 Kenneth George Booth, member for Wallsend and a former Minister of the Crown.

(2) That Mr Speaker convey to Mrs Booth 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 Unsworth, Mr Armstrong, Mr Face, Mr Dowd, Mr Brereton, Mr Schipp, Mr Cleary, Mr Pickard, Mr Whelan, Mr West, Mrs Crosio, Mr Baird, Mr Rogan, Mr Park, Mr Markham, Mr Price, Mr J. D. Booth, Mr Rumble, Mr Ferguson, Mr Smiles, Mr J. H. Murray, Mr Small and Mr Hunter.

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

The House adjourned, as a mark of respect, at 4.20 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 22

WEDNESDAY 9 NOVEMBER 1988

1 JOINT STANDING COMMITTEE UPON ROAD SAFETY

(1) Mr Zammit (by leave) laid upon the Table—The Minutes of Evidence and documents taken before the Joint Standing Committee upon Road Safety on 2, 3 and 8 November 1988, and associated documentation.

(2) Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the following motion:

That inspection of the papers tabled by the Chairman of the Joint Standing Committee upon Road Safety be restricted to Members of that Committee and that no copies thereof or extracts therefrom be made without the authorisation of the Chairman of that Committee; and that a copy of the tabled papers be forwarded forthwith by the Chairman of the Committee to the Commissioner of Police.

(3) Ordered, on motion of Mr Dowd; That inspection of the papers tabled by the Chairman of the Joint Standing Committee upon Road Safety be restricted to Members of that Committee and that no copies thereof or extracts therefrom be made without the authorisation of the Chairman of that Committee; and that a copy of the tabled papers be forwarded forthwith by the Chairman of the Committee to the Commissioner of Police.

2 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message dated 7 November 1988 from His Excellency the Governor assenting to the Darling Harbour Authority (Amendment) Bill.

3 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 8 November 1988, returning the Peace Trust (Repeal) Bill, without amendment.

4 PETITIONS

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

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr Hatton—from certain citizens requesting that existing abortion services not be restricted.

Mr Dowd and Mr Jeffery—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Ms Allan—from certain citizens requesting that the quality of education in Technical and Further Education colleges be maintained.

Mr Kerr—from certain citizens requesting action to restore and maintain the environment of Cabbage Tree Basin.

Mr Nagle—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mr Cruickshank—from certain citizens requesting support for legislation to protect the unborn.

Mr Hatton—from certain citizens requesting that the old Courthouse at Bateman's Bay remain on its present site.

Mr Améry—from certain citizens requesting that gaming privileges in hotels remain unchanged.

Mr Brereton—from certain citizens requesting that trains to East Hills stop at Erskineville and St Peters stations.

Mr Hunter—from certain citizens opposing the proposed staffing cuts in state schools.

Mr Baird—from certain citizens requesting restoration of rail services to Hornsby via Strathfield.

5 NOTICES OF MOTIONS**6 PAPERS**

(1) Mr Greiner laid upon the Table—

Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year ended 30 June 1988.

Report of the Premier's Department, the Cabinet Office and the Premier's Office for the year ended 30 June 1988.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 November 1988

Report of the Treasury Corporation for the year ended 30 June 1988.

Report of the Investigation of Water Board Computer Acquisitions, dated October 1988.

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

Report of the Board of Architects for the year ended 30 June 1988.

Report of the Chipping Norton Lake Authority for the year ended 30 June 1988.

Report of the Public Works Department for the year ended 30 June 1988.

Referred to the Printing Committee.

(3) Mr Collins laid upon the Table—

Report of the Sydney Opera House Trust for the year ended 30 June 1988.

Referred to the Printing Committee.

(4) Mr Armstrong laid upon the Table—

Report of the Banana Industry Committee for the year ended 30 June 1988.

Report of the Dairy Corporation for the year ended 30 June 1988.

Report of the Egg Corporation for the year ended 30 June 1988.

Report of the Meat Industry Authority for the year ended 30 June 1988.

Report of the Poultry Farmer Licensing Committee for the year ended 30 June 1988.

Report of the Rural Assistance Board for the year ended 30 June 1988.

Report of the Wine Grapes Marketing Board for the year ended 31 May 1988.

Referred to the Printing Committee.

(5) Mr Dowd laid upon the Table—

Report of the Attorney General's Department for the year ended 30 June 1988.

Report of the Law Foundation for the year ended 30 June 1988.

Report of the Legal Aid Commission for the year ended 30 June 1988.

Report of the Public Accountants Registration Board for 1987.

Justices Act 1902—Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazette 149/1988 (2).)

Supreme Court Act 1970—Supreme Court Rules—amendments no. 211, 212. (Gazettes 147/1988, 149/1988.)

Referred to the Printing Committee.

(6) Mr Schipp laid upon the Table—

Report of the Real Estate Valuers Registration Board for the year ended 30 June 1988.

Report of the Rental Bond Board for the year ended 30 June 1988.

Referred to the Printing Committee.

(7) Mr Moore laid upon the Table—

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

Boatharbour Nature Reserve. (Gazette 173/1987.)

Guy Fawkes River National Park. (Gazette 56/1988.)

Ku-ring-gai Chase National Park. (Gazette 56/1988.)

Royal National Park. (Gazette 144/1988.)

Yuraygir National Park. (Gazette 56/1988.)

Referred to the Printing Committee.

(8) Mr West laid upon the Table—

Report of the Greyhound Racing Control Board for the year ended 30 June 1988.

Report of the Harness Racing Authority for the year ended 30 June 1988.

Report of the State Lotteries Office for the year ended 30 June 1988.

Report of the Totalizator Agency Board for the year ended 30 June 1988.

Accounts of the State Lotteries Office for the year ended 30 June 1988.

Greyhound Racing Control Board Act 1985—Greyhound Racing Control Board Rules 1983—amendment of schedule 1. (Gazette 149/1988.)

Totalizator Act 1916—Win and Place Totalizator Regulations 1964—regulations 10A to 10E, amendment of regulation 1A. (Gazette 140/1988.)

Referred to the Printing Committee.

(9) Mr Baird laid upon the Table—

General Traffic Act 1900—General Traffic Regulations 1916—amendment of sections 13, 13A, 13B. (Gazette 149/1988.)

Motor Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 54, 55, 67, schedule F. (Gazette 149/1988 (2).)

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—

Bombala. (Gazette 142/1988.)

Granville. (Gazette 140/1988.)

Mossgiel. (Gazette 140/1988.)

North Gundagai. (Gazette 151/1988.)

Port Macquarie. (Gazette 149/1988.)

Sutton. (Gazette 151/1988.)

Swan Creek. (Gazette 151/1988.)

Wiley Park. (Gazette 151/1988.)

Transport Act 1930—Transport (Public Vehicles) Regulations 1930—amendment of regulation 71, schedule G. (Gazette 151/1988.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 November 1988

(10) Mr Peacocke laid upon the Table—

Report of the Bathurst Orange Development Corporation for the year ended 30 June 1988.

Illawarra Region Economic Development Strategy and Five Year Action and Achievement Plan, dated 8 March 1988.

Report of the Motor Vehicle Repair Industry Council for the year ended 30 June 1988.

Motor Dealers Act 1974—Motor Dealers (N.R.M.A. Insurance) Order 1988—clauses 1 to 5. (Gazette 159/1988.)

Referred to the Printing Committee.

(11) Mr Pickard laid upon the Table—

Report of the Coal Compensation Board for the year ended 30 June 1988.

Report of Illawarra County Council for the year ended 30 June 1988.

Report of the Macquarie County Council for the year ended 30 June 1988.

Report of the Monaro County Council for the year ended 30 June 1988.

Report of Murray River Electricity for the year ended 30 June 1988.

Report of the Murrumbidgee County Council for the year ended 30 June 1988.

Report of the New England County Council for the year ended 30 June 1988.

Report of the North West County Council for the year ended 30 June 1988.

Report of the Northern Rivers County Council for the year ended 30 June 1988.

Report of the Prospect County Council for the year ended 30 June 1988.

Report of the South West Slopes County Council for the year ended 30 June 1988.

Report of the Southern Mitchell County Council for the year ended 30 June 1988.

Report of the Tumut River County Council for the year ended 30 June 1988.

Report of the Ulan County Council for the year ended 30 June 1988.

Referred to the Printing Committee.

(12) Mr Causley laid upon the Table—

Report of the Dams Safety Committee for the year ended 30 June 1988.

Report of the Dumaresq-Barwon Border Rivers Commission for the year ended 30 June 1988.

Water Act 1912—Water (Part VI) Regulations—amendment of regulation 27. (Gazette 153/1988.)

Wentworth Irrigation Act 1890—Wentworth Irrigation (Former By-laws) Regulations 1926—amendment of regulation 2, omission of regulation 5. (Gazette 153/1988.)

Referred to the Printing Committee.

(13) Mr Hay laid upon the Table—

Local Government Act 1919—amendment of ordinances 9, 14, 34c, repeal of ordinance 66L. (Gazettes 140/1988, 147/1988 (2), 150/1988 (2).)

Referred to the Printing Committee.

7 SUSPENSION OF STANDING ORDERS—WATER BOARD COMPUTER ACQUISITION

Mr Greiner moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion, That this House notes the Report of the Investigation of the Water Board Computer Acquisition, dated October 1988.

Question put and passed.

Mr Greiner moved, That this House notes the Report of the Investigation of the Water Board Computer Acquisition, dated October 1988.

Debate ensued.

Question put and passed.

8 QUESTIONS

9 SUSPENSION OF STANDING ORDERS

Mr Brereton moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of a motion relating to security on the State public transport system given by himself this day for tomorrow.

Question put.

The House divided.

Ayes 42

Ms Allan	Mr Hatton	Mr Price
Mr Amery	Mr Hunter	Mr Primrose
Mr Aquilina	Mr Irwin	Dr Refshauge
Mr A. S. Aquilina	Mr Keegan	Mr Rogan
Mr Arkell	Mr Knight	Mr Rumble
Mr Brereton	Mr Langton	Mr Shedden
Mr Carr	Mr Lovelee	Mr Unsworth
Mr Cleary	Mr McManus	Mr Walsh
Mr Davoren	Mr Markham	Mr Welsh
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Ms Moore	
Mr Ferguson	Mr Newman	
Ms Fraser	Ms Nori	Tellers
Mr Gibson	Mr Paciullo	Mr Beckroge
Mr Harrison	Mr Page	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 November 1988

Noes 56

Mr Andrews	Mr Griffiths	Mr Roberts
Mr Armstrong	Mr Hartcher	Mr Schipp
Mr Baird	Mr Hay	Mr Schultz
Mr Berry	Mr Jeffery	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr J. D. Booth	Mr Longley	Mr Smiles
Mr Caterson	Miss Machin	Mr Smith
Mr Causley	Mr Matheson	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mr Cochran	Dr Metherell	Mr Turner
Mrs Cohen	Mr Moore	Mr Webster
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	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	Tellers
Mr Graham	Mr Photios	Mr Beck
Mr Greiner	Mr Rixon	Mr Phillips

Pairs

Mr Pickard	Mrs Crosio
Mr Yeomans	Mr Knowles

And so it passed in the negative.

10 NOTICE OF MOTION

After time prescribed by Standing Orders—Mr Hay.

11 TOTALIZATOR (OFF-COURSE BETTING) 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 Totalizator (Off-course Betting) Act 1964 so as to reduce certain minimum bets and with respect to the method of payment for bets, telephone betting and offences against the Act and the regulations, and for related purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
9 November 1988

JOHN JOHNSON
President

Bill read a first time.

Ordered by Mr Speaker, That the second reading stand an Order of the Day for tomorrow.

12 STATE SPORTS CENTRE TRUST (AMENDMENT) BILL

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

And the question having been proposed—

Debate adjourned (Mr Cleary) and the resumption of the debate made an Order of the Day for tomorrow.

13 NATIONAL CRIME AUTHORITY (STATE PROVISIONS) AMENDMENT BILL

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

And the question having been proposed—

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

14 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.

Mr Speaker resumed the Chair, and Mr Wotton, Temporary Chairman, reported progress and obtained leave to sit again at a later hour of the day.

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 APPROPRIATION BILL

Resumption of the interrupted consideration of the bill in Committee.

Mr 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 Mr Speaker having consented to the third reading being taken forthwith—

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

17 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 9 November 1988, returning the following bills, without amendment:

Book Purchasers' Protection (Repeal) Bill

Strata Titles (Leasehold) Amendment Bill.

18 BAIL (FURTHER 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.

19 DRUG MISUSE AND TRAFFICKING (FURTHER 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.

20 EVIDENCE (EVIDENCE ON 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.

21 DEFAMATION (CRIMINAL DEFAMATION) 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.

22 FOREIGN JUDGMENTS (RECIPROCAL 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—

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.

23 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 2)

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.

24 CROWN PROCEEDINGS 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 November 1988

25 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.53 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 23

THURSDAY 10 NOVEMBER 1988

I PETITIONS

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

Ms Moore—from certain citizens requesting the dismantling of the monorail.

Mr Cruickshank and Mr Small—from certain citizens opposing the proposed staffing cuts in State schools.

Mr Turner—from certain citizens requesting that the existing services at Dungog Railway Station be maintained.

Mr Newman—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

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

Mr Rozzoli—from certain citizens requesting that gaming privileges in hotels remain unchanged.

Mr Page—from certain citizens requesting that existing abortion services not be restricted.

Mr Petch—from certain citizens requesting support for legislation to protect the unborn.

Mr Aquilina—from certain citizens opposing the proposed closure of Thornleigh Public School.

2 NOTICES OF MOTIONS**3 PAPERS**

(1) Mr Greiner laid upon the Table—

Report of the Election Funding Authority for the year ended 30 June 1988.

Report of the State Electoral Office for the year ended 30 June 1988.

Report under the Public Sector Management Act 1988 and the Statutory and Other Offices Remuneration Act 1975, dated 17 October 1988. (Gazette 61/1988.)

Referred to the Printing Committee.

(2) Mr Fahey laid upon the Table—

Report of the Superannuation Office for the year ended 30 June 1988.

Referred to the Printing Committee.

(3) Mr Causley laid upon the Table—

Report of the Lands Titles Office for the year ended 30 June 1988.

Crown Lands Consolidation Act 1913—Gazette notice setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazette 142/1988.)

Public Roads Act 1902—Abstracts (22) of resumptions under section 8 of the Act, for public road purposes. (Gazettes 140/1988 (2), 142/1988 (2), 145/1988 (3), 147/1988 (2), 149/1988 (5), 151/1988 (4), 153/1988 (2), 159/1988 (2).)

Referred to the Printing Committee.

(4) Mr Yabsley laid upon the Table—

Report of the Release on Licence Board for the year ended 30 June 1988.

Referred to the Printing Committee.

4 QUESTIONS**5 SUSPENSION OF STANDING ORDERS—COASTAL DEVELOPMENT**

Mr Beck moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of a motion concerning statements made by the Leader of the Opposition about coastal development, notice of which was given by the honourable member for Barwon, this day for tomorrow.

Question put and passed.

Mr Murray moved, That this House condemns the Leader of the Opposition for his misleading public statements on the development of New South Wales coastal regions.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 November 1988

The House divided.

Ayes 55

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

Noes 42

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

Pairs

Mr Cochran	Mrs Crosio
Mr Yeomans	Mr Knowles

And so it was resolved in the affirmative.

10 November 1988

Original question put.

The House divided.

Ayes 57

Mr Armstrong	Mr Hay	Mr Schipp
Mr Baird	Mr Jeffery	Mr Schultz
Mr Berry	Mr Keegan	Mr Singleton
Mr Books	Mr Kerr	Mr Small
Mr J. D. Booth	Mr Longley	Mr Smiles
Mr Caterson	Miss Machin	Mr Smith
Mr Causley	Mr Matheson	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mrs Cohen	Dr Metherell	Mr Turner
Mr Collins	Mr 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
Ms Fraser	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	
Mr Greiner	Mr Pickard	
Mr Griffiths	Mr Rixon	
Mr Hartcher	Mr Roberts	
		Tellers
		Mr Beck
		Mr Phillips

Noes 37

Ms Allan	Mr Hatton	Mr Price
Mr Amery	Mr Hunter	Mr Primrose
Mr Aquilina	Mr Irwin	Dr Refshauge
Mr A. S. Aquilina	Mr Knight	Mr Rogan
Mr Brereton	Mr Langton	Mr Rumble
Mr Carr	Mr Lovelee	Mr Shedden
Mr Cleary	Mr McManus	Mr Unsworth
Mr Davoren	Mr Markham	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Mr Nagle	
Mr Ferguson	Ms Nori	
Mr Gibson	Mr Paciullo	
Mr Harrison	Mr Page	
		Tellers
		Mr Beckroge
		Mr Christie

Pairs

Mr Cochran	Mrs Crosio
Mr Yeomans	Mr Knowles

And so it was resolved in the affirmative.

6 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 10 November 1988, returning the Appropriation Bill, without amendment.

7 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Forestry (Environmental Protection) Amendment Bill being brought in and proceeded with up to and including the Minister's second reading speech.

8 FORESTRY (ENVIRONMENTAL PROTECTION) AMENDMENT BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Forestry Act 1916 to make provision for environmental assessment of forestry operations in State forests and timber reserves, and for other purposes; and to make consequential amendments to the Land and Environment Court Act 1979.

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.

9 FREEDOM OF INFORMATION BILL (No. 2)

Mr Moore, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to require information concerning documents held by the Government to be made available to the public, to enable a member of the public to obtain access to documents held by the Government and to enable a member of the public to ensure that records held by the Government concerning his or her personal affairs are not incomplete, incorrect, out of date or misleading; and to make consequential amendments to certain 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 Whelan) and the resumption of the debate made an Order of the Day for a future day.

10 FISHERIES AND OYSTER FARMS (AMENDMENT) BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Fisheries and Oyster Farms Act 1935 to abolish inland angling licences and certain Funds established under that Act, to validate certain payments into and out of the Consolidated Fund; 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 debate made an Order of the Day for a future day.

11 RESIDENTIAL TENANCIES (AMENDMENT) BILL

Mr Schipp moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Residential Tenancies Act 1987 with respect to the rights and obligations of landlords and tenants under residential tenancy agreements and the appointment of a Tenancy Commissioner; to amend the Landlord and Tenant (Amendment) Act 1987; 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.

12 JUSTICES (APPEALS) 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 appeals by the Crown against certain sentences imposed by Local Courts and the withdrawal of those and other appeals made to the District Court; to amend the Children (Criminal Proceedings) Act 1987 in certain respects; 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.

13 CRIMES (CHILD PROSTITUTION) AMENDMENT BILL CHILDREN (CARE AND PROTECTION) (PROSTITUTION) AMENDMENT BILL SUMMARY OFFENCES (PROSTITUTION) 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 Crimes Act 1900 for the purpose of preventing the participation of children in prostitution or pornography and to amend the Search Warrants Act 1985 consequentially.

- (ii) A bill for an Act to amend the Children (Care and Protection) Act 1987 with respect to the protection of children.
- (iii) A bill for an Act to amend the Summary Offences Act 1988 to prohibit advertising for prostitutes.

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.

14 CHILDREN (CRIMINAL PROCEEDINGS) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Children (Criminal Proceedings) Act 1987 in relation to the remittal of cases to other courts, the publication of names of children involved in criminal proceedings, and other matters; and to amend the Miscellaneous Acts (Children's Court and Criminal Proceedings) 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 Whelan) and the resumption of the debate made an Order of the Day for a future day.

15 TOTALIZATOR (OFF-COURSE BETTING) AMENDMENT BILL

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

And the question being again proposed—

Debate adjourned (Mr Cleary) and the resumption of the debate made an Order of the Day for tomorrow.

16 MOTOR TRAFFIC (DRIVERS' LICENCES) AMENDMENT BILL MOTOR VEHICLE DRIVING INSTRUCTORS (AMENDMENT) BILL TOW-TRUCK (AMENDMENT) BILL

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

- (i) A bill for an Act to amend the Motor Traffic Act 1909 to make further provision with respect to licences under that Act, and for other purposes.
- (ii) A bill for an Act to amend the Motor Vehicle Driving Instructors Act 1961 with respect to licences under that Act and so as to discontinue the issue of certain permits.
- (iii) A bill for an Act to amend the Tow-truck Act 1967 with respect to tow-truck drivers' certificates.

Question put and passed.

Bills presented and read a first time.

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

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

17 LOCAL GOVERNMENT (RATES AND CHARGES) 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 rates and charges.

Question put and passed.

Bill presented and read a first time.

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

It being 4.15 p.m., private members' statements proceeded with.

18 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

19 LOCAL GOVERNMENT (RATES AND CHARGES) AMENDMENT BILL

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

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

20 PRINTING COMMITTEE

Mr Small brought up Report No. 8 of the Printing Committee.

21 CHILDREN (CARE AND PROTECTION) FURTHER 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.

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.

22 STATE SPORTS CENTRE TRUST (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.

Leave granted for the third reading to be moved forthwith.

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

23 MOTOR VEHICLES TAXATION MANAGEMENT (AMENDMENT) 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—

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, read a third time.

24 MOTOR TRAFFIC (DRIVING HOURS) AMENDMENT 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—

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, read a third time.

25 REGISTERED CLUBS (AMENDMENT) BILL

LIQUOR (AMUSEMENT DEVICES) AMENDMENT BILL

GAMING AND BETTING (POKER MACHINES) TAXATION 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 Registered Clubs Act 1976 to provide for the linking of poker machines kept by different registered clubs; to provide for the payment of duty in respect of poker machines; and for other purposes.
- (ii) A bill for an Act to amend the Liquor Act 1982 with respect to the keeping of approved amusement devices by the holder of a hotelier's licence; to provide for variation of the licence fees payable in respect of the devices; and for other purposes.
- (iii) A bill for an Act to amend the Gaming and Betting (Poker Machines) Taxation Act 1956 following changes in the design of poker machines; to provide for the suspension of the operation of that Act while duty on poker machines is imposed under the Registered Clubs Act 1986; 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 debate made an Order of the Day for a future day.

26 ADJOURNMENT

Mr West moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.36 p.m., until Tuesday, 15 November 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 24

TUESDAY 15 NOVEMBER 1988

1 MINISTERIAL STATEMENT—CORRECTIVE SERVICES VEHICLE

Mr Yabsley made a ministerial statement concerning a Department of Corrective Services vehicle.

Mr Carr also addressed the House.

2 MEMBER FOR BALMAIN

Ordered, on motion of Mr Greiner (by leave), That this House congratulates the member for Balmain for her inclusion in the publication "The People Who Made Australia Great".

3 MESSAGES FROM THE GOVERNOR

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

15 November 1988

Appropriation Bill

Book Purchasers' Protection (Repeal) Bill

Peace Trust (Repeal) Bill

Strata Titles (Leasehold) Amendment Bill.

4 ELECTORAL DISTRICT OF NORTH SHORE

Mr Speaker informed the House that his writ issued on 17 October 1988, for the election of a member to serve in the room of Edward Carrington Mack, and such writ had been duly returned, with a certificate endorsed thereon by the returning officer of the election of Robyn Read, to serve as member for the electoral district of North Shore.

Robyn Read was introduced, and having taken and subscribed the affirmation of allegiance and signed the Roll of the House, took her seat as member for the electoral district of North Shore.

5 ELECTORAL DISTRICT OF PORT STEPHENS

Mr Speaker informed the House that his writ issued on 17 October 1988, for the election of a member to serve in the room of Robert Douglas Martin, and such writ had been duly returned, with a certificate endorsed thereon by the returning officer of the election of Robert Douglas Martin, to serve as member for the electoral district of Port Stephens.

Robert Douglas Martin 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 Port Stephens.

6 PETITIONS

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

Mr Harrison, Mr McManus, Mr Markham, Dr Refshauge and Mr Rumble—from certain citizens opposing the downgrading of services by the Illawarra Area Health Service at Kiama Hospital.

Mr Cruickshank, Mr Griffiths, Mr Lovelee and Mr McManus—from certain citizens requesting that gaming privileges in hotels remain unchanged.

Mr Hatton and Mr Nagle—from certain citizens requesting a return to the pensioner transport concessions as at 13 March 1988.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Dr Refshauge—from certain citizens requesting the upgrading of services at Prince Henry Hospital.

Mr McManus—from certain citizens opposing the decision to close the maternity ward at Bulli Hospital.

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

Mr Carr—from certain citizens opposing retail trading on Sundays.

7 NOTICES OF MOTIONS

8 PAPERS

(1) Mr Greiner laid upon the Table—

Public Sector Outlays and Receipts in New South Wales on a National Accounts Basis 1988-89 (Budget Paper No. 7).

Ordered to be printed.

(2) Mr Dowd laid upon the Table—

Report of the New South Wales Law Reform Commission—Community Law Reform Program—Representations as to Credit.

Report of the New South Wales Law Reform Commission—Community Law Reform Program—on Evidence.

Report of the Privacy Committee for 1987.

Justices Act 1902—Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazette 162/1988.)

Trustee Act 1925—Trustee Regulation 1988—clauses 1 to 11. (Gazette 162/1988.)

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Report of the Mines Rescue Board for 1987.

Report of the Ophir County Council for the year ended 30 June 1988.

Report of the Peel-Cunningham County Council for the year ended 30 June 1988.

Report of the Southern Tablelands County Council for the year ended 30 June 1988.

Report of the Sydney County Council for the period 1 January 1987 to 30 June 1987.

Report of the Sydney County Council for the year ended 30 June 1988.

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Report of the Department of Lands for the year ended 30 June 1988.

Report of the Surveyor General for the year ended 30 June 1988.

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 1988.

Animal Research Act 1985—Animal Research (Education Advisory Committee) Regulation 1988—clauses 1 to 10. (Gazette 132/1988.)

Referred to the Printing Committee.

9 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Third Report of the Regulation Review Committee on—

- (1) Postponing commencement of regulations.
- (2) Tabling by Ministers of explanatory statements relating to regulations.
- (3) Sunset clauses for new regulations.
- (4) Removal of unnecessary forms from regulations.
- (5) Additions to national parks.

Ordered to be printed.

10 QUESTIONS**11 JOINT STANDING COMMITTEE UPON ROAD SAFETY**

Ordered, on motion of Mr Dowd (by leave), That should the House stand adjourned and the Joint Standing Committee upon Road Safety agree to any reports before the House resumes sitting—

- (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.

12 AGRICULTURAL HOLDINGS (AMENDMENT) BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Agricultural Holdings Act 1941 to repeal provisions fixing minimum terms for leases of, and share-farming agreements for, certain agricultural holdings and provisions relating to notices to quit; 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 debate made an Order of the Day for a future day.

13 PAY-ROLL TAX (AMENDMENT) BILL

Mr Fahey, on behalf of Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Pay-roll Tax Act 1971 so as to make further provision with respect to the assessment and collection of pay-roll tax; 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.

14 INDUSTRIAL ARBITRATION (FURTHER AMENDMENT) BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to repeal section 88FA of the Industrial Arbitration Act 1940.

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.

15 CROWN LANDS BILL

CROWN LANDS (CONTINUED TENURES) BILL

WESTERN LANDS (CROWN LANDS) AMENDMENT BILL

MISCELLANEOUS ACTS (CROWN LANDS) 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 administration and management of Crown land in the Eastern and Central Division of the State and to repeal the Crown Lands Consolidation Act 1913, the Closer Settlement Acts and certain other Acts.
- (ii) A bill for an Act to provide for the continuation and administration of tenures in force under the repealed provisions of the Crown Lands Consolidation Act 1913, the Closer Settlement Acts and certain other Acts.
- (iii) A bill for an Act to amend the Western Lands Act 1901 as a consequence of and in connection with the enactment of the Crown Lands Act 1988 and the Crown Lands (Continued Tenures) Act 1988.
- (iv) A bill for an Act to amend certain Acts as a consequence of and in connection with the enactment of the Crown Lands Act 1988, the Crown Lands (Continued Tenures) Act 1988 and the Western Lands (Crown Lands) Amendment Act 1988.

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 debate made an Order of the Day for a future day.

16 JUSTICES (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 paper committals, taking evidence in the absence of a defendant and penalty notices.

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.

17 NATIONAL CRIME AUTHORITY (STATE 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.

Leave granted for the third reading to be moved forthwith.

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

18 TOTALIZATOR (OFF-COURSE BETTING) 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.

Leave granted for the third reading to be moved forthwith.

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

19 LOTTO (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.

Leave granted for the third reading to be moved forthwith.

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

20 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 15 November 1988, returning the Dog (Amendment) Bill, without amendment.

**21 MOTOR TRAFFIC (PENALTY DEFAULTS) AMENDMENT BILL
TRANSPORT (PENALTY DEFAULTS) AMENDMENT BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Baird, 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, read a third time.

22 MOTOR TRAFFIC (BLOOD SAMPLES) AMENDMENT 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—

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, read a third time.

**23 TREASURY CORPORATION (AMENDMENT) BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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.

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

24 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

**25 TREASURY CORPORATION (AMENDMENT) BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT
BILL**

Resumption of the interrupted debate, on the motion of Mr Greiner, That these bills 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 Greiner, read a third time.

26 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 15 November 1988, returning the Bail (Further Amendment) Bill, without amendment.

27 CHILDREN (INTERSTATE TRANSFER OF OFFENDERS) 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 facilitate the transfer of young offenders to, from or through New South Wales and to amend the Search Warrants Act 1985 consequentially" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
15 November 1988

ADRIAN SOLOMONS
Deputy President

Bill read a first time.

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

Debate adjourned (Dr Refshauge) and the resumption of the debate made an Order of the Day for tomorrow.

28 HUMAN TISSUE (CORNEA TRANSPLANTS) 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.

29 POLICE REGULATION (EMERGENCIES) AMENDMENT BILL

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

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Police Regulation Act 1899 relating to the power of members of the police force to move persons out of a danger area to protect them from injury or death; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
15 November 1988

ADRIAN SOLOMONS
Deputy 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.

30 SALE OF GOODS (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.

31 CRIMES (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.

Ordered, That the honourable member for McKell, Ms Nori, be allowed to continue her speech for a further period of ten minutes.

Mr Nagle moved, That this debate be now adjourned.

Question put and passed.

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

32 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Wotton, Acting Speaker, reported messages from the Legislative Council, dated 15 November 1988, returning the following bills, without amendment:

Defamation (Criminal Defamation) Amendment Bill

Drug Misuse and Trafficking (Further Amendment) Bill

Evidence (Evidence on Commission) Amendment Bill

Foreign Judgments (Reciprocal Enforcement) Amendment Bill.

33 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.32 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 25

WEDNESDAY 16 NOVEMBER 1988

1 MINISTERIAL STATEMENT—DEPARTMENT OF CORRECTIVE SERVICES
SECURITY

Mr Yabsley made a ministerial statement concerning security breaches at premises of the Department of Corrective Services.

2 PETITIONS

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

Mr Markham and Mr Rumble—from certain citizens opposing the downgrading of services by the Illawarra Area Health Service at Kiama Hospital.

Mr Beckroge, Mr Christie, Mr Davoren, Mr Price and Mr Rogan—from certain citizens requesting that gaming privileges in hotels remain unchanged.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Ms Nori—from certain citizens requesting that trains to East Hills stop at Erskineville and St Peters stations.

Mr Smiles—from certain citizens requesting that existing abortion services not be restricted.

Mr Dowd—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the State Bank for the year ended 30 June 1988.

Referred to the Printing Committee.

(2) Mr West laid upon the Table—

Report of the State Sports Centre for the year ended 30 June 1988.

Liquor (Repeals and Savings) Act 1982—Liquor (Australian Wine Licences) Regulation 1984—clause 4. (Gazette 140/1988.)

Referred to the Printing Committee.

(3) Mr Baird laid upon the Table—

City and Suburban Electric Railways Act 1915—Notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes at Edgecliff. (Gazette 153/1988.)

Maritime Services Act 1935—

(a) Management of Water and Waterside Lands Regulations—N.S.W.—regulations 45A, 48A, 117A, amendment of regulations 35, 38, 39, 45, 49. (Gazette 149/1988.)

(b) Water Traffic Regulations—N.S.W.—amendment of regulations 11, 14. (Gazette 149/1988.)

Transport Authorities Act 1980—Notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes at Jerilderie. (Gazette 159/1988.)

Referred to the Printing Committee.

(4) Mr Pickard laid upon the Table—

Report of the Namoi Valley County Council for the year ended 30 June 1988.

Referred to the Printing Committee.

(5) Mr Fahey laid upon the Table—

Report of the Building and Construction Industry Long Service Payments Corporation for the year ended 30 June 1988.

Workers Compensation Act 1987—Workers Compensation (General) Regulation 1987—amendment of clause 9A. (Gazette 149/1988.)

Referred to the Printing Committee.

(6) Mr Yabsley laid upon the Table—

Report of the Department of Corrective Services for the year ended 30 June 1988.

Referred to the Printing Committee.

5 QUESTIONS

6 NOTICES OF MOTIONS

After time prescribed by Standing Orders—Mr Hay and Mr Causley.

7 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Statute Law (Miscellaneous Provisions) Bill (No. 3) being brought in and proceeded with up to and including the Minister's second reading speech.

8 LAND TAX (AMENDMENT) BILL

LAND TAX MANAGEMENT (AMENDMENT) BILL

Mr Fahey, 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 Land Tax Act 1956 with respect to the levy of land tax after 31 December 1988 and for other purposes.
- (ii) A bill for an Act to amend the Land Tax Management Act 1956 to make further provision with respect to exemptions from land tax 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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

9 CRIMES (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.

10 RESIDENTIAL TENANCIES (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—

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 RESIDENTIAL TENANCIES (AMENDMENT) BILL

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

Question put.

The House divided.

Ayes 54

Mr Andrews	Mr Jeffery	Mr Singleton
Mr Armstrong	Mr Kerr	Mr Small
Mr Berry	Miss Machin	Mr Smiles
Mr Books	Mr Matheson	Mr Smith
Mr J. D. Booth	Mr Merton	Mr Souris
Mr Caterson	Dr Metherell	Mr Tink
Mr Causley	Mr Moore	Mr Turner
Mr Chappell	Mr Morris	Mr Webster
Mr Cochran	Mr Murray	Mr West
Mrs Cohen	Mr D. L. Page	Mr White
Mr Collins	Mr Park	Mr Wotton
Mr Cruickshank	Mr Peacocke	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 Roberts	Tellers
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 November 1988

Noes 42

Ms Allan	Mr Hunter	Mr Primrose
Mr Amery	Mr Irwin	Ms Read
Mr Aquilina	Mr Keegan	Dr Refshauge
Mr A. S. Aquilina	Mr Knight	Mr Rogan
Mr Arkell	Mr Langton	Mr Rumble
Mr Brereton	Mr Lovelee	Mr Shedden
Mr Carr	Mr Markham	Mr Unsworth
Mr Cleary	Mr Martin	Mr Walsh
Mrs Crosio	Mr H. F. Moore	Mr Welsh
Mr Davoren	Ms Moore	Mr Whelan
Mr Doyle	Mr Nagle	
Ms Fraser	Mr Newman	
Mr Gibson	Ms Nori	Tellers
Mr Harrison	Mr Page	Mr Beckroge
Mr Hatton	Mr Price	Mr Christie

Pairs

Mr Knowles	Mr Baird
Mr McManus	Mr Dowd
Mr Moss	Mr Greiner
Mr J. H. Murray	Mr Longley

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.

On motion of Mr Schipp, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

13 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 16 November 1988, returning the following bills, without amendment:

Crown Proceedings Bill

Human Tissue (Cornea Transplants) Amendment Bill

Lotto (Amendment) Bill

Motor Traffic (Blood Samples) Amendment Bill

Motor Vehicles Taxation Management (Amendment) Bill
Sale of Goods (Amendment) Bill
Treasury Corporation (Amendment) Bill
Public Authorities (Financial Arrangements) Amendment Bill.

14 SIMON UNIVERSITY COLLEGE BILL

Dr Metherell moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the operation of the Australian William E. Simon University College in New South Wales.

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 debate made an Order of the Day for a future day.

15 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 16 November 1988, returning the Motor Traffic (Driving Hours) Amendment Bill, without amendment.

16 ADJOURNMENT

Dr Metherell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.42 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 26

THURSDAY 17 NOVEMBER 1988

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 16 November 1988, returning the following bills, without amendment:

Motor Traffic (Penalty Defaults) Amendment Bill

Transport (Penalty Defaults) Amendment Bill.

2 PETITIONS

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

Mr Books, Mr Matheson, Mr Price, Mr Turner and Mr Webster—from certain citizens requesting that gaming privileges in hotels remain unchanged.

Mr Harrison, Mr Markham and Mr Rumble—from certain citizens opposing the downgrading of services by the Illawarra Area Health Service at Kiama Hospital.

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr Peacocke—from certain citizens requesting a return to the transport concessions as at 13 March 1988.

Mr Matheson—from certain citizens requesting support for legislation to protect the unborn.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Pickard—from certain citizens opposing the proposed closure of Hornsby Public School.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Ethnic Affairs Commission for the year ended 30 June 1988.

Report of the Ombudsman for the year ended 30 June 1988.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Report of the Centennial Park Trust for the year ended 30 June 1988.

Report of the Hunter District Water Board for the year ended 30 June 1988.

Report of the Water Board for the year ended 30 June 1988.

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

Report of the Railway Service Superannuation Board for the year 30 June 1988.

Referred to the Printing Committee.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS—DEPARTMENT OF MOTOR TRANSPORT RECORDS

Mr Phillips moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of the notice of motion given this day by the honourable member for Ashfield, namely:

That this House calls upon the Minister for Transport to refer the activities of Ian William Kortland also known as Ian William Kortland and also known as Ian William Kortlang, 17 Springfield Avenue, Potts Point, the said Ian William Kortlang being now the Director General of the Department of State Development and Garry Leon Sturgess of 24 Bent Street, North Sydney now the Director of the Cabinet Office for their failure to disclose according to law the correct intended use of and their failure to pay the proper registration charges and in consequence stamp duties for their use of motor vehicles both Commodores OWU 942 and OWU 940 and for other breaches of the law, and for such authority to launch such prosecutions as they may deem fit.

Debate ensued.

The Speaker informed the honourable member for Ashfield, before putting the Question, that his motion was flawed in two respects, in that the Minister for Transport was called upon to refer the activities of certain persons, without stipulation as to whom those activities were to be referred, and that "such authority", which was unnamed, was "to launch such prosecutions as they deem fit". The absence of detail prevented the House from knowing to what the honourable member was referring.

The Speaker, having quoted Standing Order 109 regarding an alteration of terms of Notice, informed the honourable member for Ashfield that before debate could proceed he would have to clarify both aspects of his motion.

The honourable member for Ashfield having sought to move his motion, the Speaker informed him that he could only amend his motion, were the House to suspend Standing Orders. The honourable member for Ashfield declined so to act.

The Speaker said that were the House to grant suspension, under normal circumstances the motion could proceed: the House, however, could not properly consider an insubstantial motion.

The Speaker having directed that debate be held over to a later hour of the day to enable the honourable member for Ashfield to amend his motion, said that if the honourable member were not willing to follow that course he would rule the motion out of order, as it did not conform with the rules of the House.

The honourable member for Ashfield having asked the Speaker to rule the motion out of order, to save the time of the House, accordingly, the Speaker ruled the motion out of order.

7 QUESTIONS (continuation of entry No. 5)

8 STAMP DUTIES (AMENDMENT) BILL

Mr Fahey, 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 constitute a Board of Review, to make further provision relating to acquisitions of company and unit trust interests dutiable as conveyances of land, to make provision relating to rental-purchase schemes and flood-prone housing schemes 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.

9 WORKERS COMPENSATION (AMENDMENT) BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Workers Compensation Act 1987 to abolish the State Compensation Board and to establish a Workers Compensation and Rehabilitation Authority; to amend certain other Acts consequently; 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.

10 UNIVERSITY OF WESTERN SYDNEY BILL

Dr Metherell moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the establishment and incorporation of the University of Western Sydney and to define its functions; to repeal the Chifley University Interim Council Act 1987 and to amend certain other Acts; and for other purposes.

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 debate made an Order of the Day for a future day.

11 TRANSPORT ADMINISTRATION BILL

MOTOR TRAFFIC (TRANSPORT ADMINISTRATION) AMENDMENT BILL
MOTOR VEHICLES TAXATION BILL

STATE ROADS (TRANSPORT ADMINISTRATION) AMENDMENT BILL

STATE TRANSPORT (CO-ORDINATION) (TRANSPORT ADMINISTRATION)
AMENDMENT BILL

TRANSPORT LEGISLATION (REPEAL AND AMENDMENT) BILL

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

- (i) A bill for an Act to constitute the State Rail Authority, the State Transit Authority and the Roads and Traffic Authority; to make provision with respect to their respective management and functions; to confer certain functions on the Secretary of the Ministry of Transport; to establish a State Transit Co-ordination Advisory Council and a Roads and Traffic Advisory Council; to dissolve the Departments of Main Roads and Motor Transport and the Traffic Authority; and for other purposes.
- (ii) A bill for an Act to amend the Motor Traffic Act 1909 as a consequence of the enactment of the Transport Administration Act 1988 and the repeal of the Traffic Authority Act 1976 and the General Traffic Act 1900, and for other purposes.
- (iii) A bill for an Act to provide for the imposition, assessment and collection of tax on the registration of motor vehicles; and to provide for related matters.
- (iv) A bill for an Act to amend the State Roads Act 1986 as a consequence of the enactment of the Transport Administration Act 1988, and for other purposes.
- (v) A bill for an Act to amend the State Transport (Co-ordination) Act 1931 as a consequence of the enactment of the Transport Administration Act 1988 and the repeal of the Transport Act 1930; and for other purposes.

- (vi) A bill for an Act to repeal certain Acts and to amend certain other Acts as a consequence of the enactment of the Transport Administration Act 1988 and cognate Acts; and for other purposes.

Question put and passed.

Bills presented and read a first time.

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

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

12 CO-OPERATION (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Co-operation Act 1923 to make further provision with respect to the acquisition of shares in co-operative societies and the entitlements of inactive members of those societies 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 debate made an Order of the Day for a future day.

13 MOTOR TRAFFIC (DRIVERS' LICENCES) AMENDMENT BILL MOTOR VEHICLE DRIVING INSTRUCTORS (AMENDMENT) BILL TOW-TRUCK (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Baird, 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, read a third time.

14 LOCAL GOVERNMENT (THEATRES AND PUBLIC HALLS) AMENDMENT BILL**MISCELLANEOUS ACTS (THEATRES AND PUBLIC HALLS) AMENDMENT BILL**

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

- (i) A bill for an Act to amend the Local Government Act 1919 so as to make provision for the approval and regulation of places of public entertainment and certain structures; and for other purposes.
- (ii) A bill for an Act to amend certain Acts as a consequence of the enactment of the Local Government (Theatres and Public Halls) Amendment Act 1988.

Question put and passed.

Bills presented and read a first time.

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

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

It being 2.15 p.m., General Business proceeded with.

15 GRIEVANCE DEBATE

Question proposed—That grievances be noted.

Debate ensued.

Question put and passed.

16 GRIEVANCE DEBATE—STATEMENT BY SPEAKER

The Speaker reaffirmed the following guidelines set down by Speaker Kelly for the Grievance Debate:

- (1) Members should restrict themselves to matters of concern to themselves, their electorates or their community generally and should not ventilate inappropriate matters;
- (2) Members must confine debate to one subject of particular concern to them and their electorate. Members may not canvass a number of matters in one contribution, even though they had sufficient time in which to do so; and
- (3) Members must not attack the conduct of other Members under the guise of having a grievance noted.

17 PRINTING COMMITTEE

Mr White, Acting Chairman, brought up Report No. 9 of the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 November 1988

18 LOCAL GOVERNMENT (RATES AND CHARGES) AMENDMENT 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.

Mr Lovelee 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.

19 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising this day do adjourn until Tuesday, 29 November 1988, at 2.15 p.m.

Debate ensued.

Question put and passed.

20 MINISTERIAL STATEMENT—CHARITY ADMINISTRATION

Mr West made a ministerial statement concerning complaints about the administration of the Satyananda Ashram.

21 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 5.38 p.m., until Tuesday, 29 November 1988, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 27

TUESDAY 29 NOVEMBER 1988

I MESSAGES FROM THE GOVERNOR

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

21 November 1988

Bail (Further Amendment) Bill
Children (Care and Protection) Further Amendment Bill
Defamation (Criminal Defamation) Amendment Bill
Dog (Amendment) Bill
Drug Misuse and Trafficking (Further Amendment) Bill
Evidence (Evidence on Commission) Amendment Bill
Foreign Judgments (Reciprocal Enforcement) Amendment Bill
National Crime Authority (State Provisions) Amendment Bill
State Sports Centre Trust (Amendment) Bill
Totalizator (Off-course Betting) Amendment Bill.

23 November 1988

Crown Proceedings Bill
Human Tissue (Cornea Transplants) Amendment Bill
Lotto (Amendment) Bill
Motor Traffic (Blood Samples) Amendment Bill
Motor Traffic (Driving Hours) Amendment Bill
Motor Traffic (Penalty Defaults) Amendment Bill
Transport (Penalty Defaults) Amendment Bill
Motor Vehicles Taxation Management (Amendment) Bill
Sale of Goods (Amendment) Bill
Treasury Corporation (Amendment) Bill
Public Authorities (Financial Arrangements) Amendment Bill.

2 AUDITOR-GENERAL'S REPORT

Mr Speaker laid upon the Table—

Report of the Auditor-General for the year ended 30 June 1988, Volume 3.

Ordered to be printed.

3 PETITIONS

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

Ms Allan, Mr Arkell, Mr Beckroge, Mrs Crosio, Mr Cruickshank, Mr Face, Mr Griffiths, Mr Hunter, Mr Jeffery, Mr Langton, Mr Peacocke, Ms Read, Mr Small, Mr Tink, Mr Walsh, Mr Webster and Mr Yeomans—from certain citizens requesting that gaming privileges in hotels remain unchanged.

Mr Moore—from certain citizens opposing the proposed closure of Gordon Public School.

Mr Singleton—from certain citizens opposing the cancellation of the North Coast Overnight Express train.

Mr Beckroge—from certain citizens requesting that steps be taken to prevent the spread of Acquired Immune Deficiency Syndrome.

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr Phillips—from certain citizens opposing the proposed changes to the Child Welfare Regulations.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Aquilina—from certain citizens opposing the proposed closure of Balmoral Public School.

Mr Harrison—from certain citizens opposing the downgrading of services by the Illawarra Area Health Service at Kiama Hospital.

Mr Gibson—from certain citizens requesting the provision for an elected member of the non-academic staff on the governing body of the University of Western Sydney.

Ms Allan, Mr Amery, Mr A. S. Aquilina, Mr Breerton, Mr Christie, Mr Cleary, Mrs Crosio, Mr Davoren, Mr Doyle, Mr Face, Mr Ferguson, Mr Hunter, Mr Irwin, Mr Langton, Mr Lovelee, Mr McManus, Mr H. F. Moore, Mr Newman, Ms Nori, Mr Page, Mr Price, Dr Refshauge, Mr Rogan, Mr Rumble, Mr Unsworth and Mr Whelan—from certain citizens opposing retail trading on Sundays.

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Director of Equal Opportunity in Public Employment for the year ended 30 June 1988.

Report to Parliament under section 31 of the Ombudsman Act and section 32 of the Police Regulation (Allegations of Misconduct) Act concerning failure of the Commissioner of Police to obtain independent legal advice regarding Departmental charges.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 15 November 1988. (Gazette 177/1988.)

Report of the Treasury: Office of Financial Management for the year ended 30 June 1988.

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Report of the Archives Authority for the year ended 30 June 1988.

Report of the Australian Museum for the year ended 30 June 1988.

Report of the Film Corporation for the year ended 30 June 1988.

Report of the Historic Houses Trust for the year ended 30 June 1988.

Report of the Library Council for the year ended 30 June 1988.

Report of the Museum of Applied Arts and Sciences for the year ended 30 June 1988.

Report of the State Cancer Council for the year ended 30 June 1988.

Dentists Act 1934—Dentists Regulations—amendment of regulations 30, 33, 34, 36, 37B, 37C. (Gazette 149/1988.)

Optometrists Act 1930—Optometrists Regulations 1965—amendment of regulations 14, 22, 23, 25, 30. (Gazette 149/1988.)

Pharmacy Act 1964—Pharmacy Regulations—amendment of regulation 34. (Gazette 149/1988.)

Physiotherapists Registration Act 1945—Physiotherapists Registration Regulations—amendment of regulations 16 to 18, 20. (Gazette 149/1988.)

Poisons Act 1966

(a) Poisons Regulations—regulation 18C, amendment of regulations 2, 10AA, 33B, 38, 39D, 40A, 42, 49, 51, 52, 64, appendices B, D. (Gazettes 134/1988, 145/1988.)

(b) Proclamations amending the Poisons List. (Gazettes 147/1988, 162/1988, 167/1988.)

Public Health Act 1902

(a) Public Health Regulations—amendment of schedule 32. (Gazette 140/1988.)

(b) Public Health (Skin Penetration) Regulation 1985—amendment of clause 4. (Gazette 134/1988.)

Pure Food Act 1908—Pure Food Regulations 1937—amendment of regulations 1, 1A, 3, 6. (Gazette 145/1988.)

Therapeutic Goods and Cosmetics Act 1972—Therapeutic Goods and Cosmetics Regulations—amendment of regulations 8, 13, 15, 23A, 23DA, 23E. (Gazettes 140/1988, 145/1988.)

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the Law Reform Commission—Community Law Reform Program—Liability for Injuries caused by Dogs.

Report of the Protective Commissioner for the year ended 30 June 1988.

Report of the Director of Public Prosecutions for the year ended 30 June 1988.

Report of the Public Trustee for the year ended 30 June 1988.

District Court Act 1973—

(a) District Court Rules 1973—amendment of parts 12, 24. (Gazette 167/1988.)

(b) District Court Rules 1988—amendment of part 1. (Gazette 167/1988.)

Referred to the Printing Committee.

(4) Mr Armstrong laid upon the Table—

Report of the Department of Agriculture and Fisheries for the year ended 30 June 1988.

Report of the Board of Veterinary Surgeons for the year ended 30 June 1988.

Agricultural Holdings Act 1941—Agricultural Holdings Regulations 1943—omission of regulation 8, form 3. (Gazette 170/1988.)

Dairy Industry Act 1979—

(a) Dairy Industry (Pricing) Regulation 1984—amendment of clause 4. (Gazette 153/1988.)

(b) Amendment of Schedule 1 to the Act. (Gazette 153/1988.)

Fisheries and Oyster Farms Act 1935—Fisheries and Oyster Farms (General) Regulations—amendment of regulations 10, 10A, 10B, substituted regulation 162. (Gazette 145/1988.)

Plant Diseases Act 1924—Plant Diseases Regulations—regulation 68, substituted regulations 2, 44A, 54, 55, 64, 65, omission of regulations 56, 63. (Gazette 138/1988.)

Poultry Meat Industry Act 1986—Poultry Meat Industry (Committee Members) Regulation 1988—clauses 1 to 42, schedule 1. (Gazette 149/1988.)

Stock Diseases Act 1923—Stock Diseases (Board Members) Regulation 1988—clauses 1 to 43, schedule 1. (Gazette 151/1988.)

Referred to the Printing Committee.

(5) Mr Schipp laid upon the Table—

Building Services Corporation Act 1987—Building Services Corporation Regulation 1987—amendment of clause 3. (Gazette 151/1988.)

Residential Tenancies Tribunal Act 1986—Residential Tenancies Tribunal Regulation 1986—clause 4A. (Gazette 147/1988.)

Referred to the Printing Committee.

(6) Mr Moore laid upon the Table—

Report of the Bicentennial Park Trust for the year ended 30 June 1988.

Bicentennial Park Trust Act 1987—Bicentennial Park Regulation 1987—clauses 1 to 22. (Gazette 196/1988.)

Metropolitan Water, Sewerage, and Drainage Act 1924— Notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for—

(a) river gauging station at Riverstone. (Gazette 68/1987.)

(b) sewerage purposes at Jannali. (Gazette 165/1986.)

(c) water supply purposes at Mount Keira. (Gazette 68/1987.)

National Parks and Wildlife Act 1974—National Parks and Wildlife (Land Management) Regulation 1987—amendment of clause 48. (Gazette 134/1988.)

Water Board Act 1987—

(a) Water Board (Finance) Regulation 1988 - clauses 1 to 40. (Gazette 93/1988.)

(b) Water Board (Interest Charges) Regulation 1987—clauses 1 to 3. (Gazette 165/1987.)

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

Alfords Point—sewerage. (Gazette 22/1988.)

Kiama—sewerage pumping station. (Gazette 41/1988.)

Minnamurra—sewerage pumping station. (Gazette 41/1988.)

Narrabeen—sewerage. (Gazette 22/1988.)

North Seaforth—sewerage. (Gazette 22/1988.)

Water Supply Authorities Act 1987 - Notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for water supply purposes at Belmont. (Gazette 52/1988.)

Referred to the Printing Committee.

(7) Mr West laid upon the Table

Report of the Chief Secretary's Department for the year ended 30 June 1988.

Report of the Liquor Administration Board for the year ended 30 June 1988.

Report of the Department of Sport, Recreation and Racing for the year ended 30 June 1988.

Referred to the Printing Committee.

(8) Mr Peacocke laid upon the Table—

Report of the Macarthur Development Corporation for the year ended 30 June 1988.

Companies (Application of Laws) Act 1981—correction notice concerning regulations published in Gazette 156/1987. (Gazette 147/1988.)

Referred to the Printing Committee.

(9) 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—

(a) substation at Gundagai. (Gazette 114/1988.)

(b) transmission lines between—

Earing and Kemps Creek. (Gazette 114/1988.)

Wallerawang and Oberon Tee to Lilyvale. (Gazette 114/1988.)

Referred to the Printing Committee.

(10) Mr Fahey laid upon the Table—

Report of the Insurance Premiums Committee for the year ended 30 June 1988.

Sixteenth Valuation Report on the State Superannuation Fund as at 30 June 1987.

Referred to the Printing Committee.

(11) Mr Causley laid upon the Table—

Report of the Forestry Commission for the year ended 30 June 1988.

Report of the Board of Surveyors for the year ended 30 June 1987.

Report of the Valuer-General for the year ended 30 June 1988.

Crown Lands Consolidation Act 1913—

(a) Crown Lands Regulations—amendment of regulation 49. (Gazette 147/1988.)

(b) French's Forest General Cemetery By-law 1988—clauses 1 to 39, schedule 1. (Gazette 167/1988.)

(c) Greenwell Point Fisherman's Wharf By-law 1988—amendment of clauses 3, 5, 9. (Gazettes 151/1988, 167/1988.)

Western Lands Act 1901—Western Lands Regulations—amendment of regulation 50C. (Gazette 162/1988.)

Referred to the Printing Committee.

(12) Mr Hay laid upon the Table—

Report of the Heritage Council for the year ended 30 June 1988.

Report of the Department of Planning for the year ended 30 June 1988.

Referred to the Printing Committee.

6 REPORT RECEIVED BY CLERK

The Clerk-Assistant, pursuant to the Annual Reports (Statutory Bodies) Act 1984, announced receipt of the Report of the State Pollution Control Commission for the year ended 30 June 1988.

7 JOINT STANDING COMMITTEE UPON ROAD SAFETY

The Clerk-Assistant, in accordance with the Resolution of the Legislative Assembly of 15 November 1988, laid upon the Table the Report of the Joint Standing Committee upon Road Safety concerning Bicyclist Safety.

8 DISTINGUISHED VISITOR

Mr Speaker drew the attention of honourable members to the presence in the gallery of the Honourable Lionel Powell, Speaker, and Mr Alan Woodward, Clerk, of the Queensland Parliament.

9 QUESTIONS**10 SUSPENSION OF STANDING ORDERS**

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion, namely:

- (1) That this House shall meet for the despatch of business on
Wednesday, 30 November, 1988 at 10.30 a.m.;
Friday, 2 December, 1988 at 10.30 a.m.; and,
- (2) That until the adjournment of the House for Christmas, unless otherwise ordered, Government Business shall take precedence of General Business.

11 HOURS OF SITTING, ADDITIONAL SITTING DAY AND PRECEDENCE OF BUSINESS

Mr Dowd moved.

- (1) That this House shall meet for the despatch of business on
Wednesday, 30 November, 1988 at 10.30 a.m.;
Friday, 2 December, 1988 at 10.30 a.m.; and,
- (2) That until the adjournment of the House for Christmas, unless otherwise ordered, Government Business shall take precedence of General Business.

Question put and passed.

12 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Anglican Church of Australia Trust Property (Amendment) Bill

Bread (Amendment) Bill

Electricity Commission (Amendment) Bill

Hunter Water Board Bill

Water Board (Amendment) Bill

Water Supply Authorities (Amendment) Bill

Local Government (Hunter Water Board) Amendment Bill

Local Government (Subdivisions) Amendment Bill

Motor Accidents Bill

Miscellaneous Acts (Motor Accidents) Amendment Bill

Prisons (Release on Licence Board) Amendment Bill

Probation and Parole (Parole Board) Amendment Bill

Private Hospitals and Day Procedure Centres Bill

Nursing Homes Bill

Miscellaneous Acts (Private Health Establishments) Amendment Bill

Soil Conservation (Amendment) Bill

Standard Time (Amendment) Bill

Superannuation (Amendment) Bill

Police Regulation (Superannuation) Amendment Bill

State Authorities Non-contributory Superannuation (Amendment) Bill

State Authorities Superannuation (Amendment) Bill

Superannuation Administration (Amendment) Bill

Water (Amendment) Bill,

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

Question put and passed.

13 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 3)

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 Whelan) and the resumption of the debate made an Order of the Day for a future day.

14 WESTERN LANDS (AMENDMENT) BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Western Lands Act 1901 with respect to the rent, purposes and granting of leases and in certain other respects.

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.

15 PRIVATE HOSPITALS AND DAY PROCEDURE CENTRES BILL

NURSING HOMES BILL

MISCELLANEOUS ACTS (PRIVATE HEALTH ESTABLISHMENTS) 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 provide for the licensing and control of private hospitals and day procedure centres; to repeal the Private Health Establishments Act 1982; and for other purposes.
- (ii) A bill for an Act to provide for the licensing and control of nursing homes; and for other purposes.
- (iii) A bill for an Act to amend certain Acts as a consequence of the repeal of the Private Health Establishments Act 1982 and of the enactment of the Private Hospitals and Day Procedure Centres Act 1988 and the Nursing Homes Act 1988.

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 (Dr Refshauge) and the resumption of the debate made an Order of the Day for a future day.

16 SOIL CONSERVATION (AMENDMENT) BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Soil Conservation Act 1938 so as to abolish the Soil Conservation Advisory Council, to reconstitute soil conservation catchment committees, to bind the Crown 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 debate made an Order of the Day for a future day.

17 ANGLICAN CHURCH OF AUSTRALIA TRUST PROPERTY (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to make provision with respect to the use of church trust property and ownership thereof pursuant to the Anglican Church of Australia Trust Property Act 1917, and for that purpose and associated purposes to amend that Act; 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.

18 STANDARD TIME (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Standard Time Act 1987 in relation to the length of summer time periods.

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.

19. MOTOR ACCIDENTS BILL**MISCELLANEOUS ACTS (MOTOR ACCIDENTS) 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 relating to the recovery of damages, and compulsory insurance against liability, for the death of or injury to persons as a consequence of motor accidents; and for other purposes.
- (ii) A bill for an Act to amend certain Acts as a consequence of and in connection with the enactment of the Motor Accidents Act 1988; and for other purposes.

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.

20 HUNTER WATER BOARD BILL**WATER BOARD (AMENDMENT) BILL****WATER SUPPLY AUTHORITIES (AMENDMENT) BILL****LOCAL GOVERNMENT (HUNTER WATER BOARD) AMENDMENT 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 Hunter Water Board; to confer and impose on it functions relating to the supply of water and the provision of sewerage and drainage services; and for other purposes.
- (ii) A bill for an Act to amend the Water Board Act 1987 so as to constitute a consultative body and vary the functions of the Water Board; and for other purposes.
- (iii) A bill for an Act to amend the Water Supply Authorities Act 1987 as a consequence of the enactment of the Hunter Water Board Act 1988; and for other purposes.
- (iv) A bill for an Act to amend the Local Government Act 1919 as a consequence of the enactment of the Hunter Water Board Act 1988.

Question put and passed.

Bills 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.

21 ELECTRICITY COMMISSION (AMENDMENT) BILL

Mr Pickard moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Electricity Commission Act 1950 with respect to the constitution of the Electricity Commission.

Question put and passed.

Bill presented and read a first time.

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

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

22 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

23 ELECTRICITY COMMISSION (AMENDMENT) BILL

Resumption of the interrupted debate, on the motion of Mr Pickard, 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.

24 SUPERANNUATION (AMENDMENT) BILL

POLICE REGULATION (SUPERANNUATION) AMENDMENT BILL

**STATE AUTHORITIES NON-CONTRIBUTORY SUPERANNUATION
(AMENDMENT) BILL**

STATE AUTHORITIES SUPERANNUATION (AMENDMENT) BILL

SUPERANNUATION ADMINISTRATION (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 amend the Superannuation Act 1916 for the purpose of reconstituting the State Superannuation Fund and for other purposes.
- (ii) A bill for an Act to amend the Police Regulation (Superannuation) Act 1906 for the purpose of providing the same benefits to the spouses of female members and former members of the police force as those provided to the spouses of male members and former members of the police force; for the purpose of enabling benefits under the Act to be reduced in order to offset

certain tax liabilities and in order to comply with certain Commonwealth standards with respect to occupational superannuation schemes; and for other purposes.

- (iii) A bill for an Act to amend the State Authorities Non-contributory Superannuation Act 1987 for the purpose of enabling benefits under the Act to be reduced in order to offset certain tax liabilities and in order to comply with certain Commonwealth standards with respect to occupational superannuation schemes; and to provide for related matters.
- (iv) A bill for an Act to amend the State Authorities Superannuation Act 1987 for the purpose of enabling benefits under the Act to be reduced in order to offset certain tax liabilities of the State Authorities Superannuation Fund and in order to comply with certain Commonwealth standards with respect to occupational superannuation schemes; and for other purposes.
- (v) A bill for an Act to amend the Superannuation Administration Act 1987 in consequence of the enactment of the Superannuation (Amendment) Act 1988.

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 Lovelee) and the resumption of the debate made an Order of the Day for a future day.

25 BREAD (AMENDMENT) BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Bread Act 1969 so as to remove the restrictions that apply to the times when the baking and delivery of bread can occur; and to repeal the Bread (Amendment) Act 1985.

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

26 WATER (AMENDMENT) BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Water Act 1912 to apply volumetric water allocations schemes to certain trusts; to impose charges for water taken by certain trusts; 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 debate made an Order of the Day for a future day.

27 LOCAL GOVERNMENT (SUBDIVISIONS) AMENDMENT BILL

Mr Causley 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 cases in which the approval of a council is not required for a subdivision of land effected by a lease; 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 debate made an Order of the Day for a future day.

28 PRISONS (RELEASE ON LICENCE BOARD) AMENDMENT BILL

PROBATION AND PAROLE (PAROLE BOARD) AMENDMENT BILL

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

- (i) A bill for an Act to amend the Prisons Act 1952 to remove limits on the ages of Judges or retired Judges who may be appointed, and hold office, as members of the Release on Licence Board.
- (ii) A bill for an Act to amend the Probation and Parole Act 1983 to remove limits on the ages of Judges or retired Judges who may be appointed, and hold office, as members of the Parole Board.

Question put and passed.

Bills presented and read a first time.

Mr Yabsley moved, That these bills 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.

29 STATE DRUG CRIME COMMISSION (FURTHER AMENDMENT) BILL

Mr J. D. Booth, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the State Drug Crime Commission Act 1985 in relation to the constitution and functions of the State Drug Crime Commission and the State Drug Crime Commission Management Committee, and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
29 November 1988

JOHN JOHNSON
President

Bill read a first time.

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

Debate adjourned (Mrs Crosio) and the resumption of the debate made an Order of the Day for tomorrow.

30 PARRAMATTA STADIUM TRUST BILL

Mr J. D. Booth, Acting Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to provide for the constitution of the Parramatta Stadium Trust and to vest Cumberland Oval and certain other land in the Trust; to repeal the Cumberland Oval Act 1981; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
29 November 1988

JOHN JOHNSON
President

Bill read a first time.

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

Debate adjourned (Mrs Crosio) and the resumption of the debate made an Order of the Day for tomorrow.

31 LOCAL GOVERNMENT (RATES AND CHARGES) AMENDMENT 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.

The House divided.

Ayes 62

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

Noes 37

Ms Allan	Mr Harrison	Mr Paciullo
Mr Amery	Mr Hunter	Mr Page
Mr Aquilina	Mr Knight	Mr Price
Mr A. S. Aquilina	Mr Langton	Dr Refshauge
Mr Brereton	Mr Lovelee	Mr Rogan
Mr Carr	Mr McManus	Mr Rumble
Mr Cleary	Mr Markham	Mr Shedden
Mrs Crosio	Mr Martin	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Whelan
Mr Doyle	Ms Moore	Tellers
Mr Face	Mr Nagle	Mr Beckroge
Mr Ferguson	Mr Newman	Mr Christie
Mr Gibson	Ms Nori	

Pair

Mr Greiner

Mr Knowles

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 Hay, read a third time.

32 REGISTERED CLUBS (AMENDMENT) BILL

LIQUOR (AMUSEMENT DEVICES) AMENDMENT BILL.

GAMING AND BETTING (POKER MACHINES) TAXATION 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 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.

33 TRANSPORT ADMINISTRATION BILL

MOTOR TRAFFIC (TRANSPORT ADMINISTRATION) AMENDMENT BILL.

MOTOR VEHICLES TAXATION BILL.

STATE ROADS (TRANSPORT ADMINISTRATION) AMENDMENT BILL.

STATE TRANSPORT (CO-ORDINATION) (TRANSPORT
ADMINISTRATION) AMENDMENT BILL.

TRANSPORT LEGISLATION (REPEAL AND AMENDMENT) BILL.

The Order of the Day having been read for the resumption of the adjourned debate,
on the motion of Mr Baird, 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 30 NOVEMBER 1988 a.m.

Mr J. D. Booth 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.

34 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.19 a.m., until 10.30 a.m., this day, pursuant to the resolution adopted by the House on Tuesday, 29 November 1988.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 28

WEDNESDAY 30 NOVEMBER 1988

I PETITIONS

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

Ms Allan, Mr Amery, Mr A. S. Aquilina, Mr Brereton, Mr Christie, Mr Cleary, Mrs Crosio, Mr Davoren, Mr Doyle, Mr Face, Mr Ferguson, Mr Harrison, Mr Hunter, Mr Irwin, Mr Langton, Mr Lovelee, Mr McManus, Mr Martin, Mr H. F. Moore, Mr J. H. Murray, Mr Nagle, Mr Newman, Ms Nori, Mr Page, Mr Price, Dr Refshauge, Mr Rogan, Mr Rumble, Mr Shedden, Mr Unsworth and Mr Whelan—from certain citizens opposing retail trading on Sundays.

Mr Aquilina, Mr Beck, Mr Beckroge, Mr Berry, Mr Books, Mr Brereton, Mr Face, Mr Fahey, Mr Glachan, Mr Hunter, Mr Jeffery, Mr Markham, Mr Martin, Mr Park, Mr Pickard, Ms Read, Mr Rixon, Mr Schultz, Mr Small, Mr Webster, Mr Welsh and Mr Yeomans—from certain citizens requesting that gaming privileges in hotels remain unchanged.

Mr Markham—from certain citizens requesting that existing abortion services not be restricted.

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr McManus—from certain citizens opposing the decision to close the maternity ward at Bulli Hospital.

Mr Harrison—from certain citizens opposing the downgrading of services by the Illawarra Area Health Service at Kiama Hospital.

Mr Downy—from certain citizens requesting the gazettal of more national parks in the South Eastern region.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Glachan—from certain citizens requesting that steps be taken to prevent the spread of Acquired Immune Deficiency Syndrome.

2 PAPERS

(1) Mr Murray laid upon the Table—

Report of the Department of State Development for the period 25 March 1988 to 30 June 1988.

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Report of the Department of Health for the year ended 30 June 1988.

Referred to the Printing Committee.

(3) Mr Armstrong laid upon the Table—

Report of the Soil Conservation Service for the year ended 30 June 1988.

Referred to the Printing Committee.

(4) Mr Schipp laid upon the Table—

Report of the Department of Housing for the year ended 30 June 1988.

Referred to the Printing Committee.

(5) Mr Moore laid upon the Table—

Adoption of Children Act 1965—Adoption of Children Regulations—

(a) Amendment of regulations 20, 28, 32B, 32C, 32D. (Gazettes 145/1988, 159/1988.)

(b) Criteria for Assessment of Applicants for Overseas Adoptions. (Gazette 159/1988.)

Children (Care and Protection) Act 1987—Children (Care and Protection—General) Regulation 1988—clause 3A, amendment of clauses 3, 4, 7, substituted clause 6, omission of clause 5. (Gazette 140/1988.)

Children (Detention Centres) Act 1987—Children (Detention Centres) Regulation 1988—clause 49A, Part 4A, amendment of clauses 3, 5, 12, 18, 23, 24, omission of clauses 15, 49. (Gazettes 123/1988, 140/1988.)

Children (Community Service Orders) Act 1987—Children (Community Service Orders) Regulation 1988—clauses 20, 21, amendment of clause 19, schedule 1, substituted clause 15. (Gazette 140/1988.)

Home Care Service Act 1988—Home Care Service Regulation 1988—clauses 1 to 3. (Gazette 142/1988.)

Referred to the Printing Committee.

(6) Mr West laid upon the Table—

Report of the Tourism Commission for the year ended 30 June 1988.

Referred to the Printing Committee.

(7) Dr Metherell laid upon the Table—

University and University Colleges Act 1900—amendment of and additions to, the by-laws of the University of Sydney. (Gazettes 88/1985 (2), 141/1985, 78/1986, 151/1986, 177/1986, 133/1987 (2).)

University of Newcastle Act 1964—amendment of and additions to, the by-laws of the University of Newcastle. (Gazettes 97/1986, 200/1986, 93/1987.)

Referred to the Printing Committee.

(8) Mr Baird laid upon the Table—

Report of the Commissioner for Main Roads for the year ended 30 June 1988.

Report of the Maritime Services Board for the year ended 30 June 1988.

Report of the Department of Motor Transport for the year ended 30 June 1988.

Report of the State Rail Authority for the year ended 30 June 1988.

Report of the Traffic Authority for the year ended 30 June 1988.

Report of the Ministry of Transport for the year ended 30 June 1988.

Report of the Urban Transit Authority for the year ended 30 June 1988.

Referred to the Printing Committee.

(9) Mr Singleton laid upon the Table—

Report of the Department of Administrative Services for the year ended 30 June 1988.

Report of the Government Supply Office for the year ended 30 June 1988.

Referred to the Printing Committee.

(10) Mr Peacocke laid upon the Table—

Report of the Albury-Wodonga (New South Wales) Corporation for the year ended 30 June 1988.

Referred to the Printing Committee.

(11) Mr Pickard laid upon the Table—

Report of the Central West County Council for the year ended 30 June 1988.

Report of the Electricity Commission for the year ended 30 June 1988.

Report of the Department of Mineral Resources for the year ended 30 June 1988.

Referred to the Printing Committee.

(12) Mr Fahey laid upon the Table—

Report of the Joint Committee administering the Broken Hill Mines (Pneumoconiosis-Tuberculosis) Compensation Scheme for the year ended 30 June 1988.

Report of the State Compensation Board for the year ended 30 June 1988.

Report of the Workers' Compensation (Dust Diseases) Board for the year ended 30 June 1988.

Referred to the Printing Committee.

(13) Mr Causley laid upon the Table—

Report of the Department of Water Resources for the year ended 30 June 1988.

Report of the Wollongong Sportsground Trust for the year ended 30 June 1988.

Referred to the Printing Committee.

3 MINISTERIAL STATEMENT—AMENDMENTS TO LEGISLATION

Mr Greiner made a ministerial statement concerning the proposed use of certain Legislative Council Standing Orders to effect amendments in the Legislative Council to the Residential Tenancies (Amendment) Bill.

4 QUESTIONS

Paper: Mr Greiner laid upon the Table—Report of the Special Commission of Inquiry concerning the circumstances surrounding the early release of certain prisoners, dated July 1984.

Referred to the Printing Committee.

5 LEAVE OF ABSENCE

Ordered, on motion of Mr Hatton, That leave of absence for the present session be granted to Francis Neville Arkell, Member for Wollongong, on account of illness.

6 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—

Motor Accidents Bill

Miscellaneous Acts (Motor Accidents) Amendment Bill, and

Soil Conservation (Amendment) Bill.

Question put and passed.

7 OMBUDSMAN (AMENDMENT) BILL

POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) (OMBUDSMAN) 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 Ombudsman Act 1974 to enable the Ombudsman to disclose information in the public interest, and to constitute a corporation managed by the Ombudsman; to amend the Public Sector Management Act 1988 consequently; and for other purposes.
- (ii) A bill for an Act to amend the Police Regulation (Allegations of Misconduct) Act 1978 with respect to the disclosure of confidential information; 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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

8 RETIREMENT VILLAGES BILL

Mr Schipp moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the termination of occupation rights of residents in retirement villages, and to confer on the Residential Tenancies Tribunal jurisdiction with respect to certain matters relating to retirement villages; 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.

9 TRANSPORT ADMINISTRATION BILL

MOTOR TRAFFIC (TRANSPORT ADMINISTRATION) AMENDMENT BILL

MOTOR VEHICLES TAXATION BILL

STATE ROADS (TRANSPORT ADMINISTRATION) AMENDMENT BILL

STATE TRANSPORT (CO-ORDINATION) (TRANSPORT ADMINISTRATION) AMENDMENT BILL

TRANSPORT LEGISLATION (REPEAL AND AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Baird, That these bills 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 Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr J. D. Booth	Miss Machin	Mr Smith
Mr Caterson	Mr Matheson	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mr Cochran	Dr Metherell	Mr Turner
Mrs Cohen	Mr Moore	Mr Webster
Mr Dowd	Ms Moore	Mr West
Mr Downy	Mr Morris	Mr White
Mr Fahey	Mr Murray	Mr Yabsley
Mr Glachan	Mr D. L. Page	Mr Yeomans
Mr Graham	Mr Park	Mr Zammit
Mr Greiner	Mr Photios	
Mr Griffiths	Mr Pickard	Tellers
Mr Hartcher	Mr Rixon	Mr Beck
Mr Hatton	Mr Roberts	Mr Phillips

Noes 39

Ms Allan	Mr Hunter	Mr Primrose
Mr Amery	Mr Irwin	Ms Read
Mr Aquilina	Mr Knight	Dr Refshauge
Mr Brereton	Mr Langton	Mr Rogan
Mr Carr	Mr Lovelee	Mr Rumble
Mr Cleary	Mr McManus	Mr Shedden
Mrs Crosio	Mr Markham	Mr Unsworth
Mr Davoren	Mr Martin	Mr Welsh
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Mr Nagle	
Mr Ferguson	Mr Newman	Tellers
Ms Fraser	Ms Nori	Mr Beckroge
Mr Gibson	Mr Page	Mr Christie
Mr Harrison	Mr Price	

Pairs

Mr Berry	Mr A. S. Aquilina
Mr Collins	Mr Knowles
Mr Peacocke	Mr Moss
Mr Schultz	Mr Walsh

And so it was resolved in the affirmative.

Bills 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 bills.

Mr Speaker resumed the Chair, and the Chairman reported the bills without amendment.

On motion of Mr Baird, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

Bills, on motion of Mr Baird, read a third time.

10 PAY-ROLL TAX (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 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.

11 ISSUE OF WRIT

Mr Speaker informed the House that upon the passing of the resolution of 8 November 1988, declaring vacant the seat of Kenneth George Booth, deceased, he had issued a writ this day in accordance with the direction of section 70 of the Parliamentary Electorates and Elections Act 1912, for the election of a member to serve in the Legislative Assembly for the electoral district of Wallsend in the room of Kenneth George Booth, deceased.

Particulars of Writ:

Nomination day 7 December 1988

Polling day 17 December 1988

Return of Writ 6 January 1989

12 INDUSTRIAL ARBITRATION (FURTHER 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.

The House divided.

Ayes 59

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

Noes 39

Ms Allan	Mr Hunter	Mr Page
Mr Amery	Mr Irwin	Mr Price
Mr Aquilina	Mr Knight	Mr Primrose
Mr A. S. Aquilina	Mr Langton	Dr Refshauge
Mr Brereton	Mr Lovelee	Mr Rogan
Mr Cleary	Mr McManus	Mr Rumble
Mrs Crosio	Mr Markham	Mr Shedden
Mr Davoren	Mr Martin	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Whelan
Mr Face	Ms Moore	
Mr Ferguson	Mr Nagle	Tellers
Ms Fraser	Mr Newman	Mr Beckroge
Mr Gibson	Ms Nori	Mr Christie
Mr Harrison	Mr Paciullo	

Pairs

Mr Berry	Mr Knowles
Mr West	Mr Walsh

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.

13 INDUSTRIAL ARBITRATION (RETAIL TRADE) 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.

14 FISHERIES AND OYSTER FARMS (AMENDMENT) 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.

15 SOIL CONSERVATION (AMENDMENT) 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.

16 CHILDREN (INTERSTATE TRANSFER OF OFFENDERS) 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.

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.

17 UNIVERSITY OF WESTERN SYDNEY 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.

18 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

19 PAPER

Mr Moore laid upon the Table—

Report of the Zoological Parks Board for the year ended 30 June 1988.

Referred to the Printing Committee.

20 UNIVERSITY OF WESTERN SYDNEY BILL

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

Question put and passed.

Bill read a second time.

Mr Caterson, 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 Mr J. D. Booth, Temporary Chairman, reported the bill without amendment.

On motion of Dr Metherell, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

Bill, on motion of Dr Metherell, read a third time.

21 PAPERS

Mr Pickard laid upon the Table—

Report of the Department of Energy for the year ended 30 June 1988.

Report of the Mine Subsidence Board for the year ended 30 June 1988.

Referred to the Printing Committee.

22 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 30 November 1988, returning the following bills, without amendment:

Motor Traffic (Drivers' Licences) Amendment Bill

Motor Vehicle Driving Instructors (Amendment) Bill

Tow-Truck (Amendment) Bill.

23 SIMON UNIVERSITY COLLEGE 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.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Dr Metherell, read a third time.

24 PARRAMATTA STADIUM TRUST 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.

Leave granted for the third reading to be moved forthwith.

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

25 CO-OPERATION (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.

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 Peacocke, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

26 FORESTRY (ENVIRONMENTAL PROTECTION) 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.

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

And the House continuing to sit after midnight—

THURSDAY 1 DECEMBER 1988 a.m.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November and 1 December 1988 a.m.

The House divided.

Ayes 54

Mr Andrews	Mr Jeffery	Mr Small
Mr Armstrong	Mr Keegan	Mr Smiles
Mr Baird	Miss Machin	Mr Smith
Mr Books	Mr Matheson	Mr Souris
Mr Caterson	Mr Merton	Mr Tink
Mr Causley	Dr Metherell	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
Mr Cochran	Mr Morris	Mr Welsh
Mrs Cohen	Mr Murray	Mr West
Mr Collins	Mr D. L. Page	Mr White
Mr Cruickshank	Mr Park	Mr Wotton
Mr Dowd	Mr Peacocke	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	Tellers
Mr Hartcher	Mr Schultz	Mr Beck
Mr Hay	Mr Singleton	Mr Phillips

Noes 40

Ms Allan	Mr Hunter	Mr Page
Mr Amery	Mr Irwin	Mr Price
Mr Aquilina	Mr Knight	Mr Primrose
Mr A. S. Aquilina	Mr Langton	Ms Read
Mr Cleary	Mr Lovelee	Dr Refshauge
Mrs Crosio	Mr McManus	Mr Rogan
Mr Davoren	Mr Markham	Mr Rumble
Mr Doyle	Mr Martin	Mr Shedden
Mr Face	Mr H. F. Moore	Mr Unsworth
Mr Ferguson	Ms Moore	Mr Whelan
Ms Fraser	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hatton	Mr Paciullo	Mr Christie

Pairs

Mr Berry	Mr Knowles
Mr Greiner	Mr Moss
Mr Kerr	Mr J. H. Murray
Mr Longley	Mr Walsh

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 Causley, read a third time.

27 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr J. D. Booth, Acting Speaker, reported messages from the Legislative Council, dated 30 November 1988, returning the following bills, without amendment:

Crimes (Amendment) Bill

Statute Law (Miscellaneous Provisions) Bill (No. 2).

Mr J. D. Booth, Acting 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 Residential Tenancies Act 1987 with respect to the rights and obligations of landlords and tenants under residential tenancy agreements and the appointment of a Tenancy Commissioner; to amend the Landlord and Tenant (Amendment) 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
30 November 1988

JOHN JOHNSON
President

RESIDENTIAL TENANCIES (AMENDMENT) BILL

Schedule of the amendments referred to in Message of 30 November 1988

L. A. JECKELN
Clerk of the Parliaments

- No. 1 Page 2, clause 4, lines 12 to 14. Omit all words on those lines.
- No. 2 Page 3, Schedule 1 (2), lines 12 to 16. Omit all words on those lines.
- No. 3 Page 3, Schedule 1 (3), lines 23 to 35. Omit all words on those lines.
- No. 4 Page 4, Schedule 1 (4), lines 1 to 4. Omit all words on those lines.
- No. 5 Page 4, Schedule 1 (5), lines 5 to 27. Omit all words on those lines.
- No. 6 Pages 4 and 5, Schedule 1 (6), line 28 on page 4, down to and including line 5 on page 5. Omit all words on those lines.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November and 1 December 1988 a.m.

- No. 7 Page 5, Schedule I (7), lines 7 and 8. Omit all words on those lines.
- No. 8 Page 5, Schedule I (8), lines 16 to 21. Omit all words on those lines.
- No. 9 Page 5, Schedule I (9), lines 22 to 33. Omit all words on those lines.
- No. 10 Pages 5 and 6, Schedule I (10), line 35 on page 5, down to and including line 2 on page 6. Omit all words on those lines, insert instead:
- (a) Section 38 (1)—
Omit the subsection, insert instead:
(1) A person shall not require more than 2 weeks' rent to be paid as rent in advance under a proposed residential tenancy agreement.
- (b) Section 38 (3)—
Omit the subsection.
- No. 11 Page 6, Schedule I (11), lines 5 and 6. Omit all words on those lines.
- No. 12 Page 6, Schedule I (13), lines 15 to 24. Omit all words on those lines.
- No. 13 Pages 6 and 7, Schedule I (15), line 31 on page 6, down to and including line 6 on page 7. Omit all words on those lines.
- No. 14 Page 11, Schedule I (27), lines 28 and 29. Omit all words on those lines.
- No. 15 Pages 11 and 12, Schedule I (28), line 30 on page 11, down to and including line 2 on page 12. Omit all words on those lines.
- No. 16 Page 12, Schedule I (29), lines 3 to 5. Omit all words on those lines.

Examined.
ADRIAN SOLOMONS
Chairman of Committees

Ordered by Mr J. D. Booth, Acting Speaker, That the amendments made by the Legislative Council in the bill be taken into consideration tomorrow.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Local Government Act 1919 with respect to rates and charges" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
30 November 1988

JOHN JOHNSON
President

LOCAL GOVERNMENT (RATES AND CHARGES) AMENDMENT BILL

Schedule of the amendments referred to in Message of 30 November 1988.

L. A. JECKELN
Clerk of the Parliaments

No. 1 Page 5, Schedule 1. After line 10, insert:

(2) If an applicant is dissatisfied with a council's decision under subsection (1), the applicant may request the council to review its decision and the council, at its discretion, may do so.

No. 2 Page 5, Schedule 2, lines 23–26. Omit all words on those lines, insert instead:

“farm land” means a parcel of ratable land which is valued as one assessment and the dominant use of which is for farming which—

- (a) has a significant and substantial commercial purpose or character; and
- (b) is engaged in for the purpose of profit on a continuous or repetitive basis;

No. 3 Page 6, Schedule 2, lines 21–32. Omit all words on those lines, insert instead:

(5) On receiving an application, the council—

- (a) shall, unless it has reasonable grounds for believing that the land to which the application relates is not or may not be farm land, declare the land to be farm land; or
- (b) may, if it has reasonable grounds for believing that the land to which the application relates is not or may not be farm land, notify the applicant of such further information (if any) as may be required in order to satisfy the council that the land is farm land and, after having considered any such further information, shall declare whether or not the land is farm land.

Examined.
ADRIAN SOLOMONS
Chairman of Committees

Ordered by Mr J. D. Booth, Acting Speaker, That the amendments made by the Legislative Council in the bill be taken into consideration forthwith.

28 LOCAL GOVERNMENT (RATES AND CHARGES) 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 Local Government (Rates and Charges) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

29 MOTOR ACCIDENTS BILL**MISCELLANEOUS ACTS (MOTOR ACCIDENTS) 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 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.

30 STATE DRUG CRIME COMMISSION (FURTHER 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.

31 CRIMES (CHILD PROSTITUTION) AMENDMENT BILL**CHILDREN (CARE AND PROTECTION) (PROSTITUTION) AMENDMENT
BILL****SUMMARY OFFENCES (PROSTITUTION) 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 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.

32 CHILDREN (CRIMINAL 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 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.

33 JUSTICES (APPEALS) 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.

34 JUSTICES (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.

35 CRIMINAL PROCEDURE (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.

36 POLICE REGULATION (EMERGENCIES) 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.

37 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.40 a.m., until this day at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 29

THURSDAY 1 DECEMBER 1988

I PETITIONS

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

Ms Allan, Mr Amery, Mr Aquilina, Mr A. S. Aquilina, Mr Brereton, Mr Christie, Mr Cleary, Mrs Crosio, Mr Davoren, Mr Doyle, Mr Face, Mr Ferguson, Mr Hunter, Mr Irwin, Mr Knight, Mr Langton, Mr Lovelee, Mr McManus, Mr Martin, Mr H. F. 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 and Mr Whelan—from certain citizens opposing retail trading on Sundays.

Mr Baird, Mr Beck, Mr Berry, Mr Books, Mr Chappell, Mr Cleary, Mr Cruickshank, Mr Davoren, Mr Hatton, Mr Irwin, Mr Keegan, Miss Machin, Mr Murray, Mr Nagle, Ms Nori, Mr Petch, Mr Schultz, Mr Singleton, Mr Small, Mr Souris, Mr Turner and Mr Yabsley—from certain citizens requesting that gaming privileges in hotels remain unchanged.

Mr J. H. Murray—from certain citizens requesting that steps be taken to prevent the spread of Acquired Immune Deficiency Syndrome.

Mr Martin—from certain citizens requesting safety precautions for children crossing the main road of Anna Bay.

Mr Cochran—from certain citizens opposing the proposed changes to passenger rail services to Bungendore.

Mr Carr—from certain citizens opposing the proposed sale of Carrara/Strickland House.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Yeomans—from certain citizens requesting the reduction of composite classes at Oatley Public School.

Mr H. F. Moore—from certain citizens requesting the upgrading of facilities at Wyong Hospital.

Mr Harrison—from certain citizens opposing the downgrading of services by the Illawarra Area Health Service at Kiama Hospital.

Ms Allan—from certain citizens requesting the review of certain policies within Technical and Further Education colleges and the Department of Education.

Mr Carr—from certain citizens requesting the upgrading of services at Prince Henry Hospital.

Mr Moore—from certain citizens opposing the proposed closure of Castlecrag Infants School.

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

2 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Ombudsman 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 obtain independent legal advice regarding Departmental charges and delays in Police Investigation.

MINISTERIAL STATEMENT—DELAYS IN POLICE INVESTIGATIONS

Mr Greiner made a ministerial statement concerning delays in police investigations.

Statistical Returns for the General Election for the Legislative Assembly held on 19 March 1988.

Statistical Returns for the Periodic Election for the Legislative Council held on 19 March 1988.

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Policy Discussion Paper—AIDS: a time to care a time to act—towards a strategy for Australians.

Report of the Art Gallery for the year ended 30 June 1988.

Report of the Health Foundation for the year ended 30 June 1988.

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the Anti-Discrimination Board, Parts I and II, for the year ended 30 June 1988.

MINISTERIAL STATEMENT—ANNUAL REPORT OF THE ANTI-DISCRIMINATION BOARD

Mr Dowd made a ministerial statement concerning the work of Carmel Niland as the President of the Anti-Discrimination Board.

Mr Carr also addressed the House.

Report and Determinations by the Legal Fees and Costs Board. (Gazette 141/1988.)

Referred to the Printing Committee.

(4) Mr Moore laid upon the Table—

Clean Air Act 1961—Clean Air Regulations 1964—regulation 20E, amendment of regulations 28, 30F. (Gazettes 140/1988, 145/1988.)

State Pollution Control Commission Act 1970—State Pollution Control Commission Regulation 1985—amendment of clause 3. (Gazette 149/1988.)

Referred to the Printing Committee.

(5) Dr Metherell laid upon the Table—

Report of the Australian College of Physical Education for 1987.

Report of the Australian College of Theology for 1987.

Report of the Avondale College for 1987.

Report of the Bursary Endowment Board for the year ended 30 June 1988.

Discussion Paper on the Curriculum in New South Wales Schools, dated November 1988.

MINISTERIAL STATEMENT—SCHOOLS CURRICULUM

Dr Metherell made a ministerial statement concerning the discussion paper on the curriculum in New South Wales schools.

Report of the Ministry of Education and Youth Affairs for the year ended 30 June 1988.

Report of the Moore Theological College for 1987.

Report of the International Colleges of Osteopathy Limited for 1987.

Report of the Sydney College of Divinity for 1987.

Report of the Teacher Housing Authority for the year ended 30 June 1988.

Macquarie University Act 1964—amendment of, and additions to, the by-laws of Macquarie University. (Gazettes 89/1987, 123/1987.)

University and University Colleges Act 1900—amendment of, and additions to, the by-laws of the University of Sydney. (Gazette 147/1988.)

University of New England Act 1953—amendment of, and additions to, the by-laws of the University of New England. (Gazette 110/1986.)

University of New South Wales 1968—amendment of, and additions to, the by-laws of the University of New South Wales. (Gazettes 66/1986, 109/1987 (2).)

University of Newcastle Act 1964—amendment of, and additions to, the by-laws of the University of Newcastle. (Gazette 147/1988.)

University of Wollongong Act 1972—amendment of, and additions to, the by-laws of the University of Wollongong. (Gazette 136/1987.)

Referred to the Printing Committee.

(6) Mr Peacocke laid upon the Table—

Report of the Investment Corporation for the year ended 30 June 1988.

Referred to the Printing Committee.

(7) Mr Fahey laid upon the Table—

Report of the Department of Industrial Relations and Employment for the year ended 30 June 1988.

Accounts of the Coal Mining Industry Long Service Leave Trust Fund for the year ended 30 June 1988.

Accounts of Hadenis Pty Ltd for the year ended 30 June 1988.

Apprenticeship Act 1981—Apprenticeship (General) Regulation 1982—amendment of clause 15, schedule 1. (Gazette 119/1988.)

Building and Construction Industry Long Service Payments Act 1986—Building and Construction Industry Long Service Payments Regulation 1986—clauses 7A to 7D, amendment of clause 6, substituted clause 7. (Gazette 162/1988.)

Construction Safety Act 1912—Construction Safety Regulations 1950—regulation 134A. (Gazette 162/1988.)

Factories, Shops and Industries Act 1962—

(a) Boiler and Pressure Vessel Regulations—amendment of schedule 1. (Gazette 172/1988.)

(b) Factories (Health and Safety) Electroplating Regulation 1988—clauses 1 to 26, schedules 1, 2. (Gazette 167/1988.)

(c) Shops (Closing Hours—Special Provisions) Regulation 1988—clauses 3, 4, 5, substituted clauses 2, 4, omission of clause 5. (Gazettes 145/1988, 162/1988, 172/1988.)

(d) Timber Industry (Health and Safety) Regulation 1982—clause 10A, amendment of clauses 3, 8, 9, 10, 12. (Gazette 159/1988.)

Referred to the Printing Committee.

3 QUESTIONS

Paper: Mr Collins laid upon the Table—Report to the Minister for Health on Mental Health and Developmental Disability by the Ministerial Implementation Committee, Volumes 1 to 3, dated November 1988.

Referred to the Printing Committee.

4 CO-OPERATION (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr Peacocke, read a third time.

5 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE COUNCIL OF THE UNIVERSITY OF TECHNOLOGY, SYDNEY

Ordered, on motion of Dr Metherell, by leave, 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 11 of the University of Technology, Sydney Act 1987.

6 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—

Statute Law (Miscellaneous Provisions) Bill (No. 3)
 Anglican Church of Australia Trust Property (Amendment) Bill
 Private Hospitals and Day Procedure Centres Bill
 Nursing Homes Bill
 Miscellaneous Acts (Private Health Establishments) Amendment Bill
 Hunter Water Board Bill
 Water Board (Amendment) Bill
 Water Supply Authorities (Amendment) Bill
 Local Government (Hunter Water Board) Amendment Bill
 Electricity (Amendment) Bill
 Standard Time (Amendment) Bill
 Bread (Amendment) Bill
 Prisons (Release on Licence Board) Amendment Bill
 Probation and Parole (Parole Board) Amendment Bill
 Water (Amendment) Bill
 Local Government (Subdivisions) Amendment Bill
 Superannuation (Amendment) Bill
 Police Regulation (Superannuation) Amendment Bill
 State Authorities Non-contributory Superannuation (Amendment) Bill
 State Authorities Superannuation (Amendment) Bill
 Superannuation Administration (Amendment) Bill.

Debate ensued.

Question put and voices given—Mr Speaker stated his opinion that the Ayes had it. Whereupon Division called for, and Mr Speaker declared the determination of the House to be in the affirmative, as there were only five members (Mr Hatton, Mr Keegan, Ms Moore, Ms Read and Mr Welsh) in the minority who had challenged his decision.

7 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.

8 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—

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, on behalf of Mr Greiner, read a third time.

9 WORKERS COMPENSATION (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.

10 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 3)

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.

11 ANGLICAN CHURCH OF AUSTRALIA TRUST PROPERTY (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.

**12 PRIVATE HOSPITALS AND DAY PROCEDURE CENTRES BILL
NURSING HOMES BILL
MISCELLANEOUS ACTS (PRIVATE HEALTH ESTABLISHMENTS)
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.

Question put and passed.

Bills read a second time.

Leave granted for the third reading to be moved forthwith.

Bills, on motion of Mr Collins, read a third time.

**13 PRISONS (RELEASE ON LICENCE BOARD) AMENDMENT BILL
PROBATION AND PAROLE (PAROLE BOARD) AMENDMENT BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Yabsley, 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 Yabsley, read a third time.

14 FREEDOM OF INFORMATION BILL (No. 2)

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 4.15 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 FREEDOM OF INFORMATION BILL (No. 2)

Resumption of the interrupted debate, on the 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 Mr J. D. Booth, Temporary Chairman, reported progress and obtained leave to sit again at a later hour.

17 SPECIAL ADJOURNMENT

Mr Greiner moved, That this House at its rising this day, do adjourn until Tuesday, 21 February 1989, at 2.15 p.m.

Debate ensued.

Question put and passed.

18 FREEDOM OF INFORMATION BILL (No. 2)

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 Mr J. D. Booth, Temporary Chairman, reported the bill without 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.

19 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Fourth Report of the Regulation Review Committee on—

- (1) Statutory Rules and Instruments
- (2) Children (Community Service Orders) Regulation 1988
- (3) Compensation Court Act 1984—Rules
- (4) Justices Act 1902—Justices (Warrants of Commitment) Regulation 1986
- (5) Local Courts (Civil Claims) Rules
- (6) Local Government Act 1919—Ordinance No. 46
- (7) Miscellaneous Acts (Victims Compensation) Repeal and Amendment Regulation 1987
- (8) Motor Traffic Act 1909—Regulation—Section 95
- (9) Motor Traffic Act 1909—Regulation—Section 124
- (10) Shops (Registration and Opening and Closing Hours) Regulation.

Ordered to be printed.

20 HUNTER WATER BOARD BILL

WATER BOARD (AMENDMENT) BILL

WATER SUPPLY AUTHORITIES (AMENDMENT) BILL

LOCAL GOVERNMENT (HUNTER 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 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 Moore, read a third time.

21 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 1 December 1988, returning the following bills, without amendment:

Simon University College Bill

University of Western Sydney Bill.

22 ELECTRICITY COMMISSION (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.

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.

On motion of Mr Pickard, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

23 PAPER

Dr Metherell laid upon the Table—

Report of the Ministerial Working Party on the State Language Policy, dated December 1988.

Ordered to be printed.

24 PRINTING COMMITTEE

Mr Small brought up Report No. 10 of the Printing Committee.

25 STANDARD TIME (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.

And the House continuing to sit after Midnight—

FRIDAY 2 DECEMBER 1988 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 Dowd, read a third time.

26 BREAD (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.

27 SUPERANNUATION (AMENDMENT) BILL

POLICE REGULATION (SUPERANNUATION) AMENDMENT BILL

**STATE AUTHORITIES NON-CONTRIBUTORY SUPERANNUATION
(AMENDMENT) BILL**

STATE AUTHORITIES SUPERANNUATION (AMENDMENT) BILL

SUPERANNUATION ADMINISTRATION (AMENDMENT) 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.

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, read a third time.

28. WATER (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 Causley, read a third time.

29 LOCAL GOVERNMENT (SUBDIVISIONS) 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 Causley, read a third time.

30 ADJOURNMENT

Mr Causley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.51 a.m., until Tuesday, 21 February 1989, at 2.15 p.m.

Clerk of the Legislative Assembly.

Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 30

TUESDAY 21 FEBRUARY 1989

1 MESSAGES FROM THE GOVERNOR

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

6 December 1988

Crimes (Amendment) Bill
Motor Traffic (Drivers' Licences) Amendment Bill
Motor Vehicle Driving Instructors (Amendment) Bill
Tow-truck (Amendment) Bill.

12 December 1988

Children (Interstate Transfer of Offenders) Bill
Parramatta Stadium Trust Bill
Police Regulation (Emergencies) Amendment Bill
State Drug Crime Commission (Further Amendment) Bill.

15 December 1988

Local Government (Rates and Charges) Amendment Bill
Simon University College Bill
University of Western Sydney Bill.

18 January 1989

Standard Time (Amendment) Bill.

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

19 December 1988

Criminal Procedure (Amendment) Bill
Industrial Arbitration (Retail Trade) Amendment Bill
Justices (Amendment) Bill
Justices (Appeals) Amendment Bill
Pay-roll Tax (Amendment) Bill
Registered Clubs (Amendment) Bill
Liquor (Amusement Devices) Amendment Bill
Gaming and Betting (Poker Machines) Taxation Amendment Bill
Soil Conservation (Amendment) Bill
Statute Law (Miscellaneous Provisions) Bill (No. 2).

21 December 1988

Bread (Amendment) Bill
Co-operation (Amendment) Bill
Crimes (Child Prostitution) Amendment Bill
Children (Care and Protection) (Prostitution) Amendment Bill
Summary Offences (Prostitution) Amendment Bill
Fisheries and Oyster Farms (Amendment) Bill
Hunter Water Board Bill
Water Board (Amendment) Bill
Water Supply Authorities (Amendment) Bill
Local Government (Hunter Water Board) Amendment Bill
Motor Accidents Bill
Miscellaneous Acts (Motor Accidents) Amendment Bill
Prisons (Release on Licence Board) Amendment Bill
Probation and Parole (Parole Board) Amendment Bill
Transport Administration Bill
Motor Traffic (Transport Administration) Amendment Bill
Motor Vehicles Taxation Bill
State Roads (Transport Administration) Amendment Bill
State Transport (Co-ordination) (Transport Administration) Amendment Bill
Transport Legislation (Repeal and Amendment) Bill
Water (Amendment) Bill.

30 December 1988

Anglican Church of Australia Trust Property (Amendment) Bill
Land Tax (Amendment) Bill
Land Tax Management (Amendment) Bill
Local Government (Subdivisions) Amendment Bill
Private Hospitals and Day Procedure Centres Bill
Nursing Homes Bill
Miscellaneous Acts (Private Health Establishments) Amendment Bill
Stamp Duties (Amendment) Bill
Statute Law (Miscellaneous Provisions) Bill (No. 3)
Superannuation (Amendment) Bill
Police Regulation (Superannuation) Amendment Bill
State Authorities Non-contributory Superannuation (Amendment) Bill
State Authorities Superannuation (Amendment) Bill
Superannuation Administration (Amendment) Bill
Workers Compensation (Amendment) Bill.

2 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

6 December 1988

Registered Clubs (Amendment) Bill
 Liquor (Amusement Devices) Amendment Bill
 Gaming and Betting (Poker Machines) Taxation Amendment Bill
 Transport Administration Bill
 Motor Traffic (Transport Administration) Amendment Bill
 Motor Vehicles Taxation Bill
 State Roads (Transport Administration) Amendment Bill
 State Transport (Co-ordination) (Transport Administration) Amendment Bill
 Transport Legislation (Repeal and Amendment) Bill.

7 December 1988 a.m.

Hunter Water Board Bill
 Water Board (Amendment) Bill
 Water Supply Authorities (Amendment) Bill
 Local Government (Hunter Water Board) Amendment Bill.

7 December 1988

Crimes (Child Prostitution) Amendment Bill
 Children (Care and Protection) (Prostitution) Amendment Bill
 Summary Offences (Prostitution) Amendment Bill
 Criminal Procedure (Amendment) Bill
 Fisheries and Oyster Farms (Amendment) Bill
 Industrial Arbitration (Retail Trade) Amendment Bill
 Justices (Amendment) Bill
 Justices (Appeals) Amendment Bill
 Motor Accidents Bill
 Miscellaneous Acts (Motor Accidents) Amendment Bill
 Pay-roll Tax (Amendment) Bill
 Soil Conservation (Amendment) Bill.

8 December 1988

Standard Time (Amendment) Bill.

13 December 1988

Anglican Church of Australia Trust Property (Amendment) Bill
 Bread (Amendment) Bill
 Land Tax (Amendment) Bill
 Land Tax Management (Amendment) Bill
 Local Government (Subdivisions) Amendment Bill
 Prisons (Release on Licence Board) Amendment Bill
 Probation and Parole (Parole Board) Amendment Bill
 Private Hospitals and Day Procedure Centres Bill
 Nursing Homes Bill
 Miscellaneous Acts (Private Health Establishments) Amendment Bill
 Stamp Duties (Amendment) Bill
 Statute Law (Miscellaneous Provisions) Bill (No. 3)
 Workers Compensation (Amendment) Bill.

14 December 1988 a.m.

Superannuation (Amendment) Bill
 Police Regulation (Superannuation) Amendment Bill
 State Authorities Non-contributory Superannuation (Amendment) Bill
 State Authorities Superannuation (Amendment) Bill
 Superannuation Administration (Amendment) Bill.

14 December 1988

Co-operation (Amendment) Bill
 Water (Amendment) Bill.

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 Children (Criminal Proceedings) Act 1987 in relation to the remittal of cases to other courts, the publication of names of children involved in criminal proceedings, and other matters; and to amend the Miscellaneous Acts (Children's Court and Criminal Proceedings) Amendment Act 1987" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
 7 December 1988

ADRIAN SOLOMONS
 Deputy President

CHILDREN (CRIMINAL PROCEEDINGS) AMENDMENT BILL

Schedule of the amendments referred to in Message of 7 December 1988

L. A. JECKELN
 Clerk of the Parliaments

- No. 1 Page 3, Schedule 1, lines 25 to 31. Omit all words on those lines.
- No. 2 Pages 3 and 4, Schedule 1, line 32 on page 3 down to and including line 3 on page 4. Omit all words on those lines.
- No. 3 Pages 5 and 6, Schedule 1, line 9 on page 5 down to and including line 15 on page 6. Omit all words on those lines.
- No. 4 Page 8, Schedule 1, line 11. Omit "(5), (6), (7) and (10)", insert instead "(5), (6) and (9)".
- No. 5 Page 8, Schedule 1, line 14. Omit "(9)", insert instead "(8)".
- No. 6 Page 8, Schedule 1, line 22. Omit "(7)", insert instead "(6)".

Examined
 BERYL A. EVANS
 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.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to require information concerning documents held by the Government to be made available to the public, to enable a member of the public to obtain access to documents held by the Government and to enable a member of the public to ensure that records held by the Government concerning his or her personal affairs are not incomplete, incorrect, out of date or misleading; and to make consequential amendments to certain other Acts" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
13 December 1988

JOHN JOHNSON
President

FREEDOM OF INFORMATION BILL

Schedule of the amendments referred to in Message of 13 December 1988

L. A. JECKELN
Clerk of the Parliaments

- No. 1 Page 4, clause 6, line 13. Omit "59", insert instead "58".
- No. 2 Page 6, clause 6. After line 4, insert:
- (a) a reference to the Government includes, where appropriate, a reference to a public authority, a local authority and a public office; and
- No. 3 Page 11, clause 15, line 40. Omit "9 or 10", insert instead "8 or 9".
- No. 4 Page 13, clause 18. After line 6, insert:
- (2) Notwithstanding subsection (1), an application for access to a local authority's document shall be dealt with on behalf of the authority—
 - (a) by the principal officer of the authority; or
 - (b) by such other officer of the authority as the authority may, by resolution, direct for that purpose, either generally or in a particular case.
- No. 5 Page 15, clause 22, line 28. Omit "is not a determination for the purposes of this Act", insert instead "shall, for the purposes of this Act, be taken to be a determination refusing access to the document to which the application relates".
- No. 6 Page 16, clause 24, lines 14 and 15. Omit "or has refused to deal with, or to continue to deal with, under section 22".
- No. 7 Page 22, clause 33, lines 13 to 40. Omit the clause.

- No. 8 Page 26, clause 41. After line 7, insert:
- (2) Notwithstanding subsection (1), an application for the amendment of a local authority's records shall be dealt with on behalf of the authority—
 - (a) by the principal officer of the authority; or
 - (b) by such other officer of the authority as the authority may, by resolution, direct for that purpose, either generally or in a particular case.
- No. 9 Page 28, clause 47, line 28. Omit "40", insert instead "39".
- No. 10 Page 28, clause 47, line 30. Omit "40", insert instead "39".
- No. 11 Page 28, clause 47, line 35. Omit "43", insert instead "42".
- No. 12 Page 28, clause 47, line 38. Omit "40", insert instead "39".
- No. 13 Page 29, clause 51, line 37. Omit "39-41", insert instead "38-40".
- No. 14 Page 30, clause 52, line 15. Omit "34 or 47", insert instead "33 or 46".
- No. 15 Page 30, clause 52, line 17. Omit "34 or 47", insert instead "33 or 46".
- No. 16 Page 31, clause 53, line 7. Omit "43", insert instead "42".
- No. 17 Page 31, clause 53, line 10. Omit "34 or 47", insert instead "33 or 46".
- No. 18 Page 31, clause 53, line 12. Omit "34 or 47", insert instead "33 or 46".
- No. 19 Page 31, clause 53, line 19. Omit "34 or 36", insert instead "33 or 35".
- No. 20 Page 31, clause 53, line 34. Omit "34 or 36", insert instead "33 or 35".
- No. 21 Page 32, clause 53, line 5. Omit "40, 47 or 49", insert instead "39, 46 or 48".
- No. 22 Page 32, clause 53, line 9. Omit "34 or 47", insert instead "33 or 46".
- No. 23 Page 33, clause 55, line 4. After "where", insert "in the opinion of the District Court".
- No. 24 Page 33, clause 56, line 10. Omit "34 (6), 43 (2) or 47 (6)", insert instead "33 (6), 42 (2) or 46 (6)".
- No. 25 Page 33, clause 56, line 34. Omit "34 (6)", insert instead "33 (6)".
- No. 26 Page 34, clause 57, line 21. After "and", insert ", where in the opinion of the District Court it is necessary to do so in order to prevent the disclosure of any exempt matter,".
- No. 27 Page 35, clause 59, line 29. Omit "57", insert instead "56".
- No. 28 Page 42, Schedule 1, lines 17 to 28. Omit all words on those lines.

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 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 amend the Electricity Commission Act 1950 with respect to the constitution of the Electricity Commission" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
14 December 1988

JOHN JOHNSON
President

ELECTRICITY COMMISSION (AMENDMENT) BILL

Schedule of the amendments referred to in Message of 14 December 1988

L. A. JECKELN
Clerk of the Parliaments

- No. 1 Page 2, Schedule 1, lines 20 to 22. Omit all words on those lines.
- No. 2 Page 2, Schedule 1, lines 24 to 33. Omit all words on those lines, insert instead:
- (a) Omit clause 2 (1) (a) and (b), insert instead:
 - (a) I shall, in and by the instrument by which the commissioner is appointed, be appointed as General Manager of the Commission;
 - (b) not less than 4 and not more than 6 shall be persons nominated for appointment as commissioners by the Minister and shall, in and by the instruments by which they are appointed, be appointed as part-time commissioners; and
- No. 3 Page 3, Schedule 1, lines 5 to 31. Omit all words on those lines.
- No. 4 Page 4, Schedule 2, lines 5 and 15. Omit "Schedule 1 (3)" wherever occurring, insert instead "Schedule 1 (2)".
- No. 5 Page 4, Schedule 2, lines 9 to 13. Omit all words on those lines.
- No. 6 Page 4, Schedule 2, lines 22 to 28. Omit all words on those lines.

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 at a later hour of the day.

3 FORESTRY ACT 1916—REVOCATION OF DEDICATION OF CERTAIN STATE FORESTS

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

D. J. MARTIN
Governor.

In accordance with the provisions contained in the Nineteenth Section of the Forestry Act, 1916, the Governor recommends, for the consideration of the Legislative Assembly, that a resolution be adopted authorising the revocation of the dedication as State Forest of the land set out in the attached schedule.

Government House,
Sydney, 14 February 1989.

Ordered to be printed, together with the accompanying schedule.

REVOCATION SCHEDULE

State Forest	S.F. No.	Parish	County	Area (approx.)	Portion	Purpose
Cangai	354	Cangai, Puhoi	Drake	5 800 ha	Part	Addition to Nymboida National Park
Gibraltar Range, pt. No. 3 Ext.	352	Cooraldooral, Puhoi	Drake	3 630 ha	Part	Addition to Nymboida National Park
Mathoura, pt. No. 1 Ext.	865	Mathoura	Cadell	1 000 m ²	Part	Disposal by Crown Lands Office
Mogo, pt. original dedication & pt. No. 1 Ext.	549	Bateman	St. Vincent	230 ha	Part	Deep Creek Dam Catchment Area
Wedding Bells	360	Woolgoolga	Fitzroy	2 300 m ²	Part	Banana Culture

4 APPOINTMENT OF HIS EXCELLENCY REAR ADMIRAL SIR DAVID JAMES MARTIN, K.C.M.G., A.O., AS GOVERNOR OF THE STATE OF NEW SOUTH WALES

(1) Mr Speaker reported the following Message from His Excellency the Governor—

D. J. MARTIN
Governor

Rear Admiral Sir David James Martin 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 nineteenth day of December, 1988, 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, 20 January 1989.

(2) 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 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, 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 Chamber,
Sydney, 21 February 1989

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 4.15 p.m., this day at Government House.

5 MINISTERIAL ANNOUNCEMENT

Mr Greiner informed the House that on 24 January 1989, His Excellency the Governor accepted the resignation of the Honourable Matthew Singleton, M.P., from the office of Minister for Administrative Services and Assistant Minister for Transport.

On the same day His Excellency appointed the Honourable Robert James Webster, M.P., as Minister for Administrative Services and Assistant Minister for Transport.

6 ELECTORAL DISTRICT OF LIVERPOOL

Mr Speaker informed the House on 19 February 1989, he had received a letter from the Honourable George Paciullo resigning his seat as member for the electoral district of Liverpool.

Ordered, on motion of Mr Greiner, That the seat of the Honourable George Paciullo, member for the electoral district of Liverpool, has become, and is now vacant, by reason of the resignation therefrom by the said the Honourable George Paciullo.

7 ELECTORAL DISTRICT OF WALLSEND

Mr Speaker informed the House that his writ issued on 30 November 1988, for the election of a member to serve in the room of Kenneth George Booth, deceased, and such writ had been duly returned, with a certificate endorsed thereon by the returning officer of the election of John Charles Mills, to serve as member for the electoral district of Wallsend.

John Charles Mills 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 Wallsend.

8 RESIGNATION OF CHAIRMAN OF COMMITTEES

Mr Speaker informed the House that he had received the following letter from the Honourable Robert James Webster, resigning from the office of Chairman of Committees:

Dear Mr Speaker,

Following my appointment to the Ministry, I hereby tender my resignation as Deputy Speaker and Chairman of Committees effective from Tuesday 24 January 1989.

Yours sincerely,

ROBERT WEBSTER

Robert Webster, M.P.,
Minister for Administrative Services
and Assistant Minister for Transport.

9 ELECTION OF CHAIRMAN OF COMMITTEES

Mr Webster moved, That Wendy Susan Machin be Chairman of Committees of the Whole House—which motion was seconded by Mr Wotton.

Question put and passed.

Whereupon Miss Machin made her acknowledgments to the House.

10 PETITIONS

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

Ms Nori—from certain citizens opposing the proposed closure of Blackfriar's Infants School, Chippendale.

Mr Dowd and Mr J. H. Murray—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Mr Chappell and Mr Hatton—from certain citizens requesting support for legislation to protect the unborn.

Mr Amery, Mr Aquilina and Mr Hunter—from certain citizens opposing the proposed cuts to the New South Wales Police Force.

Mr Hunter—from certain citizens opposing the proposed development of a prawn farm at Mannering Bay, Lake Macquarie.

Mr Park—from certain citizens requesting an inquiry into the proposals to raise the rent of public housing tenants.

Mr Berry—from certain citizens requesting that the current staffing arrangements for junior medical staff at Lithgow Hospital be maintained.

Mr Moore—from certain citizens opposing the proposed closure of Castlecrag Infants School.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 February 1989

Mr Page—from certain citizens requesting the upgrading of services at Prince Henry Hospital.

Mr Aquilina—from certain citizens requesting the maintenance of community based mental health services.

Mr Yabsley—from certain citizens requesting the establishment of a permanent police presence in the Woolloomooloo area.

Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Mr Singleton and Mr Zammit—from certain citizens requesting that steps be taken to prevent the spread of Acquired Immune Deficiency Syndrome.

Mr Aquilina—from certain citizens opposing the proposed closure of Thornleigh Public School.

Mr Chappell—from certain citizens requesting a review of the policies of the Department of Education.

Mr Turner—from certain citizens opposing the closure of the Old Bar Airstrip.

Mr Harrison—from certain citizens opposing the downgrading of services by the Illawarra Area Health Service at Kiama Hospital.

Mr Doyle, Miss Machin, Mr Park and Mr Schipp—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

Mr Zammit—from certain citizens requesting that action be taken to reduce the release of fluorocarbon into the atmosphere.

Mr Graham—from certain citizens opposing the proposed closure of The Entrance North Public School.

Mr Graham—from certain citizens requesting an increase in the size of the police force in The Entrance area.

Ms Nori—from certain citizens requesting that trains to East Hills stop at Erskineville and St Peters stations.

Mr Moss—from certain citizens opposing the proposed closure of Hurlstone Park South Infants School.

Mr Hunter—from certain citizens requesting a review of the implications of the 1988 mini-budget for public education and disadvantaged schools.

Ms Read—from certain citizens opposing works which threaten the Royal Botanic Gardens.

Mr Hartcher—from certain citizens requesting the retention of Gosford Public School at its present site.

Mr Books, Mr Hartcher and Mr Page—from certain citizens requesting that the existing Tenants Advice Housing Referral Service be maintained and other community based housing programmes be increased.

12 PAPERS

(1) Mr Greiner laid upon the Table—

Interim Report of the Royal Commission into Aboriginal Deaths in Custody, dated 21 December, 1988.

Royal Commission into Aboriginal Deaths in Custody—Report of the Inquiry into the Death of Edward James Murray, dated 25 January, 1989.

Determination by the Treasurer under section 24 of the Public Finance and Audit Act 1983, concerning the administrative changes following the transfer of certain services from the Department of Motor Transport to the Ministry of Transport.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 23 December 1988. (Gazette 187/1988.)

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 6 January 1989. (Gazette 1/1989.)

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 6 January 1989. (Gazette 1/1989.)

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975 and Transport Appeals Board Act 1980, dated 21 December 1988.

Parliamentary Remuneration Tribunal Act 1975—amendment of schedule 1. (Gazette 183/1988.)

Transport Accidents Compensation Act 1987—Transport Accidents Compensation Regulation 1987—clauses 3A, 6A. (Gazette 172/1988.)

Referred to the Printing Committee.

(2) Mr Armstrong laid upon the Table—

Dairy Industry Act 1979—Dairy Industry (Pricing) Regulation 1984—amendment of clause 3, substituted schedule 1. (Gazette 187/1988.)

Marketing of Primary Products Act 1983—Marketing of Primary Products (Oats Marketing Board) Regulation 1988—clauses 1 to 18, schedule 1. (Gazette 10/1989.)

Meat Industry Act 1978—Meat Industry (Elections) Regulation 1988—clauses 1 to 37, schedule 1. (Gazette 189/1988.)

Pesticides and Allied Chemicals Act 1978—Pesticides and Allied Chemicals Regulation 1979—amendment of clauses 5, 13, schedule 1, substituted clauses 14, 15, omission of clauses 6, 7. (Gazette 18/1989.)

Plant Diseases Act 1924—Plant Diseases Regulations—regulations 48A, 48B, amendment of regulation 2, substituted regulations 16, 17, 21, 22, 36, 47, 48, omission of regulations 18, 23 to 25, 25A. (Gazette 18/1989.)

Seeds Act 1982—Seeds Regulations 1983—amendment of schedules 1, 3. (Gazette 18/1989.)

Veterinary Surgeons Act 1986—Veterinary Surgeons Regulations 1987—regulation 16A, amendment of schedules 1, 4, substituted part 4. (Gazette 18/1989.)

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Compensation Court Act 1984—Compensation Court Rules 1984—rule 17A, amendment of rule 17. (Gazette 2/1989.)

District Court Act 1973—

(a) District Court Rules 1973—form 26B, amendment of forms 59 to 61, 85, substituted forms 19, 27. (Gazette 170/1988.)

(b) District Court (Fees) Regulations—substituted regulation 8. (Gazette 183/1988.)

Jury Act 1977—Jury Regulation 1977—amendment of schedules 1, 3. (Gazettes 183/1988, 189/1988.)

Justices Act 1902—

(a) Justices Act (General) Regulations—substituted schedule. (Gazette 183/1988.)

(b) Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazettes 180/1988, 1/1989, 5/1989.)

Land and Environment Court Act 1979—

(a) Land and Environment Court (Fees) Regulation—substituted schedule 1. (Gazette 183/1988.)

(b) Land and Environment Court Rules 1980—amendment of parts 12, 13. (Gazette 178/1988.)

Legal Profession Act 1987—Legal Profession Transitional Regulation 1987—clauses 9, 10, amendment of clause 5. (Gazette 174/1988.)

Local Courts (Civil Claims) Act 1970—

(a) Local Court (Civil Claims) Rules—substituted schedule 2. (Gazette 183/1988.)

(b) Local Courts (Civil Claims) Rules 1988—rules 1 to 59. (Gazette 1/1989.)

Miscellaneous Acts (Victims Compensation) Repeal and Amendment Act 1987—Miscellaneous Acts (Victims Compensation) Repeal and Amendment Regulation 1987—omission of clause 4. (Gazette 180/1988.)

Registration of Births, Deaths and Marriages Act 1973—Registration of Births, Deaths and Marriages Regulations 1973—substituted schedule. (Gazette 183/1988.)

Service and Execution of Process Act 1901 (Commonwealth)—Service and Execution of Process Act (Courts other than the Supreme Court) Rules 1972—amendment of rules 6, 8. (Gazette 178/1988.)

Sheriff Act 1900—Scale of Fees to be chargeable in the sheriff's office. (Gazette 183/1988.)

Supreme Court Act 1970—

(a) Supreme Court (Fees and Percentages) Regulations—substituted schedule. (Gazette 183/1988.)

(b) (i) Supreme Court Rules 1970—amendments 213 to 217. (Gazettes 178/1988, 187/1988 (4).)

(ii) erratum notice concerning amendments 215, 216 published in Gazette 187/1988. (Gazette 10/1989.)

21 February 1989

Trustee Companies Act 1964—Trustee Companies Regulation 1980—amendment of clause 5A, substituted schedule 1. (Gazette 10/1989.)

Victims Compensation Act 1987—Victims Compensation Regulation 1988—amendment of clause 3, substituted forms 1, 2. (Gazette 183/1988.)

Referred to the Printing Committee.

(4) Mr Moore laid upon the Table—

Report of the Home Care Service for the year ended 30 June 1988.

Report of the National Parks and Wildlife Service for the year ended 30 June 1988.

National Parks and Wildlife Act 1974—

(a) proclamations reserving certain lands as part of—

Bents Basin State Recreation Area. (Gazette 159/1988.)

Bouddi National Park. (Gazette 159/1988.)

Brisbane Water National Park. (Gazettes 159/1988, 162/1988.)

Glenrock State Recreation Area. (Gazette 159/1988.)

Illawarra Escarpment State Recreation Area. (Gazette 159/1988 (2).)

Ku-ring-gai Chase National Park. (Gazette 159/1988.)

Little Pimlico Island Nature Reserve. (Gazette 159/1988.)

Marramarra National Park. (Gazette 162/1988.)

Nangar National Park. (Gazette 162/1988.)

Narran Lake Nature Reserve. (Gazette 159/1988.)

Nombinnie Nature Reserve. (Gazette 183/1988.)

Tollingo Nature Reserve. (Gazette 159/1988.)

Wollemi National Park. (Gazette 159/1988.)

(b) notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for the purposes of the National Parks and Wildlife Act 1974 at—

Grafton. (Gazette 138/1988.)

Murwillumbah. (Gazette 140/1988.)

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

Bendeela. (Gazette 172/1988.)

Macdonaldtown. (Gazette 151/1988.)

Water Supply Authorities Act 1987—Notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for—

(a) sewerage purposes at Newcastle. (Gazette 178/1988.)

(b) water supply purposes at Minmi. (Gazette 178/1988.)

Referred to the Printing Committee.

(5) Mr West laid upon the Table—

Gaming and Betting Act 1912—Gaming and Betting (Amusement Devices) Regulation 1985—clause 5, amendment of clause 4. (Gazette 2/1989.)

Liquor Act 1982—Liquor Regulation 1983—amendment of clauses 10, 15A, 62, 63, omission of clauses 51, 52. (Gazette 2/1989.)

Lotteries and Art Unions Act 1901—Balance sheets of Art Unions in aid of—
Access Industries for the Disabled (2).
Australian Ladies Variety Association.
Greenacres Association for the Handicapped.
Illawarra Cancer Appeal-a-thon.
Lions Club of Goulburn City.
Marco Polo Retirement Village Limited.
Multiple Sclerosis Society of New South Wales (2).
New South Wales Society for Crippled Children.
Royal Blind Society of New South Wales.
Spastic Centre of New South Wales.
Sydney Maritime Museum.
Wheelchair and Disabled Association of Australia.

Lotto Act 1979—Lotto Regulation 1989—clauses 1, 2. (Gazette 17/1989.)

Registered Clubs Act 1976—Registered Clubs Regulation 1983—amendment of clause 8. (Gazette 2/1989.)

State Lotteries Act 1930—State Lotteries (General) Regulation 1983—clauses 1 to 21. (Gazette 145/1988.)

Referred to the Printing Committee.

(6) Dr Metherell laid upon the Table—

Report of the Conservatorium of Music for the year ended 30 June 1988.

Report of the Education Commission for 1987.

Report of the West Scholarships Trustees for the year ended 30 June 1988.

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 technical colleges at—

Boggabilla. (Gazette 169/1988.)

Sydney. (Gazette 169/1988.)

University and University Colleges Act 1900—amendments of, and additions to, the By-laws of the University of Sydney. (Gazette 153/1988.)

University of Western Sydney Act 1988—

(a) University of Western Sydney Regulation 1989—clauses 1 to 4. (Gazette 5/1989.)

(b) University of Western Sydney (Transitional) Regulation 1989—clauses 1 to 3. (Gazette 10/1989.)

Referred to the Printing Committee.

(7) Mr Peacocke laid upon the Table—

Report of the Special Inquiry into the Commissioners of the Corporate Affairs Commission, dated November 1988.

Report of Search Tech Pty Ltd for the period 24 November 1987 to 30 June 1988.

Report of the Techwa Corporation Pty Ltd for the period 18 August 1987 to 30 June 1988.

Credit Act 1984—Credit Regulation 1984—amendment of clause 3A. (Gazette 187/1988.)

Credit Union Act 1969—Credit Union Regulations 1969—regulation 61, amendment of regulations 47, 57. (Gazettes 140/1988 (2), 167/1988.)

Fair Trading Act 1987—

(a) Product Safety Regulation 1988—clauses 1 to 52. (Gazette 183/1988.)

(b) order under section 31. (Gazette 5/1989.)

Friendly Societies Act 1912—Friendly Societies Regulations 1935—amendment of regulation 30. (Gazette 172/1988.)

Futures Industry (Application of Laws) Act 1986—Futures Industry (Application of Laws—Regulations) Regulations 1989—clauses 1 to 3. (Gazette 5/1989.)

Registration of Interests in Goods Act 1986—Registration of Interests in Goods Regulation 1986—amendment of clause 5. (Gazette 172/1988.)

State Development and Industries Assistance Act 1966—State Development and Industries Assistance (Savings and Transitional Provisions) Regulation 1988—clauses 1 to 3. (Gazette 180/1988.)

Referred to the Printing Committee.

(8) Mr Causley laid upon the Table—

Report to the Minister for Lands by the Board of Surveyors for the year ended 30 June 1988.

Forestry Act 1916—Forestry Regulation 1983—amendment of clause 45, substituted schedule 1. (Gazette 187/1988.)

Public Works Act 1912—Notifications of acquisition, appropriation and/or resumption of land and/or easements for the purposes of the Poon Poon Water Trust at Balranald South. (Gazette 2/1989.)

Water Administration Act 1986—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for the enlargement of Glenbawn Dam. (Gazette 162/1988.)

Referred to the Printing Committee.

(9) Mr Hay laid upon the Table—

Report of the Darling Harbour Authority for the year ended 30 June 1988.

City of Sydney Act 1988—City of Sydney Planning Regulation 1988—clauses 1 to 4, amendment of clause 4. (Gazettes 179/1988, 2/1989.)

Local Government Act 1919—amendment of ordinances 4, 5, 26, 46, 73. (Gazettes 172/1988, 174/1988, 180/1988, 183/1988 (2), 189/1988, 1/1989, 5/1989.)

Theatres and Public Halls Act 1908—Theatres and Public Halls (General) Regulation 1977—amendment of clauses 4, 23, 24, 27, 32, 33, 37 to 41, 47 to 51, 53, 54, 71, 103, 121, 129, 132. (Gazette 180/1988.)

Referred to the Printing Committee.

13 REPORTS RECEIVED BY THE CLERK

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

14 December 1988

Report of the Public Service Board for the year ended 30 June 1988.

20 December 1988

Report of Business and Consumer Affairs—Consumer Affairs for the year ended 30 June 1988.

Report of Business and Consumer Affairs—Corporate Affairs Commission for the year ended 30 June 1988.

Report of Business and Consumer Affairs—Financial Statements for the year ended 30 June 1988.

Report of Business and Consumer Affairs—Industrial Development and Co-operative Societies for the year ended 30 June 1988.

23 January 1989

Report of the Ministry for the Arts for the year ended 30 June 1988.

25 January 1989

Report of the State Emergency Services for the year ended 30 June 1988.

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

9 December 1988

Report of the Science and Technology Council for the year ended 30 June 1988.

16 December 1988

Report of the Murrumbidgee Irrigation Area Citrus Fruit Marketing Board for the year ended 30 June 1988.

4 January 1989

Report of the Chiropodists Registration Board for the year ended 30 June 1988.

Report of the Dental Board for the year ended 30 June 1988.

Report of the Dental Technicians Registration Board for the year ended 30 June 1988.

Report of the Nurses Registration Board for the year ended 30 June 1988.

Report of the Optical Dispensers Licensing Board for the year ended 30 June 1988.

Report of the Board of Optometrical Registration for the year ended 30 June 1988.

Report of the Physiotherapists Registration Board for the year ended 30 June 1988.

5 January 1989

Report of the Peace Trust for the period 17 July 1987 to 30 June 1988.

6 January 1989

Report of the Yellow Maize Marketing Board for the year ended 30 November 1988.

10 January 1989

Report of the Government Insurance Office for the year ended 30 June 1988.

24 January 1989

Report of the Racecourse Development Committee for the year ended 30 June 1988.

2 February 1989

Report of the Central Coast (New South Wales) Citrus Marketing Board for the year ended 30 June 1988.

Report of the Rice Marketing Board for the year ended 30 June 1988.

15 February 1989

Report of the Public Servant Housing Authority for the year ended 30 June 1988.

14 PUBLIC ACCOUNTS COMMITTEE

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

Report of the Public Accounts Committee on the Management of Arson in the Public Sector, dated December 1988.

Report of the Public Accounts Committee on the New South Wales Ambulance Service, dated February 1989.

15 QUESTIONS

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

Mr Dowd moved, That the honourable member for Smithfield, Mrs Crosio, be suspended from the service of the House.

And the honourable member for Smithfield having been heard in explanation of her conduct—

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 February 1989

The House divided.

Ayes 63

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Arkell	Mr Hatton	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Jeffery	Mr Singleton
Mr Berry	Mr Keegan	Mr Small
Mr Books	Mr Kerr	Mr Smiles
Mr J. D. Booth	Mr Longley	Mr Smith
Mr Caterson	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 D. L. Page	Mr Yabsley
Mr Downy	Mr Park	Mr Yeomans
Mr Fahey	Mr Peacocke	Mr Zammit
Ms Fraser	Mr Petch	
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Ms Read	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

Noes 42

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

And so it was resolved in the affirmative.

This being the first occasion during the session upon which the honourable member had been suspended, Mr Speaker announced that her suspension would be for two sitting days.

16 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 failing to enforce his own ministerial code of conduct.

Question put.

The House divided.

Ayes 45

Ms Allan	Mr Hunter	Mr Price
Mr Amery	Mr Irwin	Mr Primrose
Mr Aquilina	Mr Keegan	Ms Read
Mr A. S. Aquilina	Mr Knight	Dr Refshaug
Mr Arkell	Mr Knowles	Mr Rogan
Mr Brereton	Mr Langton	Mr Rumble
Mr Carr	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 Moss	Mr Whelan
Mr Ferguson	Mr J. H. Murray	
Ms Fraser	Mr Nagle	Tellers
Mr Gibson	Mr Newman	Mr Beckroge
Mr Harrison	Ms Nori	Mr Christie
Mr Hatton	Mr Page	

Noes 58

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 J. D. 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	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
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 February 1989

**17 APPOINTMENT OF HIS EXCELLENCY REAR ADMIRAL SIR DAVID
JAMES MARTIN, K.C.M.G., A.O., AS GOVERNOR OF THE STATE OF
NEW SOUTH WALES**

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 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 the Government of the State, and that His Excellency had been pleased to give the following answer—

Government House,
Sydney, 21 February 1989

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 this State, and trust that we shall be able to fulfill 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.

D. J. MARTIN,
Governor.

18 STANDING ORDERS AND PROCEDURE COMMITTEE

Ordered, on motion of Mr Dowd, by leave, That the Honourable Timothy John Moore and the Honourable Robert James Webster be discharged from attendance upon the Standing Orders and Procedure Committee and that John David Booth and Wendy Susan Machin be appointed members of such committee.

**19 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE COUNCIL
OF THE UNIVERSITY OF WESTERN SYDNEY**

Ordered, on motion of Mr Dowd, by leave, That the Honourable Kevin Richard Rozzoli, Member for Hawkesbury, be elected as the representative of the Legislative Assembly on the Council of the University of Western Sydney, in pursuance of the provisions of section 3 of the University of Western Sydney Act 1988.

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

20 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

21 RESIDENTIAL TENANCIES (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 Residential Tenancies (Amendment) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had disagreed with certain Council amendments and proposes further amendments to the others.

Mr Schipp moved, That the Report be adopted.

The House divided.

Ayes 56

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Armstrong	Mr Hay	Mr Schipp
Mr Baird	Mr Jeffery	Mr Schultz
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr J. D. 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	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 Yeomans
Mr Glachan	Mr Petch	Mr Zammit
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 February 1989

Noes 42

Ms Allan	Mr Irwin	Mr Primrose
Mr Amery	Mr Keegan	Ms Read
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr Arkell	Mr Langton	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 Walsh
Mr Face	Ms Moore	Mr Welsh
Mr Ferguson	Mr J. H. Murray	Mr Whelan
Ms Fraser	Mr Nagle	
Mr Gibson	Mr Newman	
Mr Harrison	Ms Nori	Tellers
Mr Hatton	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

And so it was resolved in the affirmative.

Ordered, on motion of Mr Schipp, 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 1988, requesting the concurrence of the Legislative Assembly with certain amendments to the Residential Tenancies (Amendment) Bill as set forth in the Schedule to that Message, acquaints the Legislative Council as follows—

Amendment No. 1: The Assembly disagrees with the proposed amendment because—
The transfer may give the perception that rent control is being introduced and because conflict could arise where the Residential Tenancies Tribunal has to carry out both functions.

Amendment No. 2: The Assembly disagrees with the amendment, and proposes the following—

“Page 3, Schedule 1 (2), lines 14 to 16. Omit all words on those lines.”
because—

Lines 12 and 13 are the heading to the amendment to section 12 of the Principal Act.

Amendment No. 3: The Assembly disagrees with the amendment, and proposes the following—

“Page 3, Schedule 1 (3), lines 23 to 35.

Omit all words on those lines, insert instead:

(3) Section 16 (Applications relating to a breach of residential tenancy agreement)—

(a) Section 16 (1)–(1C)—

Omit section 16 (1), insert instead:

(1) If a landlord or a tenant under a residential tenancy agreement claims that a breach of a term of the agreement has occurred, the landlord or the tenant may, not later than 30 days after becoming aware of the breach, apply to the Tribunal for an order in respect of the breach.

(1A) If a landlord or a tenant under a residential tenancy agreement claims that a dispute has arisen under the agreement, the landlord or the tenant may refer the dispute to the Tenancy Commissioner.

(1B) When a dispute is referred to the Tenancy Commissioner under this section, the Tenancy Commissioner may attempt to bring the landlord and the tenant to a settlement acceptable to them.

(1C) If the landlord and tenant fail to make such a settlement, the landlord or the tenant may, with the consent of the Tenancy Commissioner, apply to the Tribunal for an order in respect of the dispute.

(b) Section 16 (2) (d) (i)—

After "rent;", insert "and".

(c) Section 16 (2) (d) (ii)—

Omit "unreasonably".

because—

This will allow the landlord or the tenant to refer a dispute to the Tenancy Commissioner for mediation and will allow, where mediation is unsuccessful, the landlord or tenant, with the consent of the Tenancy Commissioner, to apply to the Tribunal for consideration of the dispute.

Amendment No. 4: The Assembly disagrees with the proposed amendment because—
The responsibility for ensuring that the agreement is available during the tenancy should be placed on the tenants.

Amendment No. 5: The Assembly disagrees to the amendment, and proposes the following—

"Page 4, Schedule 1 (5), lines 10 to 20. Omit all words on those lines."

because—

It is the landlord's obligation to provide notice and because of the difficulties that may be imposed and the delays that will occur in providing written notice.

Amendment No. 6: The Assembly disagrees with the proposed amendment because—
The landlord must have complete control over the premises and what happens to them.

Amendment No. 7: The Assembly disagrees with the proposed amendment because—
The \$500 limit recognises that the landlord should not be exposed to excessive expenditure by the tenant; and because Section 28 (1) (c1) will offset the reduction in monetary limit.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 February 1989

Amendment No. 8: The Assembly disagrees with the proposed amendment because—
It must be recognised that in those cases where an agent is acting for a landlord it is sufficient that the tenant be supplied with the agent's business address where desired by the landlord.

Amendment No. 9: The Assembly disagrees with the proposed amendment because—
There is a need to ensure that the landlord has complete control over the premises and who tenants them without subjecting the tenant to any financial disadvantage.

Amendment No. 10: The Assembly disagrees with the amendment, and proposes the following—

"Page 6, Schedule (1) 10, lines 1 and 2. Omit all words on those lines."
because—

To limit rent in advance in all cases to two weeks would substantially depart from current practice and could disadvantage agents, landlords and tenants who currently pay rental calendar monthly.

Amendment No. 11: The Assembly disagrees with the proposed amendment because—

There is no justification for allowing a tenant to rely upon a promise to carry out work in the future in seeking a rent reduction order.

Amendment No. 12: The Assembly disagrees with the proposed amendment because—

It does not reflect current practice and does not guard against landlords being subjected to excessive economic loss.

Amendment No. 13: The Assembly disagrees with the proposed amendment because—

It does not reflect current practice. It does not accord with the intention of the 1987 Act.

Amendment No. 14: The Assembly disagrees with the proposed amendment because—

On the spot fines are not suited to a continuing relationship like that of landlord and tenant.

Amendment No. 15: The Assembly disagrees with the proposed amendment because—

There is a need to ensure that the Department's objective of controlling allocations and occupants of public housing is not encroached upon and the rent related exemptions currently apply to the Department under the Residential Tenancies Tribunal Act 1986.

Amendment No. 16: The Assembly disagrees with the proposed amendment because—

On the spot fines are not suited to a continuing relationship like that of landlord and tenant.

And the Assembly requests the concurrence of the Legislative Council in its disagreements from, and its amendment upon, the Council's amendments in the Bill.

22 REVENUE LAWS (RECIPROCAL POWERS) 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 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, on behalf of Mr Greiner, read a third time.

23 WESTERN LANDS (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.

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 Causley, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

24 ADJOURNMENT

Mr Causley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.36 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 31

WEDNESDAY 22 FEBRUARY 1989

I PETITIONS

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

Mr Jeffery—from certain citizens requesting the introduction of safety measures on school buses.

Mr Park and Mr Caterson—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

Mr Matheson—from certain citizens opposing the proposed changes to the Child Welfare Regulations.

Mr Matheson—from certain citizens requesting that the existing Tenants Advice Housing Referral Service be maintained and other community based housing programmes be increased.

Ms Moore—from certain citizens opposing the proposed closure of Riley Street Infants School, Surry Hills.

Ms Moore and Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Ms Allan—from certain citizens requesting the reinstatement of certain policies and units within colleges of Technical and Further Education and the Development of Education.

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Ms Allan—from certain citizens opposing works which threaten the Royal Botanic Gardens.

Mr Graham—from certain citizens requesting an increase in the size of the police force in The Entrance area.

Mr Davoren—from certain citizens requesting support for legislation to protect the unborn.

Mr Davoren—from certain citizens requesting an improvement in crime prevention measures on the public transport system.

Mr McManus—from certain citizens requesting that peak hour rail services be upgraded in the Illawarra Region.

Ms Nori—from certain citizens opposing the proposed closure of Blackfriar's Infants School, Chippendale.

Mr Dowd—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Mr Jeffery and Mr Turner—from certain citizens requesting the distribution of accumulated emergency relief funds.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Ms Moore—from certain citizens requesting an increase in rental assistance and government housing.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Dowd laid upon the Table—

Report of the Bush Fire Council for the year ended 31 March 1988.

Report of the Co-ordinating Committee of the Bush Fire Council for the year ended 31 March 1988.

Report of the Community Justice Centres for the year ended 30 June 1988.

Report pursuant to section 26 (1) of the Security (Protection) Industry Act 1985 for the year ended 30 June 1988.

Firearms and Dangerous Weapons Act 1973—Firearms and Dangerous Weapons Regulation—amendment of clauses 20, 50, schedules 3, 6, substituted clause 36F. (Gazettes 153/1988, 170/1988, 174/1988.)

Police Regulation Act 1899—Police Rules 1977—rule 36A, amendment of rule 44, substituted rules 35, 36. (Gazettes 153/1988, 167/1988.)

Security (Protection) Industry Act 1985—Security (Protection) Industry Regulation 1986—amendment of regulation 19. (Gazette 149/1988.)

Referred to the Printing Committee.

(2) Mr Baird laid upon the Table—

Report of the Grain Handling Authority for the year ended 30 September 1988.

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Report of the Shortland County Council for the year ended 30 June 1988.

Referred to the Printing Committee.

(4) Mr Yabsley laid upon the Table—

Report of the Parole Board for 1988.

Referred to the Printing Committee.

4 QUESTIONS

Paper: Mr Murray laid upon the Table—Proposal for Kiah International Resort at Tweed Heads.

Referred to the Printing Committee.

DISTINGUISHED VISITOR

Mr Speaker drew the attention of honourable members to the presence in the gallery of Lord Glenarthur, Minister of State at the Foreign and Commonwealth Office.

5 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, Minister for State Development and Minister for Public Works for his maladministration of the tendering of government property in the Coffs Harbour area.

Question put.

The House divided.

Ayes 43

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

Noes 62

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Arkell	Mr Hatton	Mr Schipp
Mr Armstrong	Mr Hay	Mr Schultz
Mr Baird	Mr Jeffery	Mr Singleton
Mr Berry	Mr Keegan	Mr Small
Mr Books	Mr Kerr	Mr Smiles
Mr J. D. Booth	Mr Longley	Mr Smith
Mr Caterson	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 Welsh
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr White
Mr Dowd	Mr D. L. Page	Mr Wotton
Mr Downy	Mr Park	Mr Yabsley
Mr Fahey	Mr Peacocke	Mr Yeomans
Mr Glachan	Mr Petch	Mr Zammit
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Pickard	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

And so it passed in the negative.

6 WESTERN LANDS (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr Causley, read a third time.

7 MINISTERIAL STATEMENT—REDHEAD RUBBISH TIP

Mr Collins made a ministerial statement concerning the health hazards at Redhead rubbish tip.

8 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Standard Time (Amendment) Bill being passed through all stages in one day.

9 STANDARD TIME (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Standard Time (Amendment) Act 1988 in relation to the length of summer time periods.

Question put and passed.

Bill presented and read a first time.

Mr Dowd 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 Dowd, read a third time.

10 WILLS, PROBATE AND ADMINISTRATION (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Wills, Probate and Administration Act 1898 with respect to the execution, rectification and revocation of wills.

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.

11 STATE POLLUTION CONTROL COMMISSION (AMENDMENT) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the State Pollution Control Commission Act 1970 so as to add to the Commission a member representing employees.

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.

12 COMMONS MANAGEMENT BILL**LOCAL GOVERNMENT (COMMONS MANAGEMENT) 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 establishment of trusts in relation to commons and the election of trust boards, and in certain cases the appointment of local authorities or administrators, to manage the affairs of those trusts; to provide for the care, control and management of commons; to provide for related matters; and to repeal the Commons Regulation Act 1898 and certain other enactments.
- (ii) A bill for an Act to amend the Local Government Act 1919 in consequence of and in connection with the enactment of the Commons Management Act 1989.

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 Christie) and the resumption of the debate made an Order of the Day for a future day.

13 REAL PROPERTY (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 so as to extend the time for registering certain interests and to facilitate the administration of 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 Christie) and the resumption of the debate made an Order of the Day for a future day.

14 ELECTRICITY COMMISSION (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 Electricity Commission (Amendment) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

15 RETIREMENT VILLAGES 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—

The House resumed the said adjourned debate.

Question put and passed.

Bill read a second time.

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 RETIREMENT VILLAGES BILL

Resumption of the interrupted proceedings.

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 Schipp, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

18 AGRICULTURAL HOLDINGS (AMENDMENT) 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.

19 CROWN LANDS BILL

CROWN LANDS (CONTINUED TENURES) AMENDMENT BILL

WESTERN LANDS (CROWN LANDS) AMENDMENT BILL

MISCELLANEOUS ACTS (CROWN LANDS) 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—

And the question being again proposed—

The House resumed the said adjourned debate.

Question put and passed.

Bills read a second time.

Mr J. D. Booth, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr J. D. Booth, Acting Speaker, resumed the Chair, and the Chairman reported progress and obtained leave to sit again tomorrow.

20 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Residential Tenancies (Further Amendment) Bill being introduced and passed through all stages in one day.

21 RESIDENTIAL TENANCIES (FURTHER AMENDMENT) BILL

Mr Schipp moved, That leave be given to bring in a bill for an Act to amend the Residential Tenancies Act 1987, with respect to the form of notice of termination of residential tenancy agreements.

Question put and passed.

Bill presented and read a first time.

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

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be taken forthwith.

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

22 ADJOURNMENT

Mr Schipp moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.13 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 32

THURSDAY 23 FEBRUARY 1989

1 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 22 February 1989, returning the Standard Time (Amendment) Bill, without amendment.

2 PETITIONS

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

Mr Amery, Mr Davoren and Mr Price—from certain citizens opposing the proposed cuts to the New South Wales Police Force.

Ms Allan—from certain citizens opposing works which threaten the Royal Botanic Gardens.

Mr Knowles—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

Mr Hunter—from certain citizens requesting a review of the implications of the 1988 mini-budget for public education and disadvantaged schools.

Mr Davoren—from certain citizens requesting support for legislation to protect the unborn.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Moore laid upon the Table—

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

Caves Beach—sewerage. (Gazette 21/1989.)

Swansea—water supply. (Gazette 21/1989.)

Referred to the Printing Committee.

(2) Mr Baird laid upon the Table—

Motor Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulation 110E. (Gazette 180/1988.)

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—

Albury. (Gazette 183/1988.)

Bankstown. (Gazette 153/1988.)

Bywong. (Gazette 183/1988.)

Camurra. (Gazette 167/1988.)

East Maitland. (Gazette 153/1988.)

Falconbridge. (Gazette 167/1988.)

Galston. (Gazette 162/1988.)

Granville. (Gazette 167/1988.)

Kotara. (Gazette 159/1988.)

Maitland. (Gazette 162/1988.)

Meadow Flat. (Gazette 178/1988.)

Morisset. (Gazette 167/1988.)

Padstow. (Gazette 178/1988.)

Prospect. (Gazette 172/1988.)

Robertson. (Gazettes 167/1988, 178/1988.)

Sapphire North. (Gazette 172/1988.)

Singleton. (Gazette 178/1988.)

South Grafton. (Gazette 167/1988.)

South Windsor. (Gazette 167/1988.)

Wallerah. (Gazette 159/1988.)

Waugoola. (Gazette 153/1988.)

West Gosford. (Gazette 178/1988.)

Wollongong. (Gazette 183/1988.)

Wyong. (Gazette 178/1988.)

Yilgah. (Gazette 178/1988.)

State Transport (Co-ordination) Act 1931—State Transport (Co-ordination) Regulations 1931—amendment of regulation 60. (Gazette 174/1988.)

Transport Act 1930—Transport (Public Vehicles) Regulations 1930—amendment of regulation 121. (Gazette 174/1988.)

Transport Authorities Act 1980—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for rail purposes at—

Dora Creek. (Gazette 180/1988.)

Narromine. (Gazette 180/1988.)

Referred to the Printing Committee.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS—VOTE OF CENSURE—LEADER OF THE OPPOSITION

Mr D. L. Page moved, That so much of the Standing Orders be suspended to enable the Premier to move forthwith the following motion, That this House censures the Leader of the Opposition for his false and misleading public statements on coastal development under the previous New South Wales Labor Government.

Question put and passed.

Mr Greiner moved, That this House censures the Leader of the Opposition for his false and misleading public statements on coastal development under the previous New South Wales Labor Government.

Disorder: By direction of Mr Speaker, the honourable member for Illawarra, Mr Rumble, was removed from the chamber by the Serjeant-at-Arms.

Debate ensued.

Disorder: Mr Speaker—having previously advised the Honourable Leader of the Opposition that he had transgressed the correct limitations of the debate and that he would have to ask him to resume his seat unless he returned to the more detailed subject matter of the motion—upheld the point of order of the Honourable the Premier that the Leader of the Opposition, in seeking to attack the Deputy Premier and the Honourable Member for Coffs Harbour, should do so by way of substantive motion: Mr Speaker ruled that the Leader of the Opposition, having been given the utmost tolerance, was to resume his seat.

And the Honourable Leader of the Opposition refusing to resume his seat and grave disorder ensuing—

Mr Speaker left the Chair for nineteen minutes.

Mr Speaker ordered the bells to be rung and resumed the Chair.

Debate resumed.

Mr Phillips moved, That the question be now put.

Question put and passed.

Original question put.

The House divided.

Ayes 56

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Baird	Mr Hay	Mr Schultz
Mr Berry	Mr Jeffery	Mr Small
Mr Books	Mr Kerr	Mr Smiles
Mr J. D. Booth	Mr Longley	Mr Smith
Mr Caterson	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 Welsh
Mr Collins	Mr Morris	Mr West
Mr Cruickshank	Mr Murray	Mr White
Mr Dowd	Mr D. L. Page	Mr Wotton
Mr Downy	Mr Park	Mr Yabsley
Mr Fahey	Mr Peacocke	Mr Yeomans
Mr Glachan	Mr Petch	Mr Zammit
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 43

Ms Allan	Mr Harrison	Ms Nori
Mr Amery	Mr Hatton	Mr Page
Mr Aquilina	Mr Hunter	Mr Price
Mr A. S. Aquilina	Mr Irwin	Mr Primrose
Mr Arkell	Mr Knight	Ms Read
Mr Brereton	Mr Knowles	Dr Refshauge
Mr Carr	Mr Langton	Mr Rogan
Mr Cleary	Mr Lovelee	Mr Shedden
Mrs Crosio	Mr Markham	Mr Unsworth
Mr Davoren	Mr Martin	Mr Walsh
Mr Doyle	Mr Mills	Mr Whelan
Mr Face	Mr Moss	Tellers
Mr Ferguson	Mr J. H. Murray	Mr Beckroge
Ms Fraser	Mr Nagle	Mr Christie
Mr Gibson	Mr Newman	

Pairs

Mr Armstrong	Mr McManus
Mr Pickard	Mr H. F. Moore

And so it was resolved in the affirmative.

7 RETIREMENT VILLAGES BILL

The Order of the Day having been read, Mr Schipp moved, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

8 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND

Ordered, on motion of Mr Dowd, by leave, That in accordance with section 14 (1) (B) of the Parliamentary Contributory Superannuation Act 1971, the Honourable Garry Bruce West be and is hereby appointed a Trustee of the Parliamentary Contributory Superannuation Fund in place of Matthew Singleton.

9 PUBLIC ACCOUNTS COMMITTEE

Ordered, on motion of Mr Dowd, by leave, That George Souris be appointed to serve on the Public Accounts Committee in the place of Wendy Susan Machin.

It being after 2.15 p.m., General Business proceeded with.

10 LAW AND ORDER

Mr Kerr moved, pursuant to notice, That this "House" commends the Government on its achievements and initiatives to restore law and order in New South Wales.

Mr Whelan moved, That the question be amended by leaving out all words after the word "House" with a view to adding the following: "condemns the Minister for Transport and the Attorney General for their failure to guarantee the safety of the citizens of this State and condemns the Greiner Government for its refusal to provide adequate funding for the due operation of law and order in this State."

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

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

11 PRINTING COMMITTEE

Mr Small brought up Report No. 11 of the Printing Committee.

12 ADJOURNMENT

Mr Yabsley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.16 p.m., until Tuesday, 28 February 1989, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 33

TUESDAY 28 FEBRUARY 1989

1 PETITIONS

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

Mr Martin—from certain citizens requesting stronger summary offences legislation, and increased policing levels in the Mayfield area.

Mr Davoren—from certain citizens opposing the proposed cuts to the New South Wales Police Force.

Mr H. F. Moore—from certain citizens requesting that certain land on the North Entrance Peninsular area be proclaimed as a national park.

Mr H. F. Moore—from certain citizens opposing the proposed changes to public education.

Mrs Crosio—from certain citizens requesting an investigation into the bus services in the Fairfield area.

Mr Davoren and Mr Price—from certain citizens requesting an improvement in crime prevention measures on the public transport system.

Mr Smiles—from certain citizens requesting the prohibition of nude bathing at Reef Beach.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale industrial estate.

Mr Hatton—from certain citizens requesting that existing abortion services not be restricted.

Mr Park—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Schipp laid upon the Table—

Housing Act 1976—erratum notice concerning the notification of acquisition of land under the Public Works Act 1912, for housing purposes at Drummoyne, published in Government Gazette No. 108 of 26 July 1985. (Gazette 18/1989.)

Landlord and Tenant (Amendment) Act 1948—Landlord and Tenant (Amendment) Act Regulations—amendment of regulation 19. (Gazette 10/1989.)

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Report of the Department of Family and Community Services for the year ended 30 June 1988, Volumes 1 and 2.

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 Engadine. (Gazette 172/1988.)

Referred to the Printing Committee.

(3) Mr West laid upon the Table—

Greyhound Racing Control Board Act 1985—Greyhound Racing Control Board Rules 1983—rules 95A, 95B, amendment of rules 5, 6, 10, 17, 38, 43, 44, 48, 54, 64, 68, 87, 93 to 95, 109, 124, 133, substituted rules 41, 42, 46, 47, 49, schedule 1. (Gazette 180/1988.)

Totalizator Act 1916—Trifecta Totalizator Rule 1977—amendment of clause 6. (Gazette 180/1988.)

Totalizator (Off-course Betting) Act 1964—Totalizator (Off-course Betting) Regulation 1983—clause 30A. (Gazette 183/1988.)

Referred to the Printing Committee.

(4) Mr Yabsley laid upon the Table—

Prisons Act 1952—Prisons Regulations 1968—regulation 11AA. (Gazette 8/1989.)

Referred to the Printing Committee.

4 QUESTIONS

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 February 1989

5 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising on Thursday 2 March 1989, do adjourn until Tuesday 4 April 1989, at 2.15 p.m.

Question put and passed.

6 FORESTRY ACT 1916—REVOCATION OF DEDICATION OF CERTAIN STATE FORESTS

Mr Causley moved, pursuant to notice,

(1) That, pursuant and subject to the provisions of the Forestry Act 1916, this House agrees to the revocation of the dedication of those whole or part areas of State Forests indicated in the Schedule hereunder.

REVOCATION SCHEDULE

State Forest	S.F. No.	Parish	County	Area (approx.)	Portion	Purpose
Cangai	354	Cangai, Puhoi	Drake	5 800 ha	Part	Addition to Nymboida National Park
Gibraltar Range, pt. No. 3 Ext.	352	Cooraldooral, Puhoi	Drake	3 630 ha	Part	Addition to Nymboida National Park
Mathoura, pt. No. 1 Ext.	865	Mathoura	Cadell	1 000 m ²	Part	Disposal by Crown Lands Office
Mogo, pt. original dedication & pt. No. 1 Ext.	549	Bateman	St. Vincent	230 ha	Part	Deep Creek Dam Catchment Area
Wedding Bells	360	Woolgoolga	Fitzroy	2 300 m ²	Part	Banana Culture

(2) That the foregoing be communicated by Address to His Excellency the Governor.

Debate ensued.

Question put and passed.

7 CROWN LANDS BILL

CROWN LANDS (CONTINUED TENURES) AMENDMENT BILL

WESTERN LANDS (CROWN LANDS) AMENDMENT BILL

MISCELLANEOUS ACTS (CROWN LANDS) 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 bills.

Mr Speaker resumed the Chair and the Chairman reported the Crown Lands Bill and Crown Lands (Continued Tenures) Amendment Bill with amendments and the Western Lands (Crown Lands) Amendment Bill and Miscellaneous Acts (Crown Lands) Amendment Bill without amendment.

On motion of Mr Causley, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—
Bills, on motion of Mr Causley, read a third time.

8 FREEDOM OF INFORMATION BILL (NO.2)

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 Freedom of Information Bill (No. 2).

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to five amendments and disagreed with the remainder of the Council's amendments.

Report adopted.

Ordered, on 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's message dated 13 December 1988, requesting the concurrence of the Legislative Assembly with certain amendments to the Freedom of Information Bill as set forth in the Schedule to that Message, acquaints the Legislative Council as follows—

Amendment No. 1: The Assembly disagrees with the proposed amendment because—
The amendment was moved as a consequential amendment occasioned by the deletion of a clause by the Legislative Council. The Assembly rejects the deletion of clause 33, and therefore, this amendment is now inappropriate.

Amendment No. 2: The Assembly agrees to the proposed amendment.

Amendment No. 3: The Assembly disagrees with the proposed amendment because—
The amendment was moved as a consequential amendment occasioned by the deletion of a clause by the Legislative Council. The Assembly rejects the deletion of clause 33, and therefore, this amendment is now inappropriate.

Amendment No. 4: The Assembly agrees to the proposed amendment.

Amendment No. 5: The Assembly disagrees with the proposed amendment because—
The amendment provides that a refusal to deal with an application because it would substantially and unreasonably divert the resources of an agency is deemed to be a determination refusing access to the documents. The result of this provision would be to subject such a refusal to deal with the application to the various forms of review under the Act—internal review and review by the Ombudsman and the District Court. To allow the various forms of reviews to apply to this provision would itself subject an agency to a substantial and unreasonable diversion of resources. The Government has already indicated that the operation of the Act will be reviewed in two years, and that this provision (clause 22) will be carefully monitored in the meantime and amended at the time of review if necessary.

Amendment No. 6: The Assembly disagrees with the proposed amendment because—
This amendment is consequential to the amendment in clause 22 contained in Amendment No. 5.

Amendment No. 7: The Assembly disagrees with the proposed amendment because—
The Government is concerned to ensure that freedom of information is not used as a mechanism for plagiarising research proposals and results. Therefore, the research exemptions, together with the requirement for mandatory consultation with the relevant person should be retained in the bill.

Amendment No. 8: The Assembly agrees to the proposed amendment.

Amendment Nos 9 to 22: The Assembly disagrees with the proposed amendments because—

The amendments were moved as consequential amendments occasioned by the deletion of a clause by the Legislative Council. The Assembly rejects the deletion of clause 33, and therefore, these amendments are now inappropriate.

Amendment No. 23: The Assembly agrees to the proposed amendment.

Amendment No. 24: The Assembly disagrees with the proposed amendment because—

The amendment was moved as a consequential amendment occasioned by the deletion of a clause by the Legislative Council. The Assembly rejects the deletion of clause 33, and therefore, this amendment is now inappropriate.

Amendment No. 25: The Assembly disagrees with the proposed amendment because—

The amendment was moved as a consequential amendment occasioned by the deletion of a clause by the Legislative Council. The Assembly rejects the deletion of clause 33, and therefore, this amendment is now inappropriate.

Amendment No. 26: The Assembly agrees to the proposed amendment.

Amendment No. 27: The Assembly disagrees with the proposed amendment because—

The amendment was moved as a consequential amendment occasioned by the deletion of a clause by the Legislative Council. The Assembly rejects the deletion of clause 33, and therefore, this amendment is now appropriate.

Amendment No. 28: The Assembly disagrees with the proposed amendment because—

The amendment seeks to delete the research exemption, which, as outlined earlier, should be retained. Universities in particular have expressed concern at the impact freedom of information would have on research activity if research proposals or results were accessible under the Act. The exemption acknowledges that research proposals and results comprise intellectual property which should be protected against plagiarism.

And the Assembly requests the concurrence of the Legislative Council in its disagreements from the Council's amendments in the Bill.

9 LOCAL GOVERNMENT (THEATRES AND PUBLIC HALLS) AMENDMENT BILL**MISCELLANEOUS ACTS (THEATRES AND PUBLIC HALLS) AMENDMENT BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Hay, 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 Hay, read a third time.

10 WILLS, PROBATE AND ADMINISTRATION (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.

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 WILLS, PROBATE AND ADMINISTRATION (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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 February 1989

13 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 8.16 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 34

WEDNESDAY 1 MARCH 1989

1 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 28 February 1989, returning the Residential Tenancies (Further Amendment) Bill, without amendment.

2 PETITIONS

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

Mr Amery—from certain citizens opposing cuts to pensioner concessions.

Mr Whelan—from certain citizens opposing the proposed cuts to the New South Wales Police Force.

Mr Roberts and Mr Rozzoli—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mrs Crosio—from certain citizens requesting flood mitigation work in the Prospect Creek area.

Mr H. F. Moore—from certain citizens requesting that certain land on the North Entrance peninsular area be proclaimed as a national park.

Mr Andrews—from certain citizens requesting that Scarborough Police Station be retained as a fully operating police station.

Mr Roberts—from certain citizens requesting that the condition of, and traffic accidents occurring on, Main Road 220 be investigated.

Mr Page—from certain citizens requesting that the existing Tenants Advice Housing Referral Service be maintained and inner city housing programmes be increased.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Armstrong laid upon the Table—

Report of the Oats Marketing Board for the year ended 30 September 1988.

Referred to the Printing Committee.

(2) 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—
Belford. (Gazette 18/1989.)

Mt Ku-ring-gai. (Gazette 5/1989.)

Snake Creek. (Gazette 5/1989.)

Strathfield West. (Gazette 5/1989.)

Swansea. (Gazette 5/1989.)

Wallabadah. (Gazette 5/1989.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulation 94B. (Gazette 21/1989.)

Transport Administration Act 1988—Transport Administration (Traffic Control—SRA and STA Land) Regulation 1989—clauses 1 to 11. (Gazette 3/1989.)

Transport Authorities Act 1980—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes at—

Gunning. (Gazette 162/1988.)

June. (Gazette 167/1988.)

Oakley Park. (Gazette 167/1988.)

Transport Licensing Act 1931—State Transport (Co-ordination) Regulations 1931—regulations 1B, 85A, 107 to 111, amendment of regulations 1, 1A, 5, 9, 10, 18, 31 to 33, 45, 53, 59, 67, 69, 72, 73, 75 to 77, 79, 86, 90, 92, omission of regulations 4, 10A, 11 to 13, 22 to 30, 50, 58, 62, schedules A, B, C, D, I, J, K, M, N, O, P. (Gazette 3/1989.)

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Draft Report on Improving the Level of Management in Small Business (submitted to the Select Committee upon Small Business, in February, 1988, but not considered by that Committee upon the dissolution of the Parliament in March, 1988.)

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Closer Settlement (Amendment) Act 1914—Gazette notice setting forth the mode in which it is proposed to deal with certain lands under section 13 of the Act. (Gazette 18/1989.)

Crown Lands Consolidation Act 1913—

(a) Abstracts (2) and schedule of Crown Lands intended to be dedicated, or added to existing dedications, for public purposes in accordance with section 24 of the Act.

(b) Gazette notices (4) setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazettes 167/1988, 178/1988, 180/1988, 23/1989.)

Public Roads Act 1902—Abstracts of resumptions (46) under section 8 of the Act for public road purposes. (Gazettes 162/1988 (3), 167/1988, 170/1988 (3), 172/1988 (4), 174/1988 (5), 178/1988 (2), 180/1988 (5), 183/1988 (6), 187/1988 (2), 189/1988 (2), 1/1989 (2), 2/1989 (2), 5/1989 (3), 10/1989 (3), 21/1989 (2), 23/1989.)

Referred to the Printing Committee.

5 QUESTIONS

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

Paper: Mr Collins laid upon the Table—Report on Brain Injury Division, presented to the Government Insurance Office Third Party Division, dated 6 March 1987.

Referred to the Printing Committee.

6 WASTE DISPOSAL (AMENDMENT) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Waste Disposal Act 1970 to authorise the construction and operation of a high temperature waste incineration facility and to change the name of the Metropolitan Waste Disposal Authority; 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 (Ms Allan) and the resumption of the debate made an Order of the Day for a future day.

**7 NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL
WILDERNESS (PLANS OF MANAGEMENT) AMENDMENT 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, and Mr Moore having pre-audience under Standing Order 118—

The House resumed the said adjourned debate.

Ms Allan 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 STATE POLLUTION CONTROL COMMISSION (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.

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.

9 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Moore, That so much of the Standing Orders be suspended as would preclude the National Parks and Wildlife (Marine Mammals Protection) Amendment Bill being brought in and proceeded with up to and including the Minister's second reading speech.

**10 NATIONAL PARKS AND WILDLIFE (MARINE MAMMALS PROTECTION)
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 protection of marine mammals.

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.

11 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message dated 28 February 1989 from His Excellency the Governor assenting to the Standard Time (Amendment) Bill.

12 COMMONS MANAGEMENT BILL**LOCAL GOVERNMENT (COMMONS MANAGEMENT) 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—

And the question being again proposed—

The House resumed the said adjourned debate.

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

Mr Martin (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.

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 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.02 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 35

THURSDAY 2 MARCH 1989

1 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's Message, dated 28 February 1989, in reference to the Freedom of Information Bill, acquaints the Legislative Assembly that it does not insist on its amendments Nos 1, 3, 5, 6, 7, 9 to 22, 24, 25, 27 and 28 disagreed to by the Assembly in the Bill.

Legislative Council Chamber
Sydney 2 March 1989 a.m.

JOHN JOHNSON
President

2 PETITIONS

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

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Amery—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

Mr Singleton—from certain citizens requesting that inequities in local government and water rating be remedied.

Mr Primrose—from certain citizens requesting the construction of access ramps at Campbelltown Railway Station.

Mr Rogan—from certain citizens requesting a public inquiry into the proposed recommencement of sandmining on the North Coast.

Mr H. F. Moore—from certain citizens requesting that certain land on the North Entrance peninsula area be proclaimed as a national park.

Mr Roberts—from certain citizens requesting the appointment of an administrator to investigate the management of Cessnock City Council.

3 PAPERS

(1) Mr Dowd laid upon the Table—

Report No. 3 of the Law Reform Commission on Artificial Conception: Surrogate Motherhood, dated December 1988.

Referred to the Printing Committee.

(2) Mr West laid upon the Table—

Lotteries and Art Unions Act 1901—balance sheets of Art Unions in aid of—

Balmain District Rugby League Injured Players Fund (3)

Greenacres Association for the Handicapped

Mater Misericordiae Hospital (3)

Multiple Sclerosis Society of New South Wales (2)

Psychiatric Rehabilitation Association (2)

Rotary Polio Plus Campaign

Royal Blind Society of New South Wales

Sydney Maritime Museum.

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

Report of the Coal and Oil Shale Mine Workers' Superannuation Tribunal for the year ended 30 June 1988.

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—

(a) Liverpool General Cemetery (Seventh-day Adventist Portion) By-law—substituted schedule of fees and charges. (Gazette 25/1989.)

(b) Longneck Lagoon Reserve By-law 1988—clauses 1 to 23. (Gazette 183/1988.)

Forestry Act 1916—copy of proposed agreement with Raymond Frederick Bowerman and Judith Ann Bowerman and the Minister for Natural Resources pursuant to section 16A of the Act, for the sale of land being part of Kew State Forest in the Shire of Hastings.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 March 1989

4 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up a discussion paper by the Regulation Review Committee on proposals for the staged review of New South Wales Statutory Rules.

Ordered to be printed.

5 QUESTIONS

6 MINISTERIAL STATEMENT—SYDNEY HARBOUR TUNNEL PROJECT

Mr Baird made a ministerial statement concerning the Sydney Harbour Tunnel project.

Papers: Mr Baird laid upon the Table—

Report to the Ministry of Transport by Solicitors Sly and Russell on the Sydney Harbour Tunnel Project, dated 27 April 1988.

Report to the Ministry of Transport by the State Crown Solicitor's Office concerning agreements relating to the Sydney Harbour Tunnel Project, dated 27 April 1988.

Referred to the Printing Committee.

Mr Carr also addressed the House.

7 FIREARMS BILL

PROHIBITED WEAPONS BILL

CRIMES (FIREARMS) AMENDMENT BILL

Mr Speaker reported the following messages from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to regulate firearms and increase penalties for offences involving firearms; to repeal the Firearms and Dangerous Weapons Act 1973; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
1 March 1989

JOHN JOHNSON
President

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to prohibit the possession of certain dangerous weapons and other articles; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
1 March 1989

JOHN JOHNSON
President

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Crimes Act 1900 as a consequence of the repeal of the Firearms and Dangerous Weapons Act 1973" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
1 March 1989

JOHN JOHNSON
President

Bills read a first time.

Mr Fahey, on behalf of Mr Dowd, 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 tomorrow.

8 PODIATRISTS BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to regulate the practice of podiatry, to make provision for the registration of podiatrists, to regulate the qualifications for and the effect of such registration, to constitute the Podiatrists Registration Board and to specify its functions; to repeal the Chiropodists Registration Act 1962; and for related 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.

9 GAMING AND BETTING (AMENDMENT) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Gaming and Betting Act 1912 with respect to betting and betting information; to provide for imprisonment for certain offences as an alternative to a fine; 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 Cleary) and the resumption of the debate made an Order of the Day for a future day.

**10 NATIONAL PARKS AND WILDLIFE (UNAUTHORISED USE OF LAND)
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 to make provision for the removal of unauthorised structures and unauthorised occupiers from land reserved or dedicated under that Act; 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.

11 DEPUTY-SPEAKER'S COMMISSION TO ADMINISTER THE OATH OR AFFIRMATION OF ALLEGIANCE

Mr Speaker reported that he had received a Commission, under the Public Seal of the State, signed by His Excellency the Governor, empowering Wendy Susan Machin, Chairman of Committees of the Legislative Assembly, in the absence of the Honourable the Speaker, to administer, from time to time as occasion may require, to any Member of the Legislative Assembly to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, which Commission was as follows:

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.

To all to whom these presents shall come,

Greeting:

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

Given under my hand and the Public Seal of the said State this 2nd day of March 1989.

By His Excellency's Command,
NICK GREINER.

DAVID MARTIN,
Governor.

12 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 2 March 1989, returning the following bills, without amendment:

Crown Lands (Continued Tenures) Amendment Bill
Western Lands (Crown Lands) Amendment Bill
Miscellaneous Acts (Crown Lands) 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 provide for the administration and management of Crown land in the Eastern and Central Division of the State and to repeal the Crown Lands Consolidation Act 1913, the Closer Settlement Acts and certain other Acts" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
2 March 1989

JOHN JOHNSON
President

CROWN LANDS BILL

Schedule of the amendments referred to in Message of 2 March 1989

L. A. JECKELN
Clerk of the Parliaments

- No. 1 Page 3, clause 4. After line 40, insert:
(4) A proposed alteration or redefinition may not be given effect under subsection (3) unless—
(a) a notice describing the proposal has been published as prescribed; and
(b) the notice states that written objections and submissions relating to the proposal may be lodged with the Department not later than 28 days after publication of the notice.
- No. 2 Page 5, clause 11, line 25. Omit "where practicable", insert instead "wherever possible".
- No. 3 Page 5, clause 11, line 28. Omit "practicable", insert instead "appropriate".
- No. 4 Page 11, clause 32, lines 26 and 27. Omit all words after "assessed", insert instead "by the Department to determine the land's capabilities, having regard to prescribed land evaluation criteria".
- No. 5 Page 11, clause 32, lines 29 to 32. Omit all words after "for" on line 29, insert instead "community or public purposes, environmental protection, nature conservation, water conservation, forestry, recreation, tourism, grazing, agriculture, residential purposes, commerce, industry or mining".
- No. 6 Page 12, clause 33, line 7. Before "varied" insert "reviewed and either confirmed or".
- No. 7 Page 29, clause 79. After line 9, insert:
(2) The Minister may not make an order under subsection (1) unless at least 14 days have elapsed after notice of intention to make the order has been published in a newspaper circulating in the locality in which the land is situated or in a newspaper circulating generally in the State.
- No. 8 Page 31, clause 90. After line 20, insert:
(2) The Minister may not publish a notification under subsection (1) unless at least 14 days have elapsed after notice of intention to publish the notification has been published in a newspaper circulating in the locality in which the land is situated or in a newspaper circulating generally in the State.
- No. 9 Page 34, clause 102. After line 33, insert:
(2) The Minister may not give a consent under subsection (1) (d) to—
(a) a sale;
(b) a lease for a term exceeding 5 years; or

(c) a lease for a term that, by the exercise of an option, could exceed 5 years,

unless at least 14 days have elapsed since notice of intention to give the consent has been published in the locality in which the land is situated or in a newspaper circulating generally in the State.

No. 10 Page 39, clause 113, lines 4 and 5. Omit "such period as the Minister thinks fit", insert instead "not less than 28 days".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered by Mr Speaker, That the amendments made by the Legislative Council be taken into consideration forthwith.

13 CROWN LANDS BILL

CROWN LANDS (CONTINUED TENURES) AMENDMENT BILL
WESTERN LANDS (CROWN LANDS) AMENDMENT BILL
MISCELLANEOUS ACTS (CROWN LANDS) 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 Crown Lands Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

On motion of Mr Causley, the Report was adopted.

14 COMMONS MANAGEMENT BILL

LOCAL GOVERNMENT (COMMONS MANAGEMENT) 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—

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.

15 REAL PROPERTY (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.

Mr J. D. Booth 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.

It being 2.15 p.m., General Business proceeded with.

16 LAND AND HOUSING

Mr Page moved, pursuant to notice, That this "House" calls on the Government to introduce measures to ease Sydney's land and housing crisis including among other initiatives—

- (i) the establishment of realistic targets for town house and villa development for each local government area;
- (ii) a call up of Water Board charges on serviced land;
- (iii) the introduction of land pooling legislation;
- (iv) the recognition of the importance of Landcom in the land development industry of New South Wales; and
- (v) a thorough review of State Government owned surplus land which could assist in meeting current housing needs.

Debate ensued.

Mr Merton moved, That the question be amended by leaving out all words after the word "House" with a view to adding the following "applauds the Government on the measures it has taken to ease Sydney's land and housing crisis."

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

Debate continued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

17 PRINTING COMMITTEE

Mr Small brought up Report No. 12 of the Printing Committee.

18 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, 4 April 1989, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly:

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 36

TUESDAY 4 APRIL 1989

1 MESSAGES FROM THE GOVERNOR

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

14 March 1989

Electricity Commission (Amendment) Bill.

21 March 1989

Crown Lands Bill

Crown Lands (Continued Tenures) Bill

Western Lands (Crown Lands) Amendment Bill

Miscellaneous Acts (Crown Lands) Amendment Bill

Freedom of Information Bill

Residential Tenancies (Further Amendment) Bill.

**2 FORESTRY ACT 1916—REVOCATION OF DEDICATION OF CERTAIN
STATE FORESTS**

Mr Speaker reported a communication from His Excellency the Governor acknowledging receipt of the resolution adopted by the House on 28 February, 1989, regarding the revocation of the dedication of parts of certain State Forests.

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

(1) Mr Speaker reported the following Message from His Excellency the Governor:

D. J. MARTIN
Governor

The Governor transmits to the Legislative Assembly copy of a despatch dated 27 February 1989, received from the President of the Senate, notifying that a vacancy has happened in the representation of the State of New South Wales in the Senate of the Commonwealth of Australia through the resignation of Senator the Honourable Arthur Thomas Gietzelt which occurred on 27th February 1989.

Government House,
Sydney, 2 March 1989.

Parliament House,
Canberra.

27 February 1989

Your Excellency,

Pursuant of the provisions of section 21 of the Commonwealth of Australia Constitution, I notify your Excellency that a vacancy has happened in the representation of the State of New South Wales through the resignation of Senator the Honourable Arthur Thomas Gietzelt on this day.

Yours sincerely,
KERRY SIBRAA
President

His Excellency the Governor of
New South Wales
Government House,
Sydney.

(2) Ordered, on motion of Mr Greiner, That this House meet the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Arthur Thomas Gietzelt.

(3) Mr Greiner moved, That the following message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly having resolved to meet the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Arthur Thomas Gietzelt, requests the Legislative Council to name the place and hour for such meeting.

Legislative Assembly,
Sydney, 4 April, 1989.

And the motion having been seconded by Mr Carr—

Question put and passed.

4 DEATH OF THE HONOURABLE RICHMOND WILLIAM MANYWEATHERS, M.B.E., A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Speaker informed the House of the death of the Honourable Richmond William Manyweathers, M.B.E., a former member of the Legislative Assembly and that, on behalf of the House, he had extended to Mrs Manyweathers 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.

5 DEATH OF DOUGLAS PORTER, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Speaker informed the House of the death of Douglas Porter, a former member of the Legislative Assembly and that, on behalf of the House, he had extended to Mrs Porter 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.

6 LEAVE OF ABSENCE

Ordered, on motion of Mr Phillips, That leave of absence for the present Session be granted to Phillip Murray Smiles, Member for Mosman, on account of absence from the State.

7 PETITIONS

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

Mr Caterson, Mr Chappell and Mr Park—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

Mr Moore, Mr Murray and Mr Park—from certain citizens requesting support for legislation to protect the unborn.

Mr Beckroge—from certain citizens requesting inquiries be made into the dust problem being created by open cut mining operations at Broken Hill.

Mr Face—from certain citizens requesting the building of a by-pass of the Pacific Highway at Charlestown.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Irwin—from certain citizens opposing the proposed changes to public education.

Miss Machin—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Ms Nori—from certain citizens opposing works which threaten the Royal Botanic Gardens.

Ms Read—from certain citizens requesting the provision of escalators at Milsons Point railway station.

Mr Smiles—from certain citizens requesting the prohibition of nude bathing at Reef Beach.

Mr Brereton—from certain citizens requesting the upgrading of services at Prince Henry Hospital.

Mr Brereton—from certain citizens requesting that certain land at Mascot be preserved as open space parkland.

Mr Beckroge—from certain citizens opposing the proposed changes to public education in the Cobar district.

Mr H. F. Moore—from certain citizens requesting that certain land on the North Entrance Peninsula area be proclaimed as a national park.

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumby Valley areas.

Mr Roberts—from certain citizens requesting the appointment of an administrator to manage Cessnock City Council.

8 NOTICES OF MOTIONS

9 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Northern Tablelands Regional Aboriginal Land Council for the year ended 30 June 1988.

Land Tax Management Act 1956—Land Tax Regulations—regulation 8. (Gazette 25/1989.)

Pay-roll Tax Act 1971—Pay-roll Tax Regulations 1971—regulation 7, amendment of regulations 2, 7, substituted regulations 2A, 6, omission of regulations 3, 4, 5, 5A, 6, 6A, 6B, 6C and the Schedule. (Gazettes 187/1988, 25/1989.)

Stamp Duties Act 1920—

(a) Stamp Duties Regulations 1934—amendment of regulation 77. (Gazette 25/1989.)

(b) Stamp Duties (Mortgage-backed Securities) Regulation 1986—amendment of clause 3. (Gazette 21/1989.)

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

Fish River Water Supply Administration Act 1945—Fish River Water Supply Administration (Price of Water) Regulation 1989—clauses 1 to 4. (Gazette 18/1989.)

Referred to the Printing Committee.

(3) Mr Collins laid upon the Table—

Report of the Institute of Psychiatry for the year ended 30 June 1988.

Chiropodists Registration Act 1978—Chiropodists Registration Regulations—amendment of regulations 14, 15, 17, 20, 22. (Gazette 5/1989.)

Chiropractic Act 1978—Chiropractic Regulation 1979—amendment of clause 7. (Gazette 5/1989.)

Dental Technicians Registration Act 1975—Dental Technicians Registration Regulation 1976—amendment of clause 11. (Gazette 10/1989.)

Nurses Registration Act 1953—Nurses Registration Regulations—regulation 30E, 31GA, amendment of regulations 30, 30B, 31, 31C, 31E, 31F, 33. (Gazettes 162/1988, 180/1988.)

Optical Dispensers Act 1963—Optical Dispensers Regulations—amendment of regulations 7, 8, 10, 12. (Gazette 5/1989.)

Poisons Act 1966—

(a) Poisons Regulations—amendment of regulations 43, 53. (Gazette 159/1988.)

(b) proclamations amending the Poisons list. (Gazette 178/1988 (2).)

Private Health Establishments Act 1982—Private Health Establishments (Private Hospitals and Nursing Homes) Regulation 1988—amendment of clauses 7, 9, 10, 13. (Gazette 183/1988.)

Public Health Act 1902—

(a) Public Health Regulations—amendment of regulations 24c, 104b, 104c, 125. (Gazettes 162/1988, 187/1988.)

(b) Public Health (Funeral Industries) Regulation 1987—amendment of clause 32. (Gazette 187/1988.)

Radioactive Substances Act 1957—Radioactive Substances Regulations 1959—amendment of regulation 4. (Gazette 159/1988.)

Referred to the Printing Committee.

(4) Mr Dowd laid upon the Table—

District Court Act 1973—District Court Rules 1973—amendment of parts 8, 10, 12, 22, 22A, 51A, 53, schedule of fees to counsel. (Gazettes 23/1989, 34/1989.)

Justices Act 1902—Justices (Warrants of Commitment) Regulation 1986—amendment of clause 3. (Gazette 34/1989.)

Security (Protection) Industry Act 1985—Security (Protection) Industry Regulation 1986—substituted clause 4, omission of schedule 1, 6. (Gazette 23/1989.)

Supreme Court Act 1970—Supreme Court Rules—amendment No. 218. (Gazette 25/1989.)

Trustee Act 1925—Trustee Regulation 1988—amendment of clause 9. (Gazette 34/1989.)

Referred to the Printing Committee.

(5) Mr Moore laid upon the Table—

Report of the Royal Botanic Gardens and Domain Trust for the year ended 30 June 1988.

Clean Air Act 1961—Clean Air (Control of Refuse Burning) Regulation 1988—clauses 1 to 10, schedules 1 to 3. (Gazette 187/1988.)

Exhibited Animals Protection Act 1986—Exhibited Animals Protection Regulation 1987—amendment of clause 4. (Gazette 21/1989.)

National Parks and Wildlife Act 1974—**(a) proclamations reserving certain lands as part of—**

- Bundjalung National Park. (Gazette 18/1989.)**
- Georges River State Recreation Area. (Gazette 5/1989.)**
- Glenrock State Recreation Area. (Gazette 52/1989.)**
- Hat Head National Park. (Gazette 5/1989.)**
- Hayters Hill Nature Reserve. (Gazette 5/1989.)**
- Kuring-gai Chase National Park. (Gazette 18/1989.)**
- Lane Cove River State Recreation Area. (Gazette 5/1989.)**
- Marramarra National Park. (Gazettes 5/1989, 18/1989.)**
- Morton National Park. (Gazette 18/1989.)**
- Munmorah State Recreation Area. (Gazette 18/1989.)**
- New England National Park. (Gazette 21/1989.)**
- Oxley Wild Rivers National Park. (Gazette 5/1989.)**
- Royal National Park. (Gazette 18/1989.)**
- Wollemi National Park. (Gazette 5/1989.)**

(b) Native Plants Protection Regulation 1975—amendment of clause 9, schedule 1. (Gazette 118/1989.)

Noise Control Act 1975—Noise Control Regulation 1975—clauses 44A to 44C, schedule 6B. (Gazette 2/1989.)

Water Board Act 1987—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for sewage purposes at Fairfield. (Gazette 18/1989.)

Referred to the Printing Committee.

(6) Mr Peacocke laid upon the Table—

Five year development and achievement plan for the Hunter Region, dated July 1988.

Fair Trading Act 1987—order under section 31. (Gazette 88/1988.)

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 Campbelltown. (Gazette 10/1989.)

Registration of Interests in Goods Act 1986—Registration of Interests in Goods Regulation 1986—amendment of clauses 3, 5, 8. (Gazette 25/1989.)

Referred to the Printing Committee.

(7) Mr Pickard laid upon the Table—

Report of the Joint Coal Board for the year ended 30 June 1988.

4 April 1989

Mine Subsidence Compensation Act 1961—Mine Subsidence Compensation Regulations—amendment of clause 9. (Gazette 25/1989.)

Referred to the Printing Committee.

(8) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—Northern Suburbs Cemetery By-law 1983—substituted schedule of fees and charges. (Gazette 27/1989.)

Irrigation Act 1912—

(a) Coleambally (Supply of Water for Irrigation) Regulations—amendment of regulations 1, 6, form 5. (Gazette 13/1989.)

(b) Tullakool (Supply of Water for Irrigation) Regulations—amendment of regulations 6, 18, form 5. (Gazette 13/1989.)

(c) Yanco and Mirool (Supply of Water for Irrigation) Regulations—amendment of regulation 8, form 5. (Gazette 13/1989.)

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements for water supply purposes at Glenbawn Dam. (Gazette 32/1989.)

Valuation of Land Act 1916—Regulation No. 2—amendment of clause 5. (Gazette 189/1988.)

Water Act 1912—

(a) Water (Part VI) Regulations—amendment of regulations 2 to 6, 28, forms 1, 2. (Gazette 13/1989.)

(b) Water (Part VII) Regulations—amendment of regulations 1 to 5, form 1. (Gazette 13/1989.)

Wentworth Irrigation Act 1890—Wentworth Irrigation (Former By-laws) Regulations 1926—amendment of regulations 2, 5A. (Gazette 13/1989.)

Referred to the Printing Committee.

(9) Mr Hay laid upon the Table—

Local Government Act 1919—amendment of ordinances 1, 26, 48, 70, 71. (Gazettes 1/1989, 10/1989 (3), 25/1989.)

Referred to the Printing Committee.

(10) Mr Yabsley laid upon the Table—

Prisons Act 1952—Prisons Regulations 1968—regulation 11AA. (Gazette 29/1989.)

Referred to the Printing Committee.

10 SELECT COMMITTEE UPON SMALL BUSINESS

Mr Peacocke laid upon the Table—Certain minutes of evidence taken before the Select Committee Upon Small Business on Thursday, 21 May 1987, but not tabled upon the dissolution of Parliament in February, 1988.

Referred to the Printing Committee.

11 REPORT RECEIVED BY CLERK

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

7 March 1989

Report of the Nurses Registration Board for the year ended 30 June 1986.

12 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the Report of the Public Accounts Committee on payments without parliamentary appropriation during the 1986-87 and 1987-88 financial years.

13 QUESTIONS

Paper: Mr Greiner laid upon Table—Report on implementation of proposals of the New South Wales Commission of Audit, dated March 1989.

Referred to the Printing Committee.

14 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 initiating moves to privatise services provided in public hospitals because of the effects on quality of patient care and hospital employees.

Question put.

The House divided.

Ayes 42

Ms Allan	Mr Hatton	Mr Price
Mr Amery	Mr Hunter	Ms Read
Mr Aquilina	Mr Keegan	Dr Refshauge
Mr A. S. Aquilina	Mr Knight	Mr Rogan
Mr Arkell	Mr Langton	Mr Rumble
Mr Breton	Mr Markham	Mr Shedden
Mr Cleary	Mr Martin	Mr Unsworth
Mrs Crosio	Mr Mills	Mr Walsh
Mr Davoren	Mr H. F. Moore	Mr Welsh
Mr Doyle	Ms Moore	Mr Whelan
Mr Face	Mr Moss	
Mr Ferguson	Mr J. H. Murray	
Ms Fraser	Mr Nagle	Tellers
Mr Gibson	Mr Newman	Mr Beckroge
Mr Harrison	Ms Nori	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
4 April 1989

Noes 56

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Armstrong	Mr Hay	Mr Schipp
Mr Baird	Mr Jeffery	Mr Schultz
Mr Berry	Mr Kerr	Mr Singleton
Mr Books	Mr Longley	Mr Small
Mr J. D. 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	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
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Pickard	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

Pairs

Mr Greiner	Mr Carr
Mr Smiles	Mr McManus

And so it passed in the negative.

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

Mr Speaker reported the following message from the Legislative Council—

Mr SPEAKER

The Legislative Council, having taken into consideration the Legislative Assembly's message dated 4 April 1989, agrees to meet the Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Arthur Thomas Gietzelt, in the Legislative Council Chamber, today, Tuesday, 4 April 1989, at 5.00 p.m. sharp.

Legislative Council
4 April 1989

JOHN JOHNSON
President

Ordered by Mr Speaker, That the joint sitting with the Legislative Council for the election of a Senator of the Commonwealth of Australia be set down as an Order of the Day for a later hour of the day.

16 ADJOURNMENT UNDER STANDING ORDER 49

Mr Speaker stated that he had received from the honourable member for Lismore a notice that he desired to move the adjournment of the House to discuss the current disastrous flooding in New South Wales.

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

Debate ensued.

Interruption

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

(1) The Order of the Day having been read, Mr Speaker informed the House that the time had arrived for this House to proceed to the Legislative Council Chamber to meet with the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate of the Commonwealth of Australia rendered vacant by the resignation of Senator the Honourable Arthur Thomas Gietzelt.

Whereupon the House proceeded to the Legislative Council Chamber to meet the Legislative Council.

And being returned—

(2) Mr Speaker reported that the House had met with the Legislative Council in the Legislative Council Chamber, this day, for the purpose of sitting and voting together to choose a person to hold the place in the Senate of the Commonwealth of Australia rendered vacant by the resignation of Senator the Honourable Arthur Thomas Gietzelt and that John Phillip Faulkner had been duly chosen to hold the vacant place.

Debate continued.

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 ADJOURNMENT UNDER STANDING ORDER 49

Resumption of the interrupted debate, on the motion of Mr Rixon, That this House do now adjourn.

Motion, by leave, withdrawn.

19 PAPER

Mr Speaker laid upon the Table—Minutes of the Proceedings of the Joint Sitting of the Houses of Parliament of New South Wales to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Arthur Thomas Gietzelt.

Ordered to be printed.

20 CHILDREN (CRIMINAL PROCEEDINGS) AMENDMENT BILL

The Order of the Day having been read for the consideration in Committee of the Whole of the Legislative Council's message of 7 December 1988, in reference to the amendments in the Children (Criminal Proceedings) Amendment Bill—

(1) Ordered, on motion of Mr Dowd, That the Order of the Day be discharged.

(2) Ordered, on motion of Mr Dowd, That the bill be withdrawn.

(3) Ordered, on motion of Mr Dowd, That the following message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly acquaint the Legislative Council that they have discharged the Order of the Day for the consideration of the Council's Message of 7 December 1988 in reference to the amendments made in the Children (Criminal Proceedings) Amendment Bill and have withdrawn the said bill.

Legislative Assembly
4 April 1989

K. R. ROZZOLI
Speaker

21 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the—

Local Government (Borrowing) Amendment Bill
Public Accountants Registration (Repeal and Amendment) Bill
Corporate Affairs Commission (Auditors and Liquidators) Amendment Bill, and
Usury, Bills of Lading, and Written Memoranda (Amendment) Bill

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

22 PUBLIC ACCOUNTANTS REGISTRATION (REPEAL AND AMENDMENT) BILL

CORPORATE AFFAIRS COMMISSION (AUDITORS AND LIQUIDATORS) 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 repeal the Public Accountants Registration Act 1945; and for associated purposes.

- (ii) A bill for an Act to amend the Corporate Affairs Commission Act 1981 to change the name of that Act and to provide for the constitution and functions of the Companies Auditors and Liquidators Disciplinary Board; and for other purposes.

Question put and passed.

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

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

23 USURY, BILLS OF LADING, AND WRITTEN MEMORANDA (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Usury, Bills of Lading, and Written Memoranda Act 1902 so as to omit provisions relating to representations as to credit.

Question put and passed.

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.

24 LOCAL GOVERNMENT (BORROWING) 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 councils' powers of borrowing.

Question put and passed.

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

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

25 REAL PROPERTY (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.

Madam Deputy-Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

4 April 1989

Madam Deputy-Speaker resumed the Chair, and Mr Caterson, Temporary Chairman, reported the bill without amendment.

On motion of Mr Causley, the Report was adopted.

And Madam Deputy-Speaker having consented to the third reading being taken forthwith—

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

26 WASTE DISPOSAL (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.

Mr Longley 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.

27 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Caterson, Acting Speaker, reported a message from the Legislative Council dated 4 April 1989, returning the Local Government (Theatres and Public Halls) 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 "An Act to amend certain Acts as a consequence of the enactment of the Local Government (Theatres and Public Halls) Amendment Act 1989" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
4 April 1989

JOHN JOHNSON
President

MISCELLANEOUS ACTS (THEATRES AND PUBLIC HALLS) AMENDMENT BILL

Schedule of the amendment referred to in Message of 4 April 1989

L. A. JECKELN
Clerk of the Parliaments

Page 6, Schedule 1, line 3. Omit all words on that line, insert instead:—
Omit section 23 (3A), (3B), (3C) and (11).

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered by Mr Caterson, Acting Speaker, That the amendment made by the Legislative Council be taken into consideration tomorrow.

28 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.07 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 37

WEDNESDAY 5 APRIL 1989

1 PETITIONS

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

Mr Davoren and Mr Price—from certain citizens requesting an improvement in crime prevention measures on the public transport system.

Mr Price—from certain citizens opposing the proposed cuts to the New South Wales Police Force.

Mr Hunter and Mr Newman—from certain citizens opposing cuts to pensioner concessions.

Mr Park—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

Mr Smiles—from certain citizens requesting the prohibition of nude bathing at Reef Beach.

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumbi Valley areas.

Mr Lovelee—from certain citizens requesting the installation of a Club Totalizator Agency Board in the Chester Hill Returned Soldier's League Co-op Limited.

Mr J. H. Murray—from certain citizens requesting that the vehicular/passenger ferry service between Mortlake and Putney be retained.

Mr Cochran—from certain citizens requesting that the Canberra Express Railway Service be restored.

Mr H. F. Moore—from certain citizens requesting that certain land on the North Entrance Peninsula area be proclaimed as a national park.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Determination of the Treasurer in terms of section 24 of the Public Finance and Audit Act 1983, concerning the transfer of the responsibility for the payment of subsidies in respect of travel concessions to students from the Department of Technical and Further Education to the Ministry of Transport.

Determination of the Treasurer in terms of section 24 of the Public Finance and Audit Act 1983, concerning the transfer of the responsibility for the Building Management Function and the Government Accommodation Allocation for Fitouts from the Department of Public Works to the Department of Administrative Services.

Annual Reports (Statutory Bodies) Act 1984—Annual Reports (Statutory Bodies) Regulation 1985—amendment of clause 4. (Gazette 30/1989.)

Public Finance and Audit Act 1983—

(a) amendment of schedules 2, 3. (Gazettes 18/1989 (2), 34/1989 (2).)

(b) Public Finance and Audit Regulation 1984—amendment of clause 3. (Gazette 30/1989.)

Referred to the Printing Committee.

(2) Mr Baird laid upon the Table—

Motor Traffic Act 1909—Motor Traffic Regulations 1935—regulation 113G, amendment of regulations 2, 14, 47, 54, 73A, 80D, 92AA, 95, 95A, 96, 105, 110F, 111, 113D, 113F, 118, 136, schedules F, K, omission of regulation 37. (Gazette 189/1988.)

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—
Bungulla. (Gazettes 23/1989, 27/1989.)

Orange. (Gazette 23/1989.)

Padstow. (Gazette 27/1989.)

South Deniliquin. (Gazette 23/1989.)

Sydney. (Gazette 23/1989.)

(b) State Roads (Toll Works) Regulation 1988—amendment of clause 3, substituted clause 6, schedule 1, omission of clause 7. (Gazette 25/1989.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 12A, 23, 55B. (Gazettes 25/1989 (2), 32/1989.)

Transport Act 1930—Transport (Public Vehicles) Regulations 1930—amendment of schedules A, B. (Gazette 189/1988.)

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

Report of the Sporting Injuries Committee for the year ended 30 June 1988.

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements for irrigation purposes at Mirrool. (Gazette 23/1989.)

Valuation of Land Act 1916—Regulation No. 2—amendment of clauses 3, 4, substituted schedule 3. (Gazette 189/1988.)

Water Act 1912—

(a) Water (Part II) Regulations—amendment of regulation 23, the schedule. (Gazette 23/1989.)

(b) Water (Part V) General Regulations—amendment of regulations 5, 5B. (Gazette 23/1989.)

(c) Water (Part VIII) Regulation—amendment of regulations 5, 8. (Gazette 23/1989.)

Referred to the Printing Committee.

4 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Fifth Report of the Regulation Review Committee on—

(1) Local Government Act 1919—Ordinance Amending Ordinance No. 5.

(2) Occupational Health and Safety Act 1983—Occupational Health and Safety (Inspectors' Notices) Regulation.

(3) Public Sector Management Act 1988—Public Sector Management (General) Regulation 1988.

(4) Weights and Measures Act 1915—Regulation.

(5) Security (Protection) Industry Act 1985—Regulation.

(6) Occupational Health and Safety Act 1983—Occupational Health and Safety (Asbestos Removal Contractors) Regulation 1988.

(7) Water Act 1912—Regulation.

(8) Animal Research Act 1985—Animal Research (Education Advisory Committee) Regulation.

(9) Darling Harbour Authority Act 1984—Darling Harbour (Monorail) Regulation 1988.

(10) Tabling Statutory Rules and Instruments.

(11) Description of Regulations.

Ordered to be printed.

5 QUESTIONS

6 INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL

DEFAMATION (INDEPENDENT COMMISSION AGAINST CORRUPTION) 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 Independent Commission Against Corruption Act 1988 in relation to the office of Assistant Commissioner and appeal rights and discipline of members of the staff of the Commission, and for other purposes.
- (ii) A bill for an Act to amend the Defamation Act 1974 in relation to defences for certain publications made in connection with the Independent Commission Against Corruption.

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

7 PUBLIC ACCOUNTS COMMITTEE

Ordered, on motion of Mr Souris, Acting Chairman (by leave), That in accordance with Section 56 (9) of the Public Finance and Audit Act 1983, the Public Accounts Committee be granted leave to sit during the sitting of the Legislative Assembly on Wednesday, 5 April, 1989.

8 CRIMINAL PROCEDURE (SENTENCING) 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 so as to allow outstanding charges to be taken into account by certain courts when sentencing; to amend certain other Acts consequentially; and for related 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 Aquilina) and the resumption of the debate made an Order of the Day for a future day.

9 CHILDREN (CRIMINAL PROCEEDINGS) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Children (Criminal Proceedings) Act 1987 in relation to the remitting of cases to other courts, the publication of names of children involved in criminal proceedings, the making of compensation orders, the imposing of penalties and other matters; and to amend the Miscellaneous Acts (Children's Court and Criminal Proceedings) 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 Whelan) and the resumption of the debate made an Order of the Day for a future day.

10 YOUTH ADVISORY COUNCIL BILL

Dr Metherell moved, pursuant to notice, That leave be given to bring in a bill for an Act to establish a Youth Advisory Council; to define its functions; and for related purposes.

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 debate made an Order of the Day for a future day.

11 TRAFFIC (PENALTY NOTICES) AMENDMENT BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Traffic Act 1909 in respect of penalty notices for certain offences.

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.

12 WASTE DISPOSAL (FURTHER AMENDMENT) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Waste Disposal Act 1970 to reconstitute the Waste Management Authority; to amend certain other Acts consequentially; 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.

13 LOCAL GOVERNMENT (THEATRES AND PUBLIC HALLS) AMENDMENT BILL
MISCELLANEOUS ACTS (THEATRES AND PUBLIC HALLS) AMENDMENT BILL

The Order of the Day having been read, Mr J. D. 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 Miscellaneous Acts (Theatres and Public Halls) Amendment Bill.

Mr J. D. Booth, Acting Speaker, resumed the Chair and the Chairman reported that the Committee had agreed to the Council amendment.

Report adopted.

14 WASTE DISPOSAL (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.

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.

Mr J. D. Booth, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr J. D. Booth, Acting Speaker, resumed the Chair and the Chairman reported the bill with amendments.

On motion of Mr Moore, the Report was adopted.

Ordered by Mr J. D. Booth, Acting Speaker, That the third reading stand an Order of the Day for tomorrow.

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 PODIATRISTS 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 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 Collins, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

17 GAMING AND BETTING (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.

Leave granted for the third reading to be moved forthwith.

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

18 OMBUDSMAN (AMENDMENT) BILL**POLICE REGULATION (ALLEGATIONS OF MISCONDUCT)
(OMBUDSMAN) 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.

Mr Tink 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.

19 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.03 p.m. until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 38

THURSDAY 6 APRIL 1989

I MESSAGE FROM LEGISLATIVE COUNCIL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has this day agreed to the following Resolution—

(1) That in accordance with section 63 of the Independent Commission Against Corruption Act 1988, a joint committee, known as the Committee on the Independent Commission Against Corruption, be appointed.

(2) That in accordance with section 65 (1) (a) of the Independent Commission Against Corruption Act 1988, Mr Dyer, Mr Gay and Mr Mutch be appointed to serve on such Committee as the Members of the Legislative Council.

and requests that the Legislative Assembly inform the Legislative Council of the names of the Members of the Legislative Assembly appointed to serve on such Committee.

Legislative Council
5 April 1989

JOHN JOHNSON
President

Ordered by Mr Speaker, That consideration of the Legislative Council's Message stand as an Order of the Day for a later hour of the day.

2 PETITIONS

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

Mr Moore—from certain citizens opposing the introduction of contractors into New South Wales public sector hospitals.

Ms Allan—from certain citizens requesting improved conditions for captive whales.

Miss Machin—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

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

Mr Griffiths—from certain citizens requesting the consideration of the two categories of impairment under the Anti-Discrimination Act.

Mr Davoren—from certain citizens opposing cuts to pensioner concessions.

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumby Valley areas.

3 MINISTERIAL STATEMENT—WATER BOARD COMPUTER CONTRACTS

Mr Moore made a ministerial statement concerning an interim report on the Water Board computer upgrade contract.

4 QUESTIONS

Paper: Mr Greiner laid upon the Table—Report of the Inquiry into the Operations and Processes for the Conduct of State Elections, dated February 1989.

Referred to the Printing Committee.

5 WASTE DISPOSAL (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr Moore, read a third time.

6 PODIATRISTS BILL

(Formal Order of the Day)—Bill, on motion of Mr Collins, read a third time.

6 April 1989

7 COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

The Order of the Day having been read for the consideration of the Legislative Council's Message of 5 April 1989, proposing the appointment of the Committee on the Independent Commission Against Corruption—

(1) Mr Dowd moved, That in accordance with section 65 (1) (b) of the Independent Commission Against Corruption Act 1988 the following members of the Legislative Assembly be and are hereby appointed to serve on the Committee on the Independent Commission Against Corruption—

Mr John Edward Hatton
Mr Malcolm John Kerr
Ms Sandra Christine Nori
Mr Andrew Arnold Tink
Mr John Harcourt Turner, and
Mr Paul Francis Patrick Whelan.

(2) Ordered, on motion of Mr Dowd, That the following message be sent to the Legislative Council:

Mr PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council's Message of 5 April 1989, relating to the Committee on the Independent Commission Against Corruption, acquaints the Legislative Council that the Legislative Assembly has this day agreed to the following resolution—

That in accordance with section 65 (1) (b) of the Independent Commission Against Corruption Act 1988 the following members of the Legislative Assembly be and are hereby appointed to serve on the Committee on the Independent Commission Against Corruption—

Mr John Edward Hatton
Mr Malcolm John Kerr
Ms Sandra Christine Nori
Mr Andrew Arnold Tink
Mr John Harcourt Turner, and
Mr Paul Francis Patrick Whelan.

Legislative Assembly
6 April 1989

K. R. ROZZOLI
Speaker

8 MESSAGE FROM 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 amend the Western Lands Act 1901 with respect to the rent, purposes and granting of leases and in certain other respects" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
6 April 1989

JOHN JOHNSON
President

WESTERN LANDS (AMENDMENT) BILL

Schedule of the amendments referred to in Message of 6 April 1989

L. A. JECKELN
Clerk of the Parliaments

-
- No. 1 Page 5, Schedule 2, line 24. After "subsection (1)", insert "after the insertion of this subsection by the Western Lands (Amendment) Act 1989".
- No. 2 Page 6, Schedule 3, line 34. Omit "this section", insert instead "the redetermination shall be made under this Act as in force immediately before that commencement and this section".
- No. 3 Page 7, Schedule 3, lines 1 to 28. Omit all words on those lines.
- No. 4 Page 7, Schedule 3, lines 29 and 30. Omit all words on those lines, insert instead "(3) The first redetermination after the commencement of this section of the rent of a lease to which this section applies (not being a redetermination referred to in subsection (2)) shall".
- No. 5 Page 7, Schedule 3, line 33. Omit "that period", insert instead "the period for which it had last been redetermined before the commencement of this section".
- No. 6 Page 8, Schedule 3, line 8. After "shall", insert "(after taking into account a period that last preceded the determination by at least 10 years)".
- No. 7 Page 15, Schedule 6, lines 14 to 36 and page 16, lines 1 to 26. Omit all words on those lines.
- No. 8 Page 17, Schedule 6, lines 30 to 32. Omit all words on those lines.
- No. 9 Page 19, Schedule 7, lines 12 to 31. Omit all words on those lines.

Examined
MAX F. WILLIS
Temporary Chairman of Committees

Ordered by Mr Speaker, That the amendments made by the Legislative Council in this bill be set down as an Order of the Day for tomorrow.

9 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 to create offences in relation to the sale and storage of meat or processed meat; 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 debate made an Order of the Day for a future day.

**10 OMBUDSMAN (AMENDMENT) BILL
POLICE REGULATION (ALLEGATIONS OF MISCONDUCT)
(OMBUDSMAN) 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.

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.

It being 2.15 p.m., General Business proceeded with.

11 GRIEVANCE DEBATE

Question proposed—That grievances be noted.

Debate ensued.

Interruption:

DISTINGUISHED VISITORS—Mr Speaker drew the attention of the House to the presence in the Speaker's Gallery of a delegation from the Parliament of the Philippines led by Senator Heherson T. Alvarez.

Question put and passed.

12 PRINTING COMMITTEE

Mr Small brought up Report No. 13 of the Printing Committee.

13 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.25 p.m., until Tuesday, 11 April 1989, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 39

TUESDAY 11 APRIL 1989

1 ISSUE OF WRIT

Mr Speaker informed the House that upon the passing of the Resolution of 21 February 1989, declaring vacant the seat of the Honourable George Paciullo, resigned, he had issued a writ on 10 April 1989, in accordance with the direction of section 70 of the Parliamentary Electorates and Elections Act 1912, for the election of a member to serve in the Legislative Assembly for the electoral district of Liverpool in the room of the Honourable George Paciullo, resigned.

Particulars of writ:

Nomination day	14 April 1989
Polling day	29 April 1989
Return of Writ	19 May 1989

2 PETITIONS

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

Mr Mills—from certain citizens requesting smaller class numbers at Cardiff Public School.

Mr J. H. Murray—from certain citizens requesting that the vehicular/passenger ferry service between Mortlake and Putney be retained.

Mr Cochran—from certain citizens opposing proposed changes to the Public Health Insurance Scheme.

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumby Valley areas.

Mr Harrison—from certain citizens opposing rental increases above increases in the Consumer Price Index.

3 NOTICES OF MOTIONS

4 MINISTERIAL STATEMENT—JOINT COAL BOARD

Mr Greiner made a ministerial statement concerning the Joint Coal Board.

5 PAPERS

(1) Mr Armstrong laid upon the Table—

Fisheries and Oyster Farms Act 1935—

(a) Fisheries and Oyster Farms (General) Regulation 1989—clauses 1 to 64, schedule 1. (Gazette 37/1989.)

(b) Fisheries and Oyster Farms (Nets and Other Fishing Gear) Regulation 1989—clauses 1 to 74, schedule 1. (Gazette 37/1989.)

Sydney Market Authority Act 1968—Sydney Market Regulation—amendment of clauses 38, 45. (Gazette 30/1989.)

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Legal Profession Act 1987—Legal Profession Regulation 1987—clause 13A, amendment of clause 4, omission of form 1. (Gazette 37/1989.)

Referred to the Printing Committee.

(3) Mr Schipp laid upon the Table—

Housing Act 1976—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for housing purposes at Leichhardt. (Gazette 162/1988.)

Residential Tenancies Tribunal Act 1986—Residential Tenancies Tribunal Regulation 1986—clause 18. (Gazette 38/1989.)

Referred to the Printing Committee.

6 QUESTIONS

11 April 1989

7 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 Minister for Education and Youth Affairs for the closure of twelve schools.

Question put.

The House divided.

Ayes 44

Ms Allan	Mr Harrison	Ms Nori
Mr Amery	Mr Hunter	Mr Page
Mr Aquilina	Mr Irwin	Mr Price
Mr A. S. Aquilina	Mr Langton	Ms Read
Mr Arkell	Mr Lovelee	Dr Refshauge
Mr Brereton	Mr McManus	Mr Rogan
Mr Carr	Mr Markham	Mr Rumble
Mr Cleary	Mr Martin	Mr Shedden
Mrs Crosio	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 Ferguson	Mr J. H. Murray	Tellers
Ms Fraser	Mr Nagle	Mr Beckroge
Mr Gibson	Mr Newman	Mr Christie

Noes 57

Mr Andrews	Mr Hartcher	Mr Schultz
Mr Armstrong	Mr Hatton	Mr Singleton
Mr Baird	Mr Hay	Mr Small
Mr Berry	Mr Jeffery	Mr Smiles
Mr Books	Mr Kerr	Mr Smith
Mr J. D. Booth	Mr Longley	Mr Souris
Mr Catterson	Miss Machin	Mr Tink
Mr Causley	Mr Matheson	Mr Turner
Mr Chappell	Mr Merton	Mr Webster
Mr Cochran	Dr Metherell	Mr West
Mrs Cohen	Mr 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 Fahéy	Mr Peacocke	
Mr Glachan	Mr Petch	
Mr Graham	Mr Photios	Tellers
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Schipp	Mr Phillips

11 April 1989

Pairs

Mr Pickard
Mr RobertsMr Knight
Mr Knowles

And so it passed in the negative.

8 WITHDRAWAL OF NOTICE OF MOTION

Dr Metherell withdrew Government Business-Notice of Motion No. 1 standing in his name.

9 REGULATION REVIEW COMMITTEE

(1) Ordered, on the motion of Mr Dowd (by leave), That John Charles Mills be appointed to the Regulation Review Committee in the place of Pamela Diane Allan, resigned on 15 November 1988.

(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 John Charles Mills be appointed to serve on the Regulation Review Committee in the place of Pamela Diane Allan, resigned on 15 November 1988.

Legislative Assembly
11 April 1989

K. R. ROZZOLI
Speaker

10 WESTERN LANDS (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 Western Lands (Amendment) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council's amendments.

Report adopted.

11 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 11 April 1989, returning the Agricultural Holdings (Amendment) Bill, without amendment.

12 OMBUDSMAN (AMENDMENT) BILL**POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) (OMBUDSMAN)
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.

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 the Ombudsman (Amendment) Bill with amendments and the Police Regulation (Allegations of Misconduct) (Ombudsman) Amendment Bill without amendment.

On motion of Mr Dowd, on behalf of Mr Greiner, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

**13 NATIONAL PARKS AND WILDLIFE (MARINE MAMMALS PROTECTION)
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.

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.

**14 NATIONAL PARKS AND WILDLIFE (UNAUTHORISED USE OF LAND)
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.

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.

15 LOCAL GOVERNMENT (BORROWING) AMENDMENT 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.

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 (BORROWING) AMENDMENT BILL

Resumption of the interrupted debate, on the motion of Mr Hay, 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 Hay, read a third time.

18 INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL

DEFAMATION (INDEPENDENT COMMISSION AGAINST CORRUPTION) 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 Dowd, on behalf of Mr Greiner, read a third time.

11 April 1989

19 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Catterson, Acting Speaker, reported messages from the Legislative Council, dated 11 April 1989, returning the following bills, without amendment:

Commons Management Bill
 Local Government (Commons Management) Amendment Bill
 Real Property (Amendment) Bill
 State Pollution Control Commission (Amendment) Bill.

20 FIREARMS BILL**PROHIBITED WEAPONS BILL****CRIMES (FIREARMS) 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.

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

Mr Small 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.

21 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 11 April 1989, returning the Wills, Probate and Administration (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 "An Act to amend the Revenue Laws (Reciprocal Powers) Act 1987 in respect of the exercise of certain powers and the issuing of certificates for certain purposes" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
 11 April 1989

JOHN JOHNSON
 President

REVENUE LAWS (RECIPROCAL POWERS) AMENDMENT BILL

Schedule of the amendment referred to in Message of 11 April 1989

L. A. JECKELN
 Clerk of the Parliaments

Page 2, clause 2, line 6. Omit "1 January 1989", insert instead "a day or days to be appointed by proclamation".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered by Mr Speaker, That the amendment made by the Legislative Council be taken into consideration tomorrow.

22 ADJOURNMENT

Mr Yabsley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.16 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 40

WEDNESDAY 12 APRIL 1989

1 PETITIONS

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

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

Mr H. F. Moore—from certain citizens opposing the proposed changes to the Public Health Insurance Scheme.

Dr Refshauge—from certain citizens opposing the sale of land designated for public recreation.

Ms Allan—from certain citizens requesting improved conditions for captive whales.

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumby Valley areas.

Mr Walsh—from certain citizens opposing rental increases by the Department of Housing.

Mrs Cohen—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

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

Mr D. L. Page—from certain citizens requesting support for legislation to protect the unborn.

2 NOTICES OF MOTIONS

P 90320-44684

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Ombudsman under section 31 of the Ombudsman Act 1974, concerning an inaccurate media report of the Ashfield Municipal Council, dated 31 March 1989

Report of the Ombudsman under section 32 of the Police Regulation (Allegations of Misconduct) Act 1978, concerning a decision made on the basis of inadequate legal advice provided to the Commissioner of Police, dated 31 March 1989.

Aboriginal Land Rights Act 1983—Aboriginal Land Rights Regulation 1983—amendment of clause 24. (Gazette 34/1989.)

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Housing Act 1976—notification of acquisition and/or resumption of land and/or easements under the Public Works Act 1912, for housing purposes at Nyngan. (Gazette 140/1988.)

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Co-operation Act 1923—Co-operation (Accounts and Audit) Regulation 1988—amendment of clauses 14, 22. (Gazette 23/1989.)

Permanent Building Societies Act 1967—Permanent Building Societies Regulations 1967—regulation 40, amendment of regulation 39B, substituted regulation 39A. (Gazette 27/1989.)

Referred to the Printing Committee.

(4) Mr Pickard laid upon the Table—

Coal Mining Act 1973—Coal Mining Regulations 1974—amendment of regulation 4. (Gazette 30/1989.)

Mining Act 1973—Mining Regulations 1974—amendment of regulation 6. (Gazette 30/1989.)

Referred to the Printing Committee.

(5) Mr Fahey laid upon the Table—

Workers Compensation Act 1987—

(a) Workers Compensation (General) Regulation 1987—amendment of clause 9A. (Gazette 32/1989.)

(b) Workers Compensation (Savings and Transitional Provisions) Regulation 1987—amendment of clause 6. (Gazette 187/1988.)

Referred to the Printing Committee.

(6) Mr Causley laid upon the Table—

Auctioneers and Agents Act 1941—

(a) Auctioneers and Agents Regulations—amendment of regulations 55, 58B, schedule 2. (Gazette 21/1989.)

(b) Auctioneers and Agents (Remuneration) Regulation 1981—amendment of clause 2. (Gazette 21/1989.)

12 April 1989

Builders Licensing Act 1971—Builders Licensing Regulations—amendment of regulation 21, schedule 4. (Gazette 21/1989.)

Conveyancing Act 1919—

(a) **Conveyancing Act Regulations 1961—amendment of regulations 18, 24, 26, 28, 29, 35, 51, 61, 67, 77, 79, 85, 92, omission of regulation 5. (Gazette 21/1989.)**

(b) **Conveyancing (Vendor Disclosure and Warranty) Regulation 1986—amendment of clauses 3 to 6. (Gazette 21/1989.)**

Real Property Act 1900—Real Property Regulations 1970—regulation 49, amendment of regulations 7, 13, 39, 40, 42, 45, schedule 3, omission of regulation 11. (Gazette 21/1989.)

Strata Titles Act 1973—Strata Titles Regulations 1974—regulations 72A, 79A, amendment of regulations 21, 26, 80. (Gazette 21/1989.)

Strata Titles Leasehold Act 1986—Strata Titles Leasehold Regulation 1989—clauses 1 to 71, schedule 1. (Gazette 21/1989.)

Water Act 1912—

(a) **Water (Part II) Regulations—amendment of regulation 23, schedule 18. (Gazette 23/1989.)**

(b) **Water (Part V) General Regulations—amendment of regulations 5, 5B. (Gazette 23/1989.)**

(c) **Water (Part VIII) Regulations—amendment of regulation 5. (Gazette 23/1989.)**

Water Board Act 1987—Rates and Charges (Hardship Scheme) Regulation 1984—amendment of clause 2. (Gazette 21/1989.)

Referred to the Printing Committee.

(7) Mr Hay laid upon the Table—

Environmental Planning and Assessment Act 1979—Environmental Planning and Assessment Regulation 1980—amendment of clause 68, schedule 1. (Gazette 30/1989.)

Referred to the Printing Committee.

4 QUESTIONS

5 NOTICE OF MOTION

After time prescribed by Standing Orders—Mr Moore.

6 OMBUDSMAN (AMENDMENT) BILL

POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) (OMBUDSMAN) AMENDMENT BILL

(Formal Order of the Day)—Bills, on motion of Mr Dowd, read a third time.

7 MINISTERIAL STATEMENT—SPEDLEY HOLDINGS LTD

Mr Peacocke made a ministerial statement concerning Spedley Holdings Ltd.

8 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Environmental Planning and Assessment (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.

**9 HIGHER EDUCATION (AMALGAMATION) BILL
UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL
UNIVERSITY OF NEW ENGLAND BILL
UNIVERSITY OF NEWCASTLE BILL
UNIVERSITY OF TECHNOLOGY, SYDNEY, BILL**

Dr Metherell 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 amalgamation with various universities of various colleges of advanced education and other educational institutions.
- (ii) A bill for an Act to amend the University and University Colleges Act 1900 with respect to the establishment of the Sydney Conservatorium of Music, the Cumberland College of Health Sciences and the Sydney College of the Arts as colleges of the University of Sydney; and for other purposes.
- (iii) A bill for an Act with respect to the constitution and functions of the University of New England; to repeal the University of New England Act 1953; and for other purposes.
- (iv) A bill for an Act with respect to the constitution and functions of the University of Newcastle; to repeal the University of Newcastle Act 1964; and for other purposes.
- (v) A bill for an Act with respect to the constitution and functions of the University of Technology, Sydney; to repeal the University of Technology, Sydney Act 1987 and the University of Technology, Sydney (Miscellaneous Provisions) Act 1987; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Dr Metherell moved, That these bills be now read a second time.

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

10 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr J. D. Booth, Acting Speaker, reported a message from the Legislative Council, dated 12 April 1989, returning the Gaming and Betting (Amendment) Bill, without amendment.

11 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 replace restrictions relating to the share capital of certain trustee companies with a requirement to insure or provide a guarantee against certain liabilities; 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.

12 AUCTIONEERS AND AGENTS (AMENDMENT) BILL

Mr Schipp moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Auctioneers and Agents Act 1941 with respect to delegations, the restoration of expired licences and the investment of funds; 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.

13 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr J. D. Booth, Acting Speaker, reported messages from the Legislative Council, dated 12 April 1989, returning the following bills, without amendment:

National Parks and Wildlife (Unauthorised Use of Land) Amendment Bill
Podiatrists Bill.

14 ANIMAL RESEARCH (AMENDMENT) BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Animal Research Act 1985 to further regulate the carrying out of animal research.

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 (Mrs Crosio) and the resumption of the debate made an Order of the Day for a future day.

15 ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Environmental Planning and Assessment Act 1979 with respect to applications for the preparation of local environmental plans and certain development applications; 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 Doyle) and the resumption of the debate made an Order of the Day for a future day.

16 REVENUE LAWS (RECIPROCAL POWERS) 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 consideration of the amendment made by the Legislative Council in the Revenue Laws (Reciprocal Powers) Amendment Bill.

Madam Deputy-Speaker resumed the Chair, and Mr Caterson, Temporary Chairman, reported that the Committee had agreed to the Council's amendment.

Report adopted.

17 PUBLIC ACCOUNTANTS REGISTRATION (REPEAL AND AMENDMENT) BILL

CORPORATE AFFAIRS COMMISSION (AUDITORS AND LIQUIDATORS) 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 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.

18 USURY, BILLS OF LADING, AND WRITTEN MEMORANDA (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.

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 USURY, BILLS OF LADING, AND WRITTEN MEMORANDA (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.

21 GAMING AND BETTING (RACING) 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 Gaming and Betting Act 1912 with respect to the licensing year for race-courses and the days of race-meetings" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
12 April 1989

JOHN JOHNSON
President

Bill read a first time.

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

Debate adjourned (Mr Cleary) and the resumption of the debate made an Order of the Day for tomorrow.

22 MESSAGES FROM THE LEGISLATIVE COUNCIL

Madam Deputy-Speaker reported messages from the Legislative Council, dated 12 April 1989, returning the following bills, without amendment:

Local Government (Borrowing) Amendment Bill

National Parks and Wildlife (Marine Mammals Protection) Amendment Bill.

23 TRAFFIC (PENALTY NOTICES) AMENDMENT 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—

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, read a third time.

24 WASTE DISPOSAL (FURTHER 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.

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.

25 YOUTH ADVISORY COUNCIL 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.

Mr Small moved, That this debate be now adjourned.

Question put and passed.

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

26 ADJOURNMENT

Dr Metherell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.12 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 41

THURSDAY 13 APRIL 1989

1 PETITIONS

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

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

Mr Graham—from certain citizens requesting an increase in the size of the police force in The Entrance area.

Mr Cochran—from certain citizens requesting that the Canberra Express Railway Service be restored.

Mr Davoren—from certain citizens opposing cuts to pensioner concessions.

2 NOTICES OF MOTIONS

3 MINISTERIAL STATEMENT—OLYMPIC GAMES BID FUND RAISING

Mr Greiner made a ministerial statement concerning the donation by the New South Wales Government to the bid by the City of Melbourne for the 1996 Summer Olympic Games.

4 PAPERS

(1) Mr Armstrong laid upon the Table—

Marketing of Primary Products Act 1983—Marketing of Primary Products (M.I.A. Citrus Fruit) Regulation 1989—clauses 1 to 8. (Gazette 38/1989.)

Pastures Protection Act 1934—Pastures Protection Regulations—amendment of schedule 1, omission of regulations 64 to 66, 68, 69. (Gazette 38/1989.)

Stock Diseases Act 1923—Stock Diseases Regulations 1936—substituted regulation 143. (Gazette 38/1989.)

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Housing Act 1976—notification of acquisition and/or resumption of land and/or easements under the Public Works Act 1912, for housing purposes at Wagga Wagga. (Gazette 133/1987.)

Referred to the Printing Committee.

5 QUESTIONS

Disorder: By direction of Mr Speaker, the honourable member for Drummoyne, Mr J. H. Murray, 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.

6 SUSPENSION OF STANDING ORDERS—PRECEDENCE OF BUSINESS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude General Business taking precedence of Government Business between 12.00 noon and 4.15 p.m. at this sitting.

Debate ensued.

Question put and passed.

7 NATIONAL PARKS (SPECIAL PROVISIONS) BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to exclude areas of land from certain national parks and nature reserves.

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 debate made an Order of the Day for a future day.

8 MEAT INDUSTRY (AMENDMENT) 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.

It being 12.00 noon, debate interrupted pursuant to Standing Order 123A.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

It being after 12.00 noon, General Business proceeded with.

9 TOBACCO ADVERTISING

Miss Machin moved, pursuant to notice, That this House supports—

- (1) the progressive phasing out of cigarette advertising in New South Wales; and
- (2) the allocation of revenues raised from tobacco taxes toward the promotion of better health.

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

10 PRINTING COMMITTEE

Mr Small brought up Report No. 14 of the Printing Committee.

11 MEAT INDUSTRY (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate.

And Mr Armstrong having spoken in reply—

Question—That this bill be now read a second time—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.

12 ADJOURNMENT

Mr Armstrong moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.21 p.m., until Tuesday, 18 April 1989, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 42

TUESDAY 18 APRIL 1989

1 PETITIONS

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

Mr Hatton, Mr Merton, Mr Rozzoli and Mr Webster—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Ms Fraser—from certain citizens opposing the proposed changes to public education.

Mr Moore—from certain citizens opposing the proposed closure of Castlecrag Infants School.

Mr Knight—from certain citizens opposing rental increases by the Department of Housing.

Mr Matheson—from certain citizens requesting that the previous staffing levels at Nepean High School be restored.

Mr Whelan—from certain citizens opposing the proposed cuts to the New South Wales Police Force.

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumby Valley areas.

Mr Smiles—from certain citizens requesting the prohibition of nude bathing at Reef Beach.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report and determination under the Judicial Officers Act 1986 and the Statutory and Other Offices Remuneration Act 1975, dated 22 March 1989. (Gazette 44/1989.)

Report and determination under the Public Sector Management Act 1988 and the Statutory and Other Offices Remuneration Act 1975, dated 6 February 1989. (Gazette 44/1989.)

Report and determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, dated 31 March 1989. (Gazette 44/1989.)

Stamp Duties Act 1920—Stamp Duties Regulations 1934—regulation 81. (Gazette 37/1989.)

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Mental Health Act 1983—Mental Health Regulation 1986—clause 11. (Gazette 21/1989.)

Poisons Act 1966—proclamations amending the poisons list. (Gazette 27/1989.)

Private Health Establishments Act 1982—Private Health Establishments (Private Hospitals and Nursing Homes) Regulation 1988—amendment of clause 4, schedules 1, 2, substituted clause 16. (Gazette 21/1989.)

Public Health Act 1902—

(a) Public Health Regulations—amendment of regulation 103A. (Gazette 32/1989.)

(b) Public Health (Funeral Industries) Regulation 1987—amendment of clauses 4, 6. (Gazette 18/1989.)

Pure Food Act 1908—

(a) Food Standards Code (Adoption) Regulation 1989—clauses 1 to 5, schedule 1. (Gazette 15/1989.)

(b) Pure Food Regulations 1937—amendment of regulations 1AA, 4, 19, 24A, 77, 78, 90, 93, omission of regulations 1, 1A, 1C, 1D, 2 to 3B, 4A, 5, 6, 9, 10A to 18, 19A to 24, 24c to 47A, 47c to 49, 53 to 76, 89. (Gazette 15/1989.)

Therapeutic Goods and Cosmetics Act 1972—Therapeutic Goods and Cosmetics Regulations—amendment of regulations 8, 23, 24, 31A. (Gazette 34/1989.)

Referred to the Printing Committee.

(3) Mr Yabsley laid upon the Table—

Prisons Act 1952—Prisons Regulations 1968—amendment of regulation 102. (Gazette 30/1989.)

Referred to the Printing Committee.

4 JOINT STANDING COMMITTEE UPON ROAD SAFETY

The Clerk announced that in accordance with the resolution of the House on 15 November 1988, he had received from the Chairman, the Thirteenth Report from the Joint Standing Committee on Road Safety concerning Immediate and Certain Loss of Licence for Extreme Drink-Driving.

The Clerk placed the Report upon the Table of the House.

The Clerk also brought up certain minutes of evidence taken before the Committee, together with minutes of proceedings.

Referred to the Printing Committee.

5 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House of the appointment of the Honourable Robert Baron Rowland Smith, M.L.C., Minister for Sport, Recreation and Racing, as Acting Chief Secretary and Acting Minister for Tourism, during the absence from the State of the Honourable Garry Bruce West, M.P., Chief Secretary and Minister for Tourism.

Mr Greiner also informed the House that the Honourable Garry Bruce West, M.P., Chief Secretary and Minister for Tourism would be represented in this House by the Honourable Robert James Webster, M.P., Minister for Administrative Services and Assistant Minister for Transport.

6 QUESTIONS

7 SUSPENSION OF STANDING ORDERS

Mr Hatton 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 his name.

Motion for suspension withdrawn.

8 QUESTIONS (continuation of entry No. 6)

9 MINISTERIAL STATEMENT—HERITAGE CONSERVATION FUND

Mr Hay made a ministerial statement, in response to the Public Accounts Committee report, concerning the administration of the Heritage Conservation Fund and the implementation of the Heritage Act 1977 by the Heritage Council.

Mr Carr also addressed the House.

10 LEAVE OF ABSENCE

Ordered, on motion of Mr Phillips, That leave of absence for the present session be granted to the Honourable Garry Bruce West, Member for Orange, on account of absence from the State.

11 CRIMINAL PROCEDURE (SENTENCING) 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.

12 FIREARMS BILL**PROHIBITED WEAPONS BILL****CRIMES (FIREARMS) 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.

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

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.

13 ENVIRONMENTAL PLANNING AND ASSESSMENT (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.

14 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

15 ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) BILL

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

Question put and passed.

Bill read a second time.

Mr J. D. Booth, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr J. D. Booth, Acting Speaker, resumed the Chair, and the Chairman reported the bill with an amendment.

Mr Hay moved, That the Report be now adopted.

Question put.

The House divided.

Ayes 50

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

18 April 1989

Noes 39

Mr Amery	Mr Irwin	Mr Price
Mr Aquilina	Mr Keegan	Ms Read
Mr Arkell	Mr Langton	Dr Refshauge
Mr Cleary	Mr McManus	Mr Rogan
Mrs Crosio	Mr Markham	Mr Shedden
Mr Davoren	Mr Martin	Mr Unsworth
Mr Doyle	Mr Mills	Mr Walsh
Mr Face	Mr H. F. Moore	Mr Welsh
Mr Ferguson	Ms Moore	Mr Whelan
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	Mr Beckroge
Mr Hunter	Mr Page	Mr Christie

Pairs

Mr Armstrong	Mr A. S. Aquilina
Mr Dowd	Mr Brereton
Mr Greiner	Mr Carr
Mr Singleton	Mr Knight
Mr West	Mr Knowles
Mr Wotton	Mr Lovelee
Mr Yabsley	Mr Rumble

And so it was resolved in the affirmative.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

16 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr J. D. Booth, Acting Speaker, reported messages from the Legislative Council, dated 18 April 1989, returning the following bills without amendment—

Independent Commission Against Corruption (Amendment) Bill
 Defamation (Independent Commission Against Corruption) Amendment Bill
 Waste Disposal (Amendment) Bill.

17 SUSPENSION OF STANDING ORDERS

Ordered, on motion of Mr Webster, That so much of the Standing Orders be suspended as would preclude the Gaming and Betting (Two-up) 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.

18 GAMING AND BETTING (TWO-UP) AMENDMENT BILL

Mr Webster, on behalf of Mr West, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Gaming and Betting Act 1912 as regards playing the game of two-up on Anzac Day.

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 Cleary) and the resumption of the debate made an Order of the Day for a future day.

19 ADJOURNMENT

Mr Webster moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.28 p.m., until tomorrow at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 43

WEDNESDAY 19 APRIL 1989

I PETITIONS

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

Mr Graham, Mr Moss, Ms Nori and Mr Rogan—from certain citizens opposing the proposed amendment to the State Bank Act that would remove the staff-elected director of the board.

Mr Harrison and Mr Markham—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Mr Amery, Mr Cleary, Mr Davoren, Mr Ferguson, Mr Gibson, Mr J. H. Murray, Ms Nori, Mr Page, Dr Refshauge, Mr Rogan, Mr Shedden and Mr Whelan—from certain citizens opposing the sale of certain land at Millers Point.

Mr A. S. Aquilina, Mrs Cohen, Mr Matheson, Mr Morris and Mr Rozzoli—from certain citizens requesting that a new Technical and Further Education college be built in Penrith.

Mr Walsh—from certain citizens opposing the use of the name "St Peters" for a residential area in Maitland.

Mr Davoren and Mr Price—from certain citizens opposing the proposed cuts to the New South Wales Police Force.

P 90413-45463

Mr Schipp—from certain citizens requesting the upgrading of the lighting facilities at Collingullie Recreation Ground.

Mr Tink—from certain citizens opposing the proposed changes to public education.

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumby Valley areas.

Mr Baird—from certain citizens requesting that the existing egg marketing and production systems be maintained and enhanced.

Mr Brereton—from certain citizens opposing the proposed changes to the Public Health Insurance Scheme.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Statistical Return in respect of the By-election in the Electoral District of North Shore held on 5 November 1988.

Statistical Return in respect of the By-election in the Electoral District of Port Stephens held on 5 November 1988.

Statistical Return in respect of the By-election in the Electoral District of Wallsend held on 17 December 1988.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

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

(a) a sewerage pumping station at Valley Heights. (Gazette 27/1989.)

(b) sewerage purposes at Fairfield. (Gazette 27/1989.)

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the National Crime Authority for the year ended 30 June 1988.

Police Regulation Act 1899—Police Rules 1977—substituted rule 15. (Gazette 37/1989.)

Referred to the Printing Committee.

(4) Dr Metherell laid upon the Table—

Interim Report of the Aboriginal Islander Skills Development Scheme for 1987.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 April 1989

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 technical colleges at—

Dunedoo. (Gazette 4/1989.)

Moruya. (Gazette 7/1989.)

University and University Colleges Act 1900—amendment of, and additions to, the by-laws of the University of Sydney. (Gazette 18/1989.)

Referred to the Printing Committee.

(5) Mr Baird laid upon the Table—

Traffic Act 1909—Motor Traffic Regulations 1934—amendment of regulations 14, 95, schedule F, substituted regulation 35. (Gazette 37/1989.)

Transport Administration Act 1988—Transport Administration (Government Bus and Ferry Services) Regulation 1989—clauses 1 to 38. (Gazette 3/1989.)

Referred to the Printing Committee.

(6) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—

(a) Regulations for the management of the Church of England portion of the Field of Mars General Cemetery—substituted schedule of fees and charges. (Gazette 37/1989.)

(b) Gazette notices (2) setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazettes 25/1989, 38/1989.)

Public Roads Act 1902—abstracts (21) of resumptions under section 8 of the Act, for road purposes. (Gazettes 25/1989 (2), 27/1989 (4), 30/1989 (4), 32/1989 (4), 34/1989 (3), 37/1989 (3), 38/1989.)

Public Works Act 1912—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Act, for—

(a) a public hall at Howlong. (Gazette 34/1989.)

(b) public recreation grounds at Sofala. (Gazette 27/1989.)

Referred to the Printing Committee.

(7) Mr Webster laid upon the Table—

Report of the Government Printing Office for the year ended 30 June 1988.

Referred to the Printing Committee.

4 QUESTIONS

5 ENVIRONMENTAL PLANNING AND ASSESSMENT (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr Hay, read a third time.

6 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.

7 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the Gaming and Betting (Two-up) Amendment Bill being passed through all its remaining stages in one day.

Question put and passed.

8 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude consideration of General Business—Notice of Motion No. 1 from 9.00 p.m. to 11.45 p.m.

Debate ensued.

Question put and passed.

9 FLUORIDATION OF PUBLIC WATER SUPPLIES (AMENDMENT) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Fluoridation of Public Water Supplies Act 1957 relating to the machinery of commencing or discontinuing fluoridation by a water supply authority; 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.

10 PSYCHOLOGISTS BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to make provision for the registration of psychologists, to regulate the qualifications for and the effect of such registration, to constitute the Psychologists Registration Board and to specify its functions; and for related 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 CHARLES STURT UNIVERSITY BILL

Dr Metherell moved, pursuant to notice, That leave be given to bring in a bill for an Act with respect to the constitution and functions of the Charles Sturt University; to make consequential amendments to certain other Acts; and for other purposes.

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 debate made an Order of the Day for a future day.

12 BUSINESS NAMES (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Business Names Act 1962 to make further provision with respect to the registration and use of business names; 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 debate made an Order of the Day for a future day.

13 GAMING AND BETTING (TWO-UP) AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Webster, on behalf 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.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Webster, on behalf of Mr West, read a third time.

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 PAPERS

Mr Fahey laid upon the Table—

Factories Shops and Industries Act 1962—

(a) Repeal of Shops (Closing Hours—Special Provisions) Regulation 1989. (Gazette 180/1989.)

(b) Shops (Registration and Opening and Closing Hours) Regulations—amendment of regulations 1B, 21, schedule 2, substituted regulation 22, omission of regulations 18 to 20, 20A to 20C, form 11. (Gazettes 180/1988, 23/1989.)

Industrial Arbitration Act 1940—

(a) Industrial Arbitration (General) Regulations—regulation 160. (Gazette 23/1989.)

(b) Repeal of Industrial Arbitration (Retail Trade) Regulation 1984. (Gazette 23/1989.)

Referred to the Printing Committee.

16 POLICE REGULATION (FALSE SECURITY ALARMS) 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 Act 1899 to enable charges to be imposed for responses by members of the police force to certain false security alarms" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
19 April 1989

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.

17 YOUTH ADVISORY COUNCIL 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.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Dr Metherell, read a third time.

18 GAMING AND BETTING (RACING) AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Webster, on behalf 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.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Mr Webster, on behalf of Mr West, read a third time.

19 HIGHER EDUCATION (AMALGAMATION) BILL

UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL

UNIVERSITY OF NEW ENGLAND BILL

UNIVERSITY OF NEWCASTLE BILL

UNIVERSITY OF TECHNOLOGY, SYDNEY, BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Dr Metherell, That these bills be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Aquilina (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.

It being 9.00 p.m., General Business Notice of Motion No. 1 proceeded with, pursuant to the Resolution adopted this day.

20 LEGAL PROFESSION

Mr Speaker called upon Notice of Motion No. 1 of General Business pursuant to the resolution adopted by the House this day.

Point of Order: The honourable member for Blacktown having taken a point of order that if the Speaker were to rule on the sub judice question prior to the debate (as foreshadowed) it would seriously limit the range of the debate and would impinge upon the privileges of members; and that any ruling that would confine the range of debate should be specifically in accordance with, and arising from, the contribution of members in this debate—Mr Speaker informed the House that all the matters raised on the point of order were addressed in his prepared ruling.

SPEAKER'S RULING—SUB JUDICE RULE

Mr Speaker said that the application of the sub judice rule had exercised the minds of Presiding Officers for many years. It was a matter closely aligned, but not exactly identical to, the question of what constitutes a contempt of court. The latter had also occupied the minds of eminent judges to a considerable degree. The principle of the sub judice rule was, basically, as follows:

That the Parliament should not embark on any course which is likely to prevent a litigant in a court of law from having his case tried free from all manner of prejudice, balanced by the competing freedom of the Parliament to debate matters which are deemed to be of extreme public interest. The generally accepted benchmark statement is that of Sir Frederick Jordan, the then Chief Justice of New South Wales in *Ex parte Bread Manufacturers Limited; re Truth and Sportsman Limited & Anor*, 37/S.R. NSW 1937 at pages 249 and 250 in which he said—

“It is of extreme public interest that no conduct should be permitted which is likely to prejudice the litigant in a court of justice from having his case tried free from all manner of prejudice. But the administration of justice, important though it undoubtedly is, is not the only matter in which the public is vitally interested; and if in the course of the ventilation of a question of public concern matter is published which might prejudice a party in the conduct of a law suit, it does not follow that a contempt has been committed. The case may be one in which as between competing matters of public interest the possibility of prejudice to a litigant may be required to yield to other and superior considerations. The discussion of public affairs and the denunciation of public abuses, actual or supposed, cannot be required to be suspended merely because the discussion or the denunciation made, as an incidental but not intended by-product, cause some likelihood of prejudice to a person who happens at the time to be a litigant.

19 April 1989

It is well settled that a person cannot be prevented by process of contempt from continuing to discuss publicly a matter which may fairly be regarded as one of public interest, by reason merely of the fact that the matter in question has become the subject of litigation, or that a person whose conduct has been widely criticised has become a party to litigation either as plaintiff or defendant, and whether in relation to the matter which is under discussion or with respect to some other matter."

The position had again been stated with great clarity by Dr H. V. Evatt, then Attorney General in the Federal Parliament on 17 April 1947, Hansard Volume 191, Page 1379, when he had said—

"What is said in Parliament is absolutely privileged by law. What is said in the courts of justice is absolutely privileged by law. We have those two great instruments of government, the legislative power exerted by one, and the judicial power exerted by another. As the years have gone by, the Parliament, having an absolute privilege and not being bound to apply the rules of contempt of court, or even the laws of defamation, both of which are applicable to comment outside the Parliament, has taken the view which I believe has been carried out in cases like the Jerger case. That is to say the Parliament does not ask—"Is there a proceeding pending at the moment?" but rather "In all the circumstances, would a debate on a particular matter be permitted at this particular moment?"

The third passage which had given the Speaker guidance was a passage from the judgment of Lord Atkin in *Ambard v. The Attorney General of Trinidad and Tobago* (1936) A.C. 322:

"But whether the authority and position of an individual judge, or the due administration of justice, is concerned, no wrong is committed by any member of the public who exercises the ordinary right of criticising, in good faith, in private or public, the public act done in the seat of justice. The path of criticism is a public way; the wrong headed are permitted to err therein; provided that members of the public abstain from imputing improper motives to those taking part in the administration of justice, and are genuinely exercising a right of criticism, and not acting in malice or attempting to impair the administration of justice, they are immune. Justice is not a cloistered virtue: she must be allowed to suffer the scrutiny and respectful, even though outspoken, comments of ordinary men."

Mr Speaker said that it was also clear that it was within the discretion of the Chair to allow or restrict debate, having regard to the balance of factors he had mentioned. The Chair had to weigh the matters presented in terms of the rights of litigants against the public interests. On the material put before the Chair, it was clear that the plaintiff in the matters currently before the court not only believed that this debate would not prejudice his case, he believed that it would advance the conduct of his litigation. What then of the other litigants? They were principally large legal firms and members of the judiciary, wise in the ways of the law and more than able to properly address their interest in any subsequent actions which may come before the courts.

The essence of the motion of the Member for South Coast was that investigation of deficiencies in the legal system was currently a matter of Caesar appealing to Caesar. Mr Speaker said that an accusation of this kind should not be buried but seemed to him to be a matter very properly within the jurisdiction of this House in its role as the highest tribunal of the State.

In an article of the Australian Law Journal, Vol. 39 October 29, 1965 on the sub judice rule arising from a ruling of Speaker Ellis, it was stated—

“Surely the view that all debate on a matter ‘before a court’ must be stifled because one can imagine the possibility of prejudice in some instances, is insensitive to the dangers and disadvantages involved in preventing free parliamentary debate, often for months at a time, on subjects of public importance,

and later in the article,

“one is almost never able to know with any degree of certainty whether debate or discussion is likely to prejudice an impartial hearing. But, at least in our present society judges do not give the appearance of being delicate hot house plants, bound to wilt under any wind which blows their way.”

And finally,

“indeed, if danger to partiality exists, it may be preferable to have some (limited) public discussion rather than the tribunal be subject only to gossip or private comment. The subjudice rule would appear to have been greatly overworked.”

Mr Speaker said that it was, therefore, his intention to rule in the public interest that the sub judice rule should not be, as far as it is possible, invoked in the course of this debate. In saying that he advised the Member for South Coast to restrict himself to the terms of his motion in a way that did not, to any specific degree, deal with the merits of matters currently before the courts in relation to which the courts must be the proper tribunal. It was the purpose of debate in this House to address matters of broad public interest, to draw attention to wrongs and to determine matters of policy which may redress those wrongs. Whether what was raised was of the degree of gravity that the Member alleged was for the Member to develop in the material he put before the House and for the House to determine by its decision upon the motion.

Mr Speaker said that the Parliament must not, however, put itself in the place of the courts—it must not attempt to try matters which should properly come before a court of law.

Mr Speaker said that if the subject of the debate became substantially associated with the proceedings before the court it was not for the Speaker to microscopically sift the evidentiary matter but to apply the sub judice rule in such a way as to prevent the mischief which that rule was intended to obviate.

The Speaker drew the attention of honourable members to a statement by Speaker Ellis, Parliamentary Debates, 1965-66, pages 75 and 76 in which he had concluded—

“if Honourable Members display a tendency to take unwarranted liberty with this liberal interpretation of the subjudice rule it may then be necessary for the Chair to review this ruling or to revert to the strict application of the subjudice rule.”

Mr Speaker said that on this basis he was prepared to allow the debate to proceed.

Mr Hatton moved, pursuant to notice, That this House—

(1) Expresses grave concern at—

- (i) the failure of the Law Society and the Bar Council to safeguard the integrity of the legal profession;
- (ii) the failure of the Judicial Commission to examine thoroughly complaints against judges and its failure to account properly to the public;

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 April 1989

- (iii) the absence of any structures other than those controlled by the legal profession to ensure the public accountability of the legal profession; and
(iv) the consistent failure of the Attorney General's Department to remedy these defects.

(2) Calls for urgent reforms, including the establishment of the Office of Legal Ombudsman.

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

By leave of the House, the honourable member for South Coast, Mr Hatton, was allowed to continue his speech for a further period of ten minutes.

Debate ensued.

Mr Whelan moved, That the question be amended by the addition of words to stand as paragraphs (3) and (4)—

(3) That the Speaker formally advise the Chief Justice of these parliamentary proceedings with a request that the Chief Justice immediately appoint a Judge of the Supreme Court who has no reason to disqualify himself in these matters to investigate and publicly report on the matters raised therein.

(4) That in the event that no such Judge is available, the Attorney General request the Attorneys-General of the other States to nominate a Judge for this purpose and that all parties involved be granted legal aid.

Question proposed—That the words proposed to be added be so added.

Mr Phillips moved, That the Question be now put.

Question—That the Question be now put—put and passed.

Question put—That the words proposed to be added be so added.

The House divided.

Ayes 31

Mr Amery	Mr Knight	Ms Nori
Mr Aquilina	Mr Langton	Mr Page
Mr A. S. Aquilina	Mr Lovelee	Mr Price
Mrs Crosio	Mr McManus	Mr Rogan
Mr Davoren	Mr Markham	Mr Shedden
Mr Face	Mr Martin	Mr Walsh
Mr Ferguson	Mr Mills	Mr Whelan
Mr Gibson	Mr H. F. Moore	
Mr Harrison	Mr Moss	Tellers
Mr Hunter	Mr Nagle	Mr Beckroge
Mr Irwin	Mr Newman	Mr Christie

Noes 57

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

Pairs

Mr Baird	Mr Carr
Mr Berry	Mr Cleary
Mr Catterson	Mr Doyle
Mr Greiner	Mr Knowles
Dr Metherell	Mr Primrose
Mr Moore	Dr Refshauge
Mr West	Mr Rumble

And so it passed in the negative.

It being after 11.45 p.m., debate interrupted pursuant to the Resolution adopted this day.

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

21 MESSAGES FROM THE GOVERNOR

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

18 April 1989

Agricultural Holdings (Amendment) Bill
Commons Management Bill

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 April 1989

Local Government (Commons Management) Amendment Bill
Local Government (Theatres and Public Halls) Amendment Bill
Miscellaneous Acts (Theatres and Public Halls) Amendment Bill
Real Property (Amendment) Bill
State Pollution Control Commission (Amendment) Bill
Wills, Probate and Administration (Amendment) Bill:

22 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 18 April 1989, returning the Gaming and Betting (Two-up) Amendment Bill, without amendment.

23 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.53 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 44

THURSDAY 20 APRIL 1989

1 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 20 April 1989 a.m., returning the Environmental Planning and Assessment (Amendment) Bill, without amendment.

2 PETITIONS

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

Mrs Crosio—from certain citizens requesting that the Local Government (Rates and Charges) Amendment Act 1988 be repealed.

Mr Books—from certain citizens requesting support for legislation to protect the unborn.

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

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumby Valley areas.

Mr Smiles—from certain citizens requesting the prohibition of nude bathing at Reef Beach.

Mr Markham—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Mr Chappell—from certain citizens requesting that the previous staffing formula at Armidale High School be restored.

3 PAPERS

Mr Moore laid upon the Table—

Miscellaneous Acts (Community Welfare) Repeal and Amendment Act 1987—
Miscellaneous Acts (Community Welfare) Repeal and Amendment Regulation
1988—clauses 6 to 10, amendment of clauses 1, 2. (Gazette 1/1989.)

Referred to the Printing Committee.

4 QUESTIONS

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

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

5 MINISTERIAL STATEMENT—ABORIGINAL LAND COUNCILS

Mr Greiner made a ministerial statement concerning the illegal funding of certain Aboriginal land councils and the green paper on Aborigines.

6 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising this day, do adjourn until Tuesday, 2 May 1989, at 2.15 p.m.

Debate ensued.

Question put and passed.

7 PUBLIC FINANCE AND AUDIT (PUBLIC ACCOUNTS) AMENDMENT BILL

Mr Greiner moved; pursuant to notice, That leave be given to bring in a bill for an Act to amend the Public Finance and Audit Act 1983 with respect to the presentation of the Public Accounts to parliament and the delegation of certain functions by the Auditor-General; to amend the Annual Reports (Statutory Bodies) Act 1984; 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 Aquilina) and the resumption of the debate made an Order of the Day for a future day.

8 VERY FAST TRAIN (ROUTE INVESTIGATION) BILL

Mr Murray moved, pursuant to notice, That leave be given to bring in a bill for an Act to facilitate the investigation of a route for a very fast train linking Sydney with other centres within or outside the State; and for related 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 Price) and the resumption of the debate made an Order of the Day for a future day.

9 TRUSTEE COMPANIES (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.

10 AUCTIONEERS AND AGENTS (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—

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.

11 ANIMAL RESEARCH (AMENDMENT) 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.

Ordered, That the resumption of the debate stand an Order of the Day for a later hour of the day.

It being 2.15 p.m., General Business proceeded with.

12 GOVERNMENT CHARGES

Mr Irwin moved, pursuant to notice, That this House condemns the Government for—

- (i) the imposition of unjustified increases in the level of Government charges;
- (ii) its record on Government controlled prices; and
- (iii) increasing the burden on the average family cost of living.

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

13 PAPER

Mr Baird laid upon the Table—

Report of the Inquiry into the Death of Malcolm Charles Smith, by Commissioner J. H. Wootten, of the Royal Commission into Aboriginal Deaths in Custody.

Referred to the Printing Committee.

14 PRINTING COMMITTEE

Mr Small brought up Report No. 15 of the Printing Committee.

**15 FISHERIES AND OYSTER FARMS (PENALTIES AND ENFORCEMENT)
AMENDMENT BILL**

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Fisheries and Oyster Farms Act 1935 to increase penalties and to make further provision with respect to seizure and forfeiture of property.

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 debate made an Order of the Day for a future day.

16 ANIMAL RESEARCH (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the interrupted 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.

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.

17 NOTICES OF MOTIONS

After time prescribed by Standing Orders—Mr Dowd.

18 HIGHER EDUCATION (AMALGAMATION) BILL UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL UNIVERSITY OF NEW ENGLAND BILL UNIVERSITY OF NEWCASTLE BILL UNIVERSITY OF TECHNOLOGY, SYDNEY, BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Dr Metherell, That these bills 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 debate stand an Order of the Day for tomorrow.

19 ADJOURNMENT

Dr Metherell moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.41 p.m., until Tuesday, 2 May 1989, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 45

TUESDAY 2 MAY 1989

1 MESSAGES FROM THE GOVERNOR

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

20 April 1989

Gaming and Betting (Amendment) Bill
Local Government (Borrowing) Amendment Bill
National Parks and Wildlife (Marine Mammals Protection) Amendment Bill
National Parks and Wildlife (Unauthorised Use of Land) Amendment Bill
Podiatrists Bill
Revenue Laws (Reciprocal Powers) Amendment Bill
Western Lands (Amendment) Bill.

21 April 1989

Firearms Bill
Prohibited Weapons Bill
Crimes (Firearms) Amendment Bill
Gaming and Betting (Two-up) Amendment Bill
Independent Commission Against Corruption (Amendment) Bill
Defamation (Independent Commission Against Corruption) Amendment Bill
Waste Disposal (Amendment) Bill.

2 DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the Speaker's Gallery of the Papua New Guinea Delegation led by Mr Christopher Sambre, Deputy-Speaker of the National Parliament.

3 DEATH OF FRANK LIONEL O'KEEFE, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr Speaker informed the House of the death of Frank Lionel O'Keefe, a former member of the Legislative Assembly and that, on behalf of the House, he had extended to Mrs O'Keefe 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.

4 PETITIONS

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

Mr Cruickshank, Mr Jeffery, Mr Kerr, Mr Murray and Mr Webster—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Hatton and Mr J. H. Murray—from certain citizens requesting support for legislation to protect the unborn.

Mr Greiner—from certain citizens opposing the introduction of contractors into New South Wales public sector hospitals.

Ms Fraser—from certain citizens opposing the proposed demolition of the Annandale skateboard bowl.

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

Mr Smiles—from certain citizens requesting the prohibition of nude bathing at Reef Beach.

Ms Nori—from certain citizens opposing the introduction of voluntary student unionism.

Mr H. F. Moore—from certain citizens requesting that certain land on the North Entrance Peninsula area be proclaimed as a National Park.

Mr Hatton—from certain citizens requesting that the old Courthouse at Batemans Bay remain at its present site.

5 NOTICES OF MOTIONS

6 PAPERS

(1) Mr Greiner laid upon the Table—

Determination of the Treasurer in terms of section 24 of the Public Finance and Audit Act 1983, concerning the decision to transfer responsibility for the Transport Appeals Board from the Minister for Transport to the Attorney General.

Independent Commission Against Corruption Act 1988—

- (a) Independent Commission Against Corruption (Disclosure of Financial Interests) Regulation 1989—clauses 1 to 6, schedule 1. (Gazette 38/1989.)
- (b) Independent Commission Against Corruption (General) Regulation 1989—clauses 1 to 11, schedule 1. (Gazette 38/1989.)

Referred to the Printing Committee.

(2) Mr Dowd laid upon the Table—

Report of the Law Reform Commission for the year ended 30 June 1987.

Referred to the Printing Committee.

(3) Mr Schipp laid upon the Table—

Report of the Building Services Corporation for 1988.

Housing Act 1976—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for housing purposes at—

- Cooks Hill. (Gazette 27/1989.)
- Huskisson. (Gazette 27/1989.)
- Lane Cove. (Gazette 25/1989.)
- Pymont Point. (Gazette 162/1988.)
- Tamworth. (Gazette 27/1989.)
- Tweed Heads. (Gazette 27/1989.)
- Wahroonga. (Gazette 25/1989.)

Referred to the Printing Committee.

(4) Mr Peacocke laid upon the Table—

Interim Report of the National Companies and Securities Commission into Rothwells Ltd.

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Mine Subsidence Compensation Act 1961—Mines Subsidence Compensation Regulations—regulation 2AB, schedule 9. (Gazette 10/1989.)

Referred to the Printing Committee.

2 May 1989

(6) Mr Causley laid upon the Table—

Report of the Broken Hill Water Board for 1988.

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements for the construction of weirs on Croobyar Creek. (Gazette 37/1989.)

Referred to the Printing Committee.

7 QUESTIONS

Paper: Mr Greiner laid upon the Table—

Report of the Ombudsman under section 32 of the Police Regulation (Allegations of Misconduct) Act 1978, concerning inadequate training and procedures of the Special Weapons Operations Squad.

Referred to the Printing Committee.

8 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 and Minister for the Arts for his failure to release waiting lists quarterly, as promised, and for increasing hospital queues.

Question put.

The House divided.

Ayes 47

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 May 1989

Noes 59

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

And so it passed in the negative.

9 QUESTIONS (continuation of entry No.7).

10 HIGHER EDUCATION (AMALGAMATION) BILL
UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL
UNIVERSITY OF NEW ENGLAND BILL
UNIVERSITY OF NEWCASTLE BILL
UNIVERSITY OF TECHNOLOGY, SYDNEY, BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Dr Metherell, 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.

11 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

STATEMENT BY SPEAKER—PRIVATE MEMBERS' STATEMENTS

Points of Order: The Attorney General having taken points of order about the propriety of allegations against individuals by the honourable member for South Coast by way of a private member's statement and the honourable member's time having expired; Mr Speaker having said that the point of order was often taken that it was a breach of parliamentary convention, and possibly an abuse of parliamentary privilege, to reflect other than by way of substantive motion on the character or conduct of persons outside the Parliament who have no opportunity of rebuttal; and Mr Speaker having noted that members might wish to raise matters which of their very nature made such reflection—

Mr Speaker stated a member is generally entitled to raise any matter in a private member's statement. The gravity of the matters raised by the honourable member for South Coast was of such consequence that it was most inappropriate to raise such matters during private members' statements, wherein a member had but five minutes to speak. If a member wished to raise a matter of such consequence, he should see Mr Speaker in his Chambers so that Mr Speaker might advise the most appropriate time in which to raise the matter.

Question put and passed.

**12 HIGHER EDUCATION (AMALGAMATION) BILL
UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL
UNIVERSITY OF NEW ENGLAND BILL
UNIVERSITY OF NEWCASTLE BILL
UNIVERSITY OF TECHNOLOGY, SYDNEY, BILL**

Resumption of the interrupted debate, on the motion of Dr Metherell, That these bills be now read a second time.

Question put and passed.

Bills 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 bills.

Mr Speaker resumed the Chair, and the Chairman reported the Higher Education (Amalgamation) Bill and the University of New England Bill with amendments and the University and University Colleges (Amendment) Bill, the University of Newcastle Bill and the University of Technology, Sydney, Bill without amendment.

On motion of Dr Metherell, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

13 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message from His Excellency the Governor, dated 1 May 1989, assenting to the Environmental Planning and Assessment (Amendment) Bill.

14 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 2 May 1989, returning the following bills, without amendment:

Public Accountants Registration (Repeal and Amendment) Bill
Corporate Affairs Commission (Auditors and Liquidators) Amendment Bill
Usury, Bills of Lading and Written Memoranda (Amendment) Bill.

15 VERY FAST TRAIN (ROUTE INVESTIGATION) 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.

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.

16 NATIONAL PARKS (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.

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.

17 FLUORIDATION OF PUBLIC WATER SUPPLIES (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 PSYCHOLOGISTS 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.

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.

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.

On motion of Mr Collins, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

19 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 2 May 1989, returning the following bills, without amendment:

Meat Industry (Amendment) Bill

Traffic (Penalty Notices) Amendment Bill

Waste Disposal (Further Amendment) Bill.

20 ADJOURNMENT

Mr Collins 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.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 46

WEDNESDAY 3 MAY 1989

1 PETITIONS

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

Mr Davoren, Mr Moss, Mr Whelan and Mr White—from certain citizens requesting that measures be taken to eliminate street prostitution.

Mr Doyle—from certain citizens opposing cuts to pensioner concessions.

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

Mr Lovelee—from certain citizens opposing rental increases by the Department of Housing.

Mr Fahey—from certain citizens requesting support for legislation to protect the unborn.

Mr Carr—from certain citizens opposing the proposed amendment to the State Bank Act that would remove the staff-elected director of the board.

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

P 90427-45836

3 PAPERS

(1) Mr West laid upon the Table—

Gaming and Betting Act 1912—Gaming and Betting (Amusement Devices) Regulation 1985—amendment of clause 4. (Gazette 10/1989.)

Greyhound Racing Control Board Act 1985—Greyhound Racing Control Board Rules 1983—amendment of schedule 1. (Gazette 37/1989.)

Harness Racing Authority Act 1977—Harness Racing Authority (Appeals) Regulation 1980—substituted clause 17. (Gazette 38/1989.)

Sydney Turf Club Act 1943—Sydney Turf Club Regulations—amendment of clause 20. (Gazette 170/1987.)

Totalizator (Off-course Betting) Act 1964—Totalizator (Off-course Betting) Regulation 1983—amendment of clause 30A. (Gazette 32/1989.)

Referred to the Printing Committee.

(2) Mr Baird laid upon the Table—

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 5c, 15A. (Gazette 37/1989.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS:

Mr Cleary moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion, That leave be given to bring in a bill for an Act to make provision with respect to the management of, and the regulation of operations within, the Darling Harbour Casino, notice of which was given by himself this day for tomorrow.

Question put.

The House divided.

Ayes 41

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

3 May 1989

Noes 64

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 J. D. Booth	Mr Longley	Mr Smiles
Mr Caterson	Miss Machin	Mr Smith
Mr Causley	Mr Matheson	Mr Souris
Mr Chappell	Mr Merton	Mr Tink
Mr Cochran	Dr Metherell	Mr Turner
Mrs Cohen	Mr Moore	Mr Webster
Mr Collins	Ms Moore	Mr West
Mr Cruickshank	Mr Morris	Mr Welsh
Mr Dowd	Mr Murray	Mr White
Mr Downy	Mr D. L. Page	Mr Wotton
Mr Fahey	Mr Park	Mr Yabsley
Ms Fraser	Mr Peacocke	Mr Yeomans
Mr Glachan	Mr Petch	Mr Zammit
Mr Graham	Mr Photios	
Mr Greiner	Mr Pickard	Tellers
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Pair

Mr Berry

Mr Christie

And so it passed in the negative.

6 QUESTIONS (continuation of entry No. 4).

- 7 HIGHER EDUCATION (AMALGAMATION) BILL
 UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL
 UNIVERSITY OF NEW ENGLAND BILL
 UNIVERSITY OF NEWCASTLE BILL
 UNIVERSITY OF TECHNOLOGY, SYDNEY, BILL

(Formal Order of the Day)—Bills, on motion of Dr Metherell, read a third time.

**8 BUSINESS FRANCHISE LICENCES (TOBACCO) AMENDMENT BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS)
AMENDMENT BILL
REVENUE LAWS (RECIPROCAL POWERS) FURTHER 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 Business Franchise Licences (Tobacco) Act 1987 to make further provision in relation to the enforcement of that Act, appeals and recovery of licence fees; and for other purposes.
- (ii) A bill for an Act to amend the Business Franchise Licences (Petroleum Products) Act 1987 to make further provision in relation to the enforcement of that Act, appeals and recovery of licence fees; and for other purposes.
- (iii) A bill for an Act to amend the Revenue Laws (Reciprocal Powers) Act 1987 in relation to the seizure of evidence of offences under recognized revenue laws.

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

**9 COMMUNITY WELFARE (DEVELOPMENTAL DISABILITIES)
AMENDMENT BILL**

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Community Welfare Act 1987 and certain other Acts as a consequence of the transfer of certain functions from the Department of Health to the Department of Family and Community Services; 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.

10 CRIMES (APPREHENDED VIOLENCE) 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 in relation to apprehended violence orders and to make consequential amendments to the Bail Act 1978 and the Periodic Detention of Prisoners Act 1981.

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.

11 CONFISCATION OF PROCEEDS OF CRIME BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the confiscation of the profits of crime and the forfeiture of property in certain circumstances; to provide for the reciprocal enforcement of certain Australian legislation relating to the confiscation of the profits of crime and the forfeiture of property; to repeal the Crimes (Confiscation of Profits) Act 1985; and for connected 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.

12 CRIMES (COMPUTERS AND FORGERY) 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 computers and forgery; 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.

13 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 further provision with respect to applications for bail and the review of bail decisions; 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 (MENTAL DISORDER) AMENDMENT BILL
MENTAL HEALTH (MENTAL DISORDER) AMENDMENT BILL
CRIMINAL APPEAL (MENTAL DISORDER) 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 Crimes Act 1900 in relation to accused persons and defendants affected by mental disorders; and for other purposes.
- (ii) A bill for an Act to amend the Mental Health Act 1983 with respect to prisoners awaiting committal for trial or trial who are transferred to hospitals under that Act; and for other purposes.
- (iii) A bill for an Act to amend the Criminal Appeal Act 1912 to give a right of appeal against a penalty imposed on, or an order made in respect of, a person who is unfit to be tried after a special hearing under the Crimes Act 1900; and for other purposes.

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.

**15 LIQUOR (AMENDMENT) BILL
REGISTERED CLUBS (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 with respect to trading hours, neighbourhood disturbance and offences relating to minors; to increase penalties; and for other purposes.
- (ii) A bill for an Act to amend the Registered Clubs Act 1976 to vary the times at which liquor may be taken from the premises of a registered club; to provide stricter controls in relation to minors; to increase penalties; 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 debate made an Order of the Day for a future day.

**16 ROAD IMPROVEMENT (SPECIAL FUNDING) BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) (ROAD
FUNDING) AMENDMENT BILL**

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

- (i) A bill for an Act to increase for 3 years the rate at which petroleum product licence fees are payable and to reserve the resulting increased revenue for certain special purposes; and for other purposes.
- (ii) A bill for an Act to amend the Business Franchise Licences (Petroleum Products) Act 1987 to require licence fees paid under that Act to be paid into the Roads and Traffic Authority Fund.

Question put and passed.

Bills presented and read a first time.

Mr Baird moved, That these bills 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.

17 CO-OPERATION (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Co-operation Act 1923 to facilitate the amalgamation of co-operative societies registered in New South Wales with similar societies or associations registered in other States or Territories.

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 debate made an Order of the Day for a future day.

18 MINISTERIAL STATEMENT—CONTEMPTS OF COURT AND SUB JUDICE

Mr Dowd made a ministerial statement concerning media reporting of matters pending before courts.

Mr Carr also addressed the House.

19 CREDIT LEGISLATION (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 and the Credit (Administration) Act 1984 to exempt from compliance with certain provisions of those Acts bodies that correspond to credit unions and are constituted under laws in force in Australia outside New South Wales; to amend the Credit Union Act 1969 in relation to those bodies; 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 debate made an Order of the Day for a future day.

20 INDUSTRIAL AND COMMERCIAL TRAINING BILL
INDUSTRIAL ARBITRATION (INDUSTRIAL AND COMMERCIAL
TRAINING) AMENDMENT BILL
MISCELLANEOUS ACTS (INDUSTRIAL AND COMMERCIAL TRAINING)
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 establish the Industrial and Commercial Training Council and the Vocational Training Board; to define the functions of those bodies; to provide for the regulation of apprenticeships and traineeships; and for other purposes.
- (ii) A bill for an Act to amend the Industrial Arbitration Act 1940 as a consequence of the enactment of the Industrial and Commercial Training Act 1989; and for other purposes.
- (iii) A bill for an Act to amend various Acts as a consequence of the enactment of the Industrial and Commercial Training Act 1989 and the Industrial Arbitration (Industrial and Commercial Training) Amendment Act 1989; 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.

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

21 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

22 INDUSTRIAL AND COMMERCIAL TRAINING BILL**INDUSTRIAL ARBITRATION (INDUSTRIAL AND COMMERCIAL TRAINING)
AMENDMENT BILL****MISCELLANEOUS ACTS (INDUSTRIAL AND COMMERCIAL TRAINING)
AMENDMENT BILL**

Resumption of the interrupted debate, on the motion of Mr Fahey, 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.

23 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 3 May 1989, returning the Youth Advisory Council Bill, without amendment.

24 LOCAL GOVERNMENT (BUILDING REGULATION) 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 specify the extent to which the Crown is bound by the building regulation provisions of that Act and to make further provision with respect to the determination of building applications; 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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

25 POLICE REGULATION (FALSE SECURITY ALARMS) 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.

**26 FISHERIES AND OYSTER FARMS (PENALTIES AND ENFORCEMENT)
AMENDMENT 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.

27 BUSINESS NAMES (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.

28 PUBLIC FINANCE AND AUDIT (PUBLIC ACCOUNTS) 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 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.

On motion of Mr Fahey, on behalf of Mr Greiner, the Report was adopted.

And the 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
3 May 1989

29 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 amend the Auctioneers and Agents Act 1941 with respect to delegations, the restoration of expired licences and the investment of funds; 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
3 May 1989

JOHN JOHNSON
President

AUCTIONEERS AND AGENTS (AMENDMENT) BILL

Schedule of the amendment referred to in Message of 3 May 1989

L. A. JECKELN
Clerk of the Parliaments

Page 2, Schedule 1 (1), line 25. After "3 members", insert ", of whom one must be the chairman or the official member".

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 forthwith.

30 AUCTIONEERS AND AGENTS (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 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.

Report adopted.

31 PUBLIC TRUSTEE (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Public Trustee Act 1913 and the Protected Estates Act 1983 with respect to the funding of the Public Trust Office otherwise than by an annual appropriation from the Consolidated Fund; 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.

32 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 Whelan) and the resumption of the debate made an Order of the Day for a future day.

33 DUST DISEASES TRIBUNAL BILL**WORKERS' COMPENSATION (DUST DISEASES) 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 provide for the constitution of a Dust Diseases Tribunal, to define the jurisdiction and functions of the Tribunal, and to provide for related matters.
- (ii) A bill for an Act to amend the Workers' Compensation (Dust Diseases) Act 1942 in consequence of and in connection with the enactment of the Dust Diseases Tribunal Act 1989.

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.

34 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 3 May 1989, returning the Criminal Procedure (Sentencing) Amendment Bill, without amendment.

35 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.16 p.m., until tomorrow at 10.30 a.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 47

THURSDAY 4 MAY 1989

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 3 May 1989, returning the following bills, without amendment:

National Parks (Special Provisions) Bill
Trustee Companies (Amendment) Bill.

2 PETITIONS

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

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

Dr Refshauge—from certain citizens requesting the reinstatement of the route 490 bus service.

Mr Glachan—from certain citizens requesting the establishment of an interim council for the proposed Charles Sturt University.

Ms Fraser—from certain citizens opposing the proposed rerouting of the route 441 bus service.

Mr Greiner—from certain citizens opposing the proposed amendment to the State Bank Act that will remove the staff-elected director of the board.

Mr Harrison—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Mr McManus—from certain citizens requesting that peak hour rail services to and from the Illawarra Region be upgraded.

Mr McManus—from certain citizens opposing rental increases by the Department of Housing.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Murray laid upon the Table—

Report of the Fish River Water Supply Undertaking for 1988.

Report of the South West Tablelands Water Supply Undertaking for 1988.

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

Report of the Education Commission for 1988.

Report of the Council of Macquarie University for 1988.

Report of the Senate of the University of Sydney for 1988.

Report of the Technical Education Trust Funds for 1988.

Report of the Council of the University of New South Wales for 1988.

Referred to the Printing Committee.

5 QUESTIONS

6 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 censures the Premier, Treasurer and Minister for Ethnic Affairs for his Government's education policies which have affected the standard of education provided in our public schools and TAFE colleges, notice of which was given by him this day for tomorrow.

Question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

4 May 1989

The House divided.

Ayes 48

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

Noes 57

Mr Andrews	Mr Hartcher	Mr Schultz
Mr Armstrong	Mr Hay	Mr Singleton
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	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 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 Rixon	Tellers
Mr Greiner	Mr Roberts	Mr Beck
Mr Griffiths	Mr Schipp	Mr Phillips

Pair

Mr Pickard

Mr Walsh.

And so it passed in the negative.

7 QUESTIONS (continuation of entry No. 5)

8 SUSPENSION OF STANDING ORDERS

Mr Irwin moved, That so much of the Standing Orders be suspended as would preclude the consideration forthwith of General Business Notice of Motion No. 3, standing in his name.

Question put.

The House divided.

Ayes 40

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

Noes 62

Mr Andrews	Mr Griffiths	Mr Rixon
Mr Arkell	Mr Hartcher	Mr Roberts
Mr Armstrong	Mr Hatton	Mr Schipp
Mr Baird	Mr Hay	Mr Schultz
Mr Berry	Mr Jeffery	Mr Small
Mr Books	Mr Keegan	Mr Smiles
Mr J. D. Booth	Mr Kerr	Mr Smith
Mr Caterson	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	Ms Moore	Mr Welsh
Mr Cruickshank	Mr Morris	Mr White
Mr Dowd	Mr Murray	Mr Wotton
Mr Downy	Mr D. L. Page	Mr Yabsley
Mr Fahey	Mr Park	Mr Yeomans
Ms Fraser	Mr Peacocke	Mr Zammit
Mr Glachan	Mr Petch	Tellers
Mr Graham	Mr Photios	Mr Beck
Mr Greiner	Ms Read	Mr Phillips

Pair

Mr Pickard

Mr Carr

And so it passed in the negative.

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—

Co-operation (Amendment) Bill

Credit Legislation (Amendment) Bill.

Question put and passed.

10 ANTI-DISCRIMINATION (RACIAL VILIFICATION) AMENDMENT BILL

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 render vilification on the ground of race unlawful and to create an offence of serious racial vilification; 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 Aquilina) and the resumption of the debate made an Order of the Day for a future day.

**11 MARINE ADMINISTRATION BILL
MARITIME SERVICES (AMENDMENT) BILL**

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

- (i) A bill for an Act to reconstitute the Maritime Services Board of New South Wales; and to make other provision with respect to marine administration.
- (ii) A bill for an Act to amend the Maritime Services Act 1935 as a consequence of and in connection with the enactment of the Marine Administration Act 1989.

Question put and passed.

Bills presented and read a first time.

Mr Baird moved, That these bills 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.

12 CO-OPERATION (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.

13 CREDIT LEGISLATION (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.

14 CHILDREN (CRIMINAL 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 this bill be now read a second time—

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Whelan moved, speaking (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
4 May 1989

15 PRIVILEGE—PUBLIC ACCESS TO PARLIAMENT HOUSE

The honourable member for Maroubra, Mr Carr, having established a *prima facie* case of breach of privilege, moved, That you instruct parliamentary staff to admit those citizens seeking meetings with their parliamentary representatives on education.

The Speaker ruled that the motion was not a motion that related to the breach of privilege raised by the honourable member.

It being 2.15 p.m., General Business proceeded with.

16 GRIEVANCE DEBATE

Question proposed—That grievances be noted.

17 PRIVILEGE—PUBLIC ACCESS TO PARLIAMENT HOUSE

The honourable member for Blacktown, Mr Aquilina, having established a *prima facie* case of breach of privilege, moved, That so much of the Minute of Speaker Ellis deterring Members from performing their duties by restricting the admittance of visitors to Parliament House be varied for this sitting to admit those citizens seeking meetings on education with their parliamentary representatives.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 51

Mr Andrews	Mr Griffiths	Mr Schipp
Mr Armstrong	Mr Hartcher	Mr Schultz
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	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 D. L. Page	Mr Wotton
Mr Cruickshank	Mr Park	Mr Zammit
Mr Dowd	Mr Peacocke	
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	Tellers
Mr Glachan	Mr Rixon	Mr Beck
Mr Graham	Mr Roberts	Mr Phillips

Noes 46

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Keegan	Mr Price
Mr Aquilina	Mr Knight	Mr Primrose
Mr A. S. Aquilina	Mr Knowles	Ms Read
Mr Arkell	Mr Langton	Dr Refshauge
Mr Carr	Mr Lovelee	Mr Rogan
Mr Cleary	Mr McManus	Mr Rumble
Mrs Crosio	Mr Markham	Mr Shedden
Mr Davoren	Mr Martin	Mr Unsworth
Mr Doyle	Mr Mills	Mr Walsh
Mr Face	Ms Moore	Mr Welsh
Mr Ferguson	Mr Moss	Mr Whelan
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers
Mr Hatton	Mr Newman	Mr Beckroge
Mr Hunter	Ms Nori	Mr Christie

Pairs

Mr Greiner	Mr Brereton
Mr Murray	Mr H. F. Moore

And so it was resolved in the affirmative.

Original Question put.

The House divided.

Ayes 45

Ms Allan	Mr Irwin	Mr Page
Mr Amery	Mr Keegan	Mr Price
Mr Aquilina	Mr Knight	Mr Primrose
Mr A. S. Aquilina	Mr Knowles	Ms Read
Mr Arkell	Mr Langton	Dr Refshauge
Mr Carr	Mr Lovelee	Mr Rogan
Mr Cleary	Mr McManus	Mr Rumble
Mrs Crosio	Mr Markham	Mr Shedden
Mr Davoren	Mr Martin	Mr Unsworth
Mr Doyle	Mr Mills	Mr Walsh
Mr Face	Ms Moore	Mr Whelan
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	Tellers
Mr Gibson	Mr Nagle	Mr Beckroge
Mr Hatton	Mr Newman	Mr Christie
Mr Hunter	Ms Nori	

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
4 May 1989

Noes 52

Mr Andrews	Mr Griffiths	Mr Schipp
Mr Armstrong	Mr Hartcher	Mr Schultz
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	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 D. L. Page	Mr Wotton
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 Beck
Mr Graham	Mr Roberts	Mr Phillips

Pairs

Mr Greiner	Mr Brereton
Mr Murray	Mr Harrison
Mr Pickard	Mr H. F. Moore

And so it passed in the negative.

18 GRIEVANCE DEBATE (continuation of entry No. 16)

And the question being again proposed—That grievances be noted.

Debate ensued.

Question put and passed.

19 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 4 May 1989, returning the Very Fast Train (Route Investigation) Bill, without amendment.

20 PRINTING COMMITTEE

Mr Glachan, on behalf of the Chairman, brought up Report No. 16 of the Printing Committee.

21 CHILDREN (CRIMINAL 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 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.

And Mr Speaker having consented to the third reading being taken forthwith—

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

22 POLICE DEPARTMENT (TRANSIT POLICE) 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 relating to the employment of transit police and the regulation of the conditions of their employment; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
4 May 1989

ADRIAN SOLOMONS
Deputy-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.

23 MESSAGE FROM THE LEGISLATIVE COUNCIL

Madam Deputy-Speaker reported a message from the Legislative Council, dated 4 May 1989, returning the Animal Research (Amendment) Bill, without amendment.

24 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.50 p.m., until Tuesday 9 May 1989, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 48

TUESDAY 9 MAY 1989

1 ELECTORAL DISTRICT OF LIVERPOOL

Mr Speaker informed the House that his writ had issued on 10 April 1989, for the election of a member to serve in the room of the Honourable George Paciullo, resigned, and such writ had been duly returned, with a certificate endorsed thereon by the returning officer of the election of Peter Thomas Anderson, to serve as member for the electoral district of Liverpool.

Peter Thomas Anderson 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 Liverpool.

2 PETITIONS

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

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

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

Mr Walsh—from certain citizens opposing the introduction of contractors into New South Wales public sector hospitals.

Mr Gibson—from certain citizens opposing the new staffing formulae in public education.

Ms Read—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Mr Longley—from certain citizens requesting support for legislation to protect the unborn.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Dowd laid upon the Table—

Report of the Law Reform Commission on Disposal of Uncollected Goods, dated November 1988.

Report of the Law Reform Commission on Dividing Fences, dated December 1988.

Local Courts (Civil Claims) Act 1970—Local Courts (Civil Claims) Rules 1988—forms 1 to 91. (Gazette 55/1989.)

Supreme Court Act 1970—Supreme Court Rules—amendment s. 219. (Gazette 48/1989.)

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

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

(a) sewage purposes at—

Frenchs Forest. (Gazette 27/1989.)

Hornsby West. (Gazette 32/1989.)

Palm Beach. (Gazette 18/1989.)

(b) water supply purposes at Emu Plains. (Gazette 21/1989.)

Referred to the Printing Committee.

(3) Mr Causley laid upon the Table—

Report of the Hunter Valley Conservation Trust for 1988.

Referred to the Printing Committee.

(4) Mr Hay laid upon the Table—

Report of the Special Investigation, under section 212 of the Local Government Act 1919, into allegations concerning the payment of travel costs associated with a trip by Alderman Fitzgerald of the Municipality of Drummoyne to San Fele (Italy) and the United Kingdom.

Dog Act 1966—Dog Regulation 1981—new clauses 17, 18, schedule 2, amendment of clause 4. (Gazette 38/1989.)

9 May 1989

Prevention of Cruelty to Animals Act 1979—

- (a) Prevention of Cruelty to Animals (Animal Boarding Establishments) Regulations 1954—amendment of regulations 1, 2, 3, 5, 10, 12, substituted regulation 2A, omission of forms A, B, C. (Gazette 38/1989.)
- (b) Prevention of Cruelty to Animals (Kennels) Regulations—amendment of regulation 12. (Gazette 38/1989.)
- (c) Prevention of Cruelty to Animals (Livery Stables) Regulations 1953—amendment of regulation 11. (Gazette 38/1989.)
- (d) Prevention of Cruelty to Animals (Riding Schools) Regulations 1953—amendment of regulation 10. (Gazette 38/1989.)

Referred to the Printing Committee.

(5) Mr Yabsley laid upon the Table—

Prisons Act 1952—Prisons Regulations 1968—regulation 11AA, amendment of regulation 133. (Gazette 44/1989 (2).)

Referred to the Printing Committee.

5 AUDITOR-GENERAL'S REPORT

Mr Speaker laid upon the Table—

Report of the Auditor-General under the Public Finance and Audit Act 1983 for audits with balance dates between 1 July 1988, and 28 February 1989 and a special report on computer related payments made by the Communications Branch of the Sydney Water Board, Volume 1, 1989.

Ordered to be printed.

6 MINISTERIAL STATEMENT—TRANSPORT WORKERS' UNION

Mr Greiner made a ministerial statement concerning allegations of corruption against the Transport Workers' Union.

Mr Carr also addressed the House.

7 MINISTERIAL ANNOUNCEMENT

Mr Greiner informed the House that the Honourable Neil Edward William Pickard, Minister for Minerals and Energy, would be absent from Parliament this week, and that the Honourable David Aberdeen Hay, Minister for Local Government and Minister for Planning, would be absent from Parliament on Wednesday 10 May 1989 and Thursday 11 May 1989.

8 QUESTIONS

9 NOTICES OF MOTIONS

After time prescribed by Standing Orders—Dr Metherell.

10 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Motor Accidents (Amendment) Bill
Parliamentary Remuneration Tribunal (Special Provisions) Bill
Sentencing 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.

11 PARLIAMENTARY REMUNERATION TRIBUNAL (SPECIAL PROVISIONS) BILL

Mr Webster, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the making of a special determination of Parliamentary remuneration by the Parliamentary Remuneration Tribunal.

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 (Dr Refshauge) and the resumption of the debate made an Order of the Day for a future day.

12 MINING (ACCESS TO LANDS) AMENDMENT BILL

Mr Causley, on behalf of Mr Pickard, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Mining Act 1973 so as to facilitate the exercise of rights under exploration licences and prospecting licences in relation to agricultural and other lands; 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 Rogan) and the resumption of the debate made an Order of the Day for a future day.

**13 COMMUNITY WELFARE (DEVELOPMENTAL DISABILITIES)
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.

**14 LIQUOR (AMENDMENT) BILL
REGISTERED CLUBS (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 and passed.

Bills 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 bills.

Mr Speaker resumed the Chair, and the Chairman reported the Liquor (Amendment) Bill with an amendment and the Registered Clubs (Liquor) Amendment Bill without amendment.

On motion of Mr West, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

15 LOCAL GOVERNMENT (BUILDING REGULATION) AMENDMENT 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.

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 (BUILDING REGULATION) AMENDMENT BILL

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

Debate adjourned (Mr Downy) and the resumption of the debate made an Order of the Day for a later hour of the 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 for the implementation of the motor accidents scheme under that Act and the licensing and control of insurers; to make amendments to other Acts; 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.

19 INDUSTRIAL AND COMMERCIAL TRAINING BILL

INDUSTRIAL ARBITRATION (INDUSTRIAL AND COMMERCIAL TRAINING) AMENDMENT BILL

MISCELLANEOUS ACTS (INDUSTRIAL AND COMMERCIAL TRAINING) AMENDMENT 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.

Question put and passed.

Bills 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 bills.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 May 1989

Mr Speaker resumed the Chair, and the Chairman reported the Industrial and Commercial Training Bill with amendments and the Industrial Arbitration (Industrial and Commercial Training) Amendment Bill and the Miscellaneous Acts (Industrial and Commercial Training) Amendment Bill without amendment.

On motion of Mr Fahey, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

20 CRIMES (COMPUTERS AND FORGERY) 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.

21 PUBLIC TRUSTEE (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.

22 CRIMES (APPREHENDED VIOLENCE) 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.

23 CONFISCATION OF PROCEEDS OF CRIME 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.

**24 DUST DISEASES TRIBUNAL BILL
WORKERS' COMPENSATION (DUST DISEASES) 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 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.

**25 ROAD IMPROVEMENT (SPECIAL FUNDING) BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) (ROAD
FUNDING) AMENDMENT BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Baird, 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 10 MAY 1989 a.m.

Mr Schultz moved, That this debate be now adjourned.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 and 10 May 1989 a.m.

Question put and passed.

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

26 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr J. D. Booth, Acting Speaker, reported messages from the Legislative Council, dated 9 May, 1989, returning the following bills, without amendment:

Fluoridation of Public Water Supplies (Amendment) Bill

Psychologists Bill

Fisheries and Oyster Farms (Penalties and Enforcement) Amendment Bill.

Mr J. D. Booth, Acting Speaker, also reported the following messages from the Legislative Council:

Mr SPEAKER

The Legislative Council, having had under consideration the Legislative Assembly's Message dated 21 February 1989, in reference to the Residential Tenancies (Amendment) Bill—

Amendment No. 12—Insists on its amendment.

Amendments Nos 2, 3, 5 and 10—Does not insist on its amendments and agrees to the Assembly's amendments.

Does not insist on its other amendments disagreed to by the Assembly in the Bill.

Legislative Council
10 May 1989 a.m.

JOHN JOHNSON
President

Ordered by Mr J. D. Booth, Acting Speaker, That consideration of the Legislative Council message of 10 May 1989 a.m. in reference to the amendments in this bill be set down as an Order of the Day for tomorrow.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act relating to the termination of occupation rights of residents in retirement villages, and to confer on the Residential Tenancies Tribunal jurisdiction with respect to certain matters relating to retirement villages; 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
10 May 1989 a.m.

JOHN JOHNSON
President

RETIREMENT VILLAGES BILL

Schedule of the amendments referred to in Message of 10 May 1989 a.m.

L. A. JECKELN
Clerk of the Parliaments

No. 1 Pages 5 and 6, clause 14, line 31 on page 5 down to and including line 6 on page 6. Omit all words on those lines, insert instead:

Applications to Tribunal relating to disputes

14. (1) If a resident or the administering authority of a retirement village claims that—

- (a) a dispute has arisen between the resident and the authority or the authority and one or more residents or the resident and another resident; and
- (b) all procedures for settlement of the dispute under any applicable code (otherwise than by reference of the dispute to the Tribunal) have been exhausted without resolving the dispute to the satisfaction of the resident or the authority or, if there are no such procedures, the dispute has not been resolved,

the resident or authority may apply to the Tribunal for an order in respect of the dispute.

No. 2 Page 6, clause 14. After line 6, insert:

(2) The Tribunal shall not hear an application under subsection (1) (other than an application relating to a dispute arising out of the transfer or the proposed transfer of a resident of a retirement village from one kind of accommodation in the retirement village to another) unless it is of the opinion that—

- (a) the dispute materially affects a party to the dispute; or
- (b) it is in the public interest to do so.

No. 3 Page 6, clause 14, line 7. After "resident", insert "or an administering authority".

No. 4 Page 6, clause 14, lines 9 to 19. Omit all words on those lines, insert instead:

(a) an order that—

- (i) restrains the administering authority from transferring the resident from one kind of accommodation in the retirement village to another; or
- (ii) requires the resident to transfer, or the authority to transfer the resident, from one kind of accommodation in the village to another; or

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 and 10 May 1989 a.m.

- (b) an order terminating the residence contract of the resident; or
- (c) an order that—
 - (i) restrains any action in breach of any residence contract or residence rule; or
 - (ii) requires the performance of any residence contract or residence rule; or
- (d) an order that the resident or authority perform such work or take such other steps as the order specifies to remedy a breach of a residence contract; or
- (e) an order for the payment of an amount of money; or
- (f) an order for compensation; or
- (g) an order that requires payment to the Tribunal of part or all of any money payable by a resident to the authority until the whole or part of any residence contract has been performed or any application for compensation has been determined; or
- (h) an order that requires payment (out of money paid to the Tribunal) towards the cost of remedying a breach of a residence contract or towards the cost of any compensation.

(4) An order under subsection (3) (c) may be made even though it provides a remedy in the nature of an injunction or order for specific performance in circumstances in which such a remedy would not otherwise be available.

(5) If a resident or an administering authority of a retirement village claims that—

- (a) a residence rule is unconscionable, harsh or oppressive or contravenes any applicable code; and
- (b) all procedures for settlement of a dispute relating to the rule under any applicable code (otherwise than by reference of the dispute to the Tribunal) have been exhausted without resolving the dispute to the satisfaction of the resident or authority or, if there are no such procedures, the dispute has not been resolved,

the resident or authority may apply to the Tribunal for an order under subsection (6).

(6) The Tribunal may, on application by a resident or an administering authority under subsection (5), make an order—

- (a) setting aside the residence rule; or
- (b) modifying the operation of the rule, either in its application to the resident or to some or all of the residents of the retirement village.

(7) If the Tribunal makes an order terminating a residence contract under this section, the Tribunal shall fix in the order a date by which the resident must vacate the residential premises.

No. 5 Page 6, clause 14, line 26. After "section". insert "with respect to a dispute arising out of the transfer or proposed transfer of a resident of a retirement village from one kind of accommodation in the retirement village to another".

No. 6 Page 7, clause 16, lines 14 to 24. Omit all words on those lines, insert instead:

(2) The Tribunal may, on application by an administering authority under this section, make an order terminating the residence contract, but only if—

(a) it is satisfied that any procedures specified under any applicable code or the residence contract for giving notice of intention to terminate the residence contract and for termination of the contract have been complied with by the authority; and

(b) it is of the opinion that—

(i) the residential premises occupied by the resident are, because of the resident's physical or mental incapacity, unsuitable for occupation by the resident; and

(ii) having considered the circumstances of the case, it is otherwise appropriate to make an order terminating the residence contract.

(3) The Tribunal shall not form an opinion under subsection (2) (b) (i) unless it has considered a medical report with respect to the resident prepared by a medical practitioner nominated by the resident or, if such a report is not supplied or a nomination is not made, has given the resident a reasonable opportunity to supply such a report or make such a nomination.

No. 7 Page 8, clause 17. After line 21, insert:

(3) In addition to any order the Tribunal may make under subsection (2), it may in proceedings under this section make an order—

(a) setting aside a residence rule; or

(b) modifying the operation of a rule, either in its application to a resident or to some or all of the residents of a retirement village,

if it is of the opinion that the rule is unconscionable, harsh or oppressive or contravenes any applicable code.

(4) The Tribunal may make an order under subsection (3) whether or not any procedures specified under any applicable code or the residence contract for giving notice of intention to terminate a residence contract or for termination of the residence contract or for the settlement of a dispute have been complied with.

No. 8 Page 14, clause 38, lines 34 to 39. Omit all words on those lines, insert instead:

38. (1) Except as provided by subsection (2), the provisions of this Act have effect despite any stipulation to the contrary in any contract, agreement, scheme or arrangement, and no residence contract or other contract, agreement, scheme or arrangement (whether oral or wholly or partly in writing, and whether made or entered into before or after the commencement of this section) operates to annul, vary or exclude any of the provisions of this Act.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
9 and 10 May 1989 a.m.

(2) Nothing in subsection (1) derogates from the rights of a resident arising out of a residence contract entered into before the commencement of that subsection.

No. 9 Page 18, Schedule 1, clause 1, lines 4 and 5. Omit "as to the transfer of a resident from one kind of accommodation in a retirement village to another".

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered by Mr J. D. Booth, Acting Speaker, That the consideration of the Legislative Council message be set down as an Order of the Day for tomorrow.

27 LOCAL GOVERNMENT (BUILDING REGULATION) AMENDMENT 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.

The House divided.

Ayes 53

Mr Andrews	Mr Griffiths	Mr Rixon
Mr Armstrong	Mr Hartcher	Mr Roberts
Mr Baird	Mr Hay	Mr Schultz
Mr Berry	Mr Jeffrey	Mr Singleton
Mr Books	Mr Keegan	Mr Small
Mr J. D. Booth	Mr Kerr	Mr Smiles
Mr Caterson	Mr Longley	Mr Smith
Mr Causley	Miss Machin	Mr Souris
Mr Chappell	Mr Matheson	Mr Tink
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 D. L. Page	Mr Yeomans
Mr Downy	Mr Park	Mr Zammit
Mr Fahey	Mr Peacocke	Tellers
Mr Glachan	Mr Petch	Mr Beck
Mr Graham	Mr Photios	Mr Phillips

Noes 38

Mr Amery	Mr Irwin	Mr Newman
Mr Anderson	Mr Knight	Ms Nori
Mr Aquilina	Mr Knowles	Mr Page
Mr A. S. Aquilina	Mr Langton	Mr Price
Mr Arkell	Mr Lovelee	Ms Read
Mr Brereton	Mr McManus	Mr Rogan
Mr Davoren	Mr Markham	Mr Rumble
Mr Doyle	Mr Martin	Mr Walsh
Mr Face	Mr Mills	Mr Welsh
Mr Ferguson	Mr H. F. Moore	Mr Whelan
Ms Fraser	Mr Moss	Tellers
Mr Gibson	Mr J. H. Murray	Mr Beckroge
Mr Harrison	Mr Nagle	Mr Christie

Pairs

Mr Greiner	Ms Allan
Mr Pickard	Mr Carr
Mr Schipp	Mrs Crosio
Mr Wotton	Mr Hunter
Mr Yabsley	Mr Primrose

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.

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.

28 ADJOURNMENT

Mr Hay moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 2.26 a.m., until 2.15 p.m. this day.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 49

WEDNESDAY 10 MAY 1989

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 9 May 1989, returning the following bills, without amendment:

Higher Education (Amalgamation) Bill
University and University Colleges (Amendment) Bill.

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 with respect to the constitution and functions of the University of New England; to repeal the University of New England Act 1953; 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
9 May 1989

JOHN JOHNSON
President

UNIVERSITY OF NEW ENGLAND BILL

Schedule of the amendments referred to in Message of 9 May 1989

J. A. JECKELN
Clerk of the Parliaments

-
- No. 1 Page 20, Schedule 3, line 24. Omit "and".
- No. 2 Page 20, Schedule 3, line 25. Omit all words on that line, insert instead:
- (f) one person from each of the constituent bodies (that is, the University of New England, the Armidale College of Advanced Education and the Northern Rivers College of Advanced Education), being in each case a person—
 - (i) who was a member of the academic staff of the relevant body immediately before the commencement of this clause;
 - (ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and
 - (iii) who is elected in the manner prescribed by those regulations;
 - (g) one person from each of the constituent bodies referred to in paragraph (f), being in each case a person—
 - (i) who was a member of the non-academic staff of the relevant body immediately before the commencement of this clause;
 - (ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and
 - (iii) who is elected in the manner prescribed by those regulations;
 - (h) one person from each of the constituent bodies referred to in paragraph (f), being in each case a person—
 - (i) who was a student of the relevant body, but who was not a member of the academic or non-academic staff of that body, immediately before the commencement of this clause;
 - (ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and
 - (iii) who is elected in the manner prescribed by those regulations; and
- (i) not more than 6 persons appointed by the Minister.

Examined
ADRIAN SOLOMONS
Chairman of Committees

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act with respect to the constitution and functions of the University of Newcastle; to repeal the University of Newcastle Act 1964; 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
9 May 1989

JOHN JOHNSON
President

UNIVERSITY OF NEWCASTLE BILL

Schedule of the amendments referred to in Message of 9 May 1989

L. A. JECKELN
Clerk of the Parliaments

- No. 1 Page 19, Schedule 3, line 18. Omit "and".
- No. 2 Page 19, Schedule 3, line 19. Omit all words on that line, insert instead:
- (f) one person from each of the constituent bodies (that is, the University of Newcastle, and the Hunter Institute of Higher Education), being in each case a person—
 - (i) who was a member of the academic staff of the relevant body immediately before the commencement of this clause;
 - (ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and
 - (iii) who is elected in the manner prescribed by those regulations;
 - (g) one person from each of the constituent bodies referred to in paragraph (f), being in each case a person—
 - (i) who was a member of the non-academic staff of the relevant body immediately before the commencement of this clause;
 - (ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and
 - (iii) who is elected in the manner prescribed by those regulations;
 - (h) one person from each of the constituent bodies referred to in paragraph (f), being in each case a person—
 - (i) who was a student of the relevant body, but who was not a member of the academic or non-academic staff of that body, immediately before the commencement of this clause;

10 May 1989

(ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and

(iii) who is elected in the manner prescribed by those regulations; and

(i) not more than 8 persons appointed by the Minister.

No. 3 Page 19, Schedule 3. After line 19, insert:

(2) The Council may appoint any other person to be a member of the Council and the person, on being appointed, shall be taken to be an appointed member of the Council in addition to the members appointed under subclause (1).

(3) No more than one person may hold office at any one time as an appointed member under subclause (2).

Examined

ADRIAN SOLOMONS

Chairman of Committees

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act with respect to the constitution and functions of the University of Technology, Sydney; to repeal the University of Technology, Sydney Act 1987 and the University of Technology, Sydney (Miscellaneous Provisions) 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
9 May 1989

JOHN JOHNSON
President

UNIVERSITY OF TECHNOLOGY, SYDNEY, BILL

Schedule of the amendments referred to in Message of 9 May 1989

L. A. JECKELN
Clerk of the Parliaments

No. 1 Page 19, Schedule 3, line 18. Omit "and".

No. 2 Page 19, Schedule 3, line 19. Omit all words on that line, insert instead:

(e) one person from each of the constituent bodies (that is, the University of Technology, Sydney and the Kuring-gai College of Advanced Education), being in each case a person—

(i) who was a member of the academic staff of the relevant body immediately before the commencement of this clause;

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1989

- (ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and
- (iii) who is elected in the manner prescribed by those regulations;
- (f) one person from each of the constituent bodies referred to in paragraph (e), being in each case a person—
 - (i) who was a member of the non-academic staff of the relevant body immediately before the commencement of this clause;
 - (ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and
 - (iii) who is elected in the manner prescribed by those regulations;
- (g) one person from each of the constituent bodies referred to in paragraph (e), being in each case a person—
 - (i) who was a student of the relevant body, but who was not a member of the academic or non-academic staff of that body, immediately before the commencement of this clause;
 - (ii) who has such qualifications as may be prescribed by the regulations under the Higher Education (Amalgamation) Act 1989; and
 - (iii) who is elected in the manner prescribed by those regulations; and
- (h) not more than 8 persons appointed by the Minister.

No. 3 Page 19, Schedule 3. After line 19, insert:

(2) The Council may appoint any other person to be a member of the Council and the person, on being appointed, shall be taken to be an appointed member of the Council in addition to the members appointed under subclause (1).

(3) No more than 2 persons may hold office at any one time as appointed members under subclause (2).

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 at a later hour of the day.

2 PETITIONS

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

Mr Beckroge, Mr Glachan, Mr Hunter, Mr Kerr, Mr Morris and Mr Rogan—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 the protection of moral standards in primary and secondary education.

Mr Harrison—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Mr Peacocke—from certain citizens requesting a review of rental increases by the Department of Housing in the Narromine area.

Mr Rogan—from certain citizens requesting support for legislation to protect the unborn.

Mr Roberts—from certain citizens opposing the introduction of a levy by the Hunter District Water Board for fringe area sewerage works.

Mr Peacocke—from certain citizens requesting the re-establishment of penalties for homosexual activities and opposing the public display of homosexuality.

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

Mr J. H. Murray—from certain citizens opposing cuts to pensioner concessions.

Mr Amery—from certain citizens opposing the new staffing formulae in public education.

Mr D. L. Page—from certain citizens opposing the introduction of contractors into New South Wales public sector hospitals.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Armstrong laid upon the Table—

Report of the Dairy Industry Conference for the year ended 30 September 1988.

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

Report of the Cumberland College of Health Sciences for 1988.

Report of the Hawkesbury Agricultural College for 1988.

Report of the Sydney College of Advanced Education for 1988.

Referred to the Printing Committee.

(3) Mr Causley laid upon the Table—

Report of the Wild Dog Destruction Board for 1988.

Referred to the Printing Committee.

5 QUESTIONS

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1989

6 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 and Minister for the Arts for his continued refusal to publish hospital waiting lists and for further health service cutbacks.

Question put.

The House divided.

Ayes 46

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

Noes 56

Mr Andrews	Mr Griffiths	Mr Schipp
Mr Armstrong	Mr Hartcher	Mr Schultz
Mr Baird	Mr Jeffery	Mr Singleton
Mr Berry	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr J. D. 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	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
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Rixon	Mr Beck
Mr Greiner	Mr Roberts	Mr Phillips

Pairs

Mr Pickard
Mr HayMrs Crosio
Mr Hunter

And so it passed in the negative.

7 LIQUOR (AMENDMENT) BILL

REGISTERED CLUBS (LIQUOR) AMENDMENT BILL

(Formal Order of the Day)—Bills, on motion of Mr West, read a third time.

8 INDUSTRIAL AND COMMERCIAL TRAINING BILL

INDUSTRIAL ARBITRATION (INDUSTRIAL AND COMMERCIAL
TRAINING) AMENDMENT BILLMISCELLANEOUS ACTS (INDUSTRIAL AND COMMERCIAL TRAINING)
AMENDMENT BILL

(Formal Order of the Day)—Bills, on motion of Mr Fahey, 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—

Motor Accidents (Amendment) Bill

Parliamentary Remuneration Tribunal (Special Provisions) Bill.

Question put and passed.

10 REGULATION REVIEW COMMITTEE

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

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

That, under the Regulation Review Act 1987, Mr Vaughan be appointed to fill the vacancy on the Regulation Review Committee, in place of Mr Dyer, resigned on 13 April, 1989.

Legislative Council
10 May 1989

ADRIAN SOLOMONS
Deputy President

11 PUBLIC HEALTH (AMENDMENT) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Public Health Act 1902 for the purpose of regulating the installation of air-handling systems, hot-water systems and water-cooling systems, and the operation and maintenance of such systems, in order to prevent or mitigate the growth of micro-organisms liable to cause Legionnaires' disease, and certain other bacterial diseases; and for other purposes.

Bill presented and read a first time.

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

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

12 RURAL ASSISTANCE BILL**MISCELLANEOUS ACTS (RURAL ASSISTANCE) REPEAL AND AMENDMENT BILL**

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

- (i) A bill for an Act to enable the provision of rural assistance; to constitute the New South Wales Rural Assistance Authority and to specify its functions; and for other purposes.
- (ii) A bill for an Act to amend and repeal certain Acts as a consequence of, and in connection with, the enactment of the Rural Assistance Act 1989.

Question put and passed.

Bills presented and read a first time.

Mr Armstrong 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.

13 SIMON UNIVERSITY COLLEGE (AMENDMENT) BILL

Dr Metherell moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Simon University College Act 1988 so as to reconstitute the Australian William E. Simon University College as a university; and for other purposes.

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 debate made an Order of the Day for a future day.

14 SENTENCING BILL

Mr Yabsley moved, pursuant to notice, That leave be given to bring in a bill for an Act to promote truth in sentencing; to provide for the procedure to be followed in sentencing prisoners to imprisonment and for the release of prisoners on parole; to repeal the Probation and Parole Act 1983 and amend certain other Acts; and for other purposes.

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 Langton) and the resumption of the debate made an Order of the Day for a future day.

15 SOCCER FOOTBALL POOLS (AMENDMENT) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Soccer Football Pools Act 1975 and the State Lotteries Act 1930 to enable the State Lotteries Office to promote, conduct and operate soccer football pools; 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 Cleary) and the resumption of the debate made an Order of the Day for a future day.

16 RACING APPEALS TRIBUNAL (AMENDMENT) BILL HARNESS RACING AUTHORITY (AMENDMENT) BILL

Mr Speaker reported the following messages from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Racing Appeals Tribunal Act 1983 with respect to the appointment of qualified persons as the Racing Appeals Tribunal or as assessors" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
10 May 1989

ADRIAN SOLOMONS
Deputy President

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Harness Racing Authority Act 1977 with respect to the appointment of qualified persons as the Harness Racing Appeals Tribunal or as assessors" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
10 May 1989

ADRIAN SOLOMONS
Deputy President

Bills read a first time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 May 1989

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

Debate adjourned (Mr Cleary) and the resumption of the debate made an Order of the Day for tomorrow.

17 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 10 May 1989, returning the following bills, without amendment:

Business Names (Amendment) Bill
Co-operation (Amendment) Bill.

18 RETIREMENT VILLAGES 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 Retirement Villages Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

19 RESIDENTIAL TENANCIES (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 Legislative Council message of 10 May 1989, a.m., in reference to the amendments in this bill.

Mr Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman, reported that the Committee did not insist upon the Assembly disagreements from the Council amendments insisted upon by the Council in the Bill.

Report adopted.

On motion of Mr Schipp, the following message was sent to the Legislative Council—

Mr PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council's message dated 10 May 1989, a.m., in reference to the Residential Tenancies (Amendment) Bill, does not insist upon its disagreements from the Council's amendments still insisted upon by the Council in the Bill.

Legislative Assembly
10 May 1989

K. R. ROZZOLI
Speaker

20 ANTI-DISCRIMINATION (RACIAL VILIFICATION) 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.

Ordered, That the honourable member for Cabramatta, Mr Newman, 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, read a third time.

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

21 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

22 STATUTE LAW (MISCELLANEOUS PROVISIONS) 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.

23 POLICE DEPARTMENT (TRANSIT POLICE) 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.

24 MESSAGES FROM THE GOVERNOR

Madam Deputy-Speaker reported messages from His Excellency the Governor assenting to the following bills:

10 May, 1989.

Meat Industry (Amendment) Bill

Public Accountants Registration (Repeal and Amendment) Bill

Corporate Affairs Commission (Auditors and Liquidators) Amendment Bill

Traffic (Penalty Notices) Amendment Bill

Usury, Bills of Lading, and Written Memoranda (Amendment) Bill

Waste Disposal (Further Amendment) Bill

Youth Advisory Council Bill.

25 MESSAGES FROM THE LEGISLATIVE COUNCIL

Madam Deputy-Speaker reported messages from the Legislative Council, dated 10 May 1989, returning the following bills, without amendment:

Community Welfare (Developmental Disabilities) Amendment Bill

Credit Legislation (Amendment) Bill

Public Finance and Audit (Public Accounts) Amendment Bill.

26 MOTOR ACCIDENTS (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 Caterson, 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 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.

**27 HIGHER EDUCATION (AMALGAMATION) BILL
UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL
UNIVERSITY OF NEW ENGLAND BILL
UNIVERSITY OF NEWCASTLE BILL
UNIVERSITY OF TECHNOLOGY, SYDNEY, 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 University of New England Bill, University of Newcastle Bill and University of Technology, Sydney, Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had disagreed with the Council amendments.

On motion of Dr Metherell, the Report was adopted.

On motion of Dr Metherell, the following messages were sent to the Legislative Council—

(1) UNIVERSITY OF NEW ENGLAND BILL

Mr PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council's message dated 9 May 1989, requesting the concurrence of the Legislative Assembly with certain amendments to the University of New England Bill as set forth in the Schedule to that message, acquaints the Legislative Council as follows—

The Assembly disagrees with the proposed amendments because—

The arrangements for Interim Councils or Boards of Governors to look after the initial process of establishing the new universities were arrived at after considerable discussion and negotiation. These negotiations produced a situation which took account of the concerns of all parties.

The legislation as originally introduced reflected the agreements reached in the consultations with all chief executive officers of the institutions concerned and they had access to the final draft bills.

The amendments remove the necessary flexibility which enables the creation of Interim Councils or Boards of Governors which take account of staff, students and regional interests.

The Vice-Chancellors of at least two of the new Institutions do not support these amendments.

It has been made plain that, following consultation with the Chief Executive Officers of the institutions involved, the Minister will appoint staff and students as well as community representatives to the interim governing bodies.

Legislative Assembly
10 May 1989

K. R. ROZZOLI
Speaker

(2) UNIVERSITY OF NEWCASTLE BILL

Mr PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council's message dated 9 May 1989, requesting the concurrence of the Legislative Assembly with certain amendments to the University of Newcastle Bill as set forth in the Schedule to that message, acquaints the Legislative Council as follows—

The Assembly disagrees with the proposed amendments because—

The arrangements for Interim Councils or Boards of Governors to look after the initial process of establishing the new universities were arrived at after considerable discussion and negotiation. These negotiations produced a situation which took account of the concerns of all parties.

The legislation as originally introduced reflected the agreements reached in the consultations with all chief executive officers of the institutions concerned and they had access to the final draft bills.

The amendments remove the necessary flexibility which enables the creation of Interim Councils or Boards of Governors which take account of staff, students and regional interests.

The Vice-Chancellors of at least two of the new Institutions do not support these amendments.

It has been made plain that, following consultation with the Chief Executive Officers of the institutions involved, the Minister will appoint staff and students as well as community representatives to the interim governing bodies.

Legislative Assembly
10 May 1989

K. R. ROZZOLI
Speaker

(3) UNIVERSITY OF TECHNOLOGY, SYDNEY, BILL

Mr PRESIDENT

The Legislative Assembly having had under consideration the Legislative Council's message dated 9 May 1989, requesting the concurrence of the Legislative Assembly with certain amendments to the University of Technology, Sydney, Bill as set forth in the Schedule to that message, acquaints the Legislative Council as follows—

The Assembly disagrees with the proposed amendments because—

The arrangements for Interim Councils or Boards of Governors to look after the initial process of establishing the new universities were arrived at after considerable discussion and negotiation. These negotiations produced a situation which took account of the concerns of all parties.

The legislation as originally introduced reflected the agreements reached in the consultations with all chief executive officers of the institutions concerned and they had access to the final draft bills.

The amendments remove the necessary flexibility which enables the creation of Interim Councils or Boards of Governors which take account of staff, students and regional interests.

The Vice-Chancellors of at least two of the new Institutions do not support these amendments.

It has been made plain that, following consultation with the Chief Executive Officers of the institutions involved, the Minister will appoint staff and students as well as community representatives to the interim governing bodies.

Legislative Assembly
10 May 1989

K. R. ROZZOLI
Speaker

**28 PARLIAMENTARY REMUNERATION TRIBUNAL (SPECIAL PROVISIONS)
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 Webster, on behalf of Mr Greiner, read a third time.

**29 MARINE ADMINISTRATION BILL
MARITIME SERVICES (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.

The House divided.

Ayes 57

Mr Andrews	Mr Hartcher	Mr Roberts
Mr Arkell	Mr Hatton	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Keegan	Mr Small
Mr Books	Mr Kerr	Mr Smiles
Mr J. D. Booth	Mr Longley	Mr Smith
Mr Caterson	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	Ms Moore	Mr White
Mr Cruickshank	Mr Morris	Mr Yabsley
Mr Dowd	Mr D. L. Page	Mr Yeomans
Mr Downy	Mr Park	Mr Zammit
Mr Fahey	Mr Peacocke	
Ms Fraser	Mr Petch	
Mr Glachan	Mr Photios	Tellers
Mr Graham	Ms Read	Mr Beck
Mr Griffiths	Mr Rixon	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 and 11 May 1989 a.m.

Noes 38

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

Pairs

Mr Greiner	Mr Carr
Mr Hay	Mrs Crosio
Mr Murray	Mr Hunter
Mr Pickard	Mr Newman
Mr Wotton	Mr Walsh

And so it was resolved in the affirmative.

Bills 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 bills.

Mr Speaker resumed the Chair, and the Chairman reported the bills without amendment.

On motion of Mr Baird, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—
Bills, on motion of Mr Baird, read a third time.

30 ROAD IMPROVEMENT (SPECIAL FUNDING) BILL
BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) (ROAD
FUNDING) AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Baird, 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—

THURSDAY 11 MAY 1989 a.m.

Question put.

The House divided.

Ayes 55

Mr Andrews	Mr Hartcher	Mr Schipp
Mr Armstrong	Mr Hatton	Mr Schultz
Mr Baird	Mr Jeffery	Mr Small
Mr Books	Mr Keegan	Mr Smiles
Mr J. D. Booth	Mr Kerr	Mr Smith
Mr CATERSON	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 Welsh
Mr Collins	Mr Moore	Mr West
Mr Cruickshank	Mr Morris	Mr White
Mr Dowd	Mr D. L. Page	Mr Yabsley
Mr Downy	Mr Park	Mr Yeomans
Mr Fahey	Mr Peacocke	Mr Zammit
Ms Fraser	Mr Petch	
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 40

Ms Allan	Mr Irwin	Ms Nori
Mr Amery	Mr Knight	Mr Page
Mr Anderson	Mr Knowles	Mr Price
Mr Aquilina	Mr Langton	Mr Primrose
Mr A. S. Aquilina	Mr Lovelee	Ms Read
Mr Arkell	Mr McManus	Mr Rogan
Mr Brereton	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	
Mr Ferguson	Mr Moss	Tellers
Mr Gibson	Mr J. H. Murray	Mr Beckroge
Mr Harrison	Mr Nagle	Mr Christie

Pairs

Mr Berry	Mr Carr
Mr Greiner	Mrs Crosio
Mr Hay	Mr Hunter
Mr Murray	Mr Newman
Mr Pickard	Dr Refshauge
Mr Wotton	Mr Walsh

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 and 11 May 1989 a.m.

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 Baird, read a third time.

31 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 10 May 1989, returning the following bills, without amendment:

Anti-Discrimination (Racial Vilification) Amendment Bill
Public Trustee (Amendment) Bill.

32 BUSINESS FRANCHISE LICENCES (TOBACCO) AMENDMENT BILL BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL REVENUE LAWS (RECIPROCAL POWERS) FURTHER 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.

33 NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL WILDERNESS (PLANS OF MANAGEMENT) AMENDMENT 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 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 Caterson, Temporary Chairman, reported the National Parks and Wildlife (Amendment) Bill with amendments and the Wilderness (Plans of Management) Amendment Bill without amendment.

On motion of Mr Moore, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

34 CHARLES STURT UNIVERSITY 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.

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 Dr Metherell, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

Bill, on motion of Dr Metherell, read a third time.

35 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 11 May 1989, a.m., returning the Crimes (Apprehended Violence) 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 Children (Criminal Proceedings) Act 1987 in relation to the remitting of cases to other courts, the publication of names of children involved in criminal proceedings, the making of compensation orders, the imposing of penalties and other matters; and to amend the Miscellaneous Acts (Children's Court and Criminal Proceedings) Amendment Act 1987" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
11 May 1989 a.m.

JOHN JOHNSON
President

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 and 11 May 1989 a.m.

CHILDREN (CRIMINAL PROCEEDINGS) AMENDMENT BILL

Schedule of the amendment referred to in Message of 11 May 1989 a.m.

L. A. JECKELN
Clerk of the Parliaments

Pages 6 and 7, Schedule 1, line 24 on page 6 down to and including line 14 on page 7.
Omit all words on those lines.

Examined
ADRIAN SOLOMONS
Chairman of Committees

Ordered by Mr Speaker, That the amendment made by the Legislative Council be taken into consideration forthwith.

36 CHILDREN (CRIMINAL PROCEEDINGS) 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 amendment made by the Legislative Council in the Children (Criminal Proceedings) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendment.

Report adopted.

37 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 2.06 a.m. until 10.30 a.m. this day.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 50

THURSDAY 11 MAY 1989

1 PETITIONS

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

Mr Knight, Mr Shedden and Mr Unsworth—from certain citizens opposing the proposed amendment to the State Bank Act that will remove the staff-elected director of the board.

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

Mr Hatton and Mr Smiles—from certain citizens requesting support for legislation to implement citizen initiated referendums.

Mr Markham—from certain citizens requesting that peak hour services be upgraded in the Illawarra region.

Mr Phillips—from certain citizens requesting that "in-house" services be maintained at Sutherland Hospital.

Ms Nori—from certain citizens requesting that staffing at Annandale North Public School be restored to the 1988 level.

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

Mr Cochran and Ms Fraser—from certain citizens opposing the introduction of contractors into New South Wales public sector hospitals.

Mr J. H. Murray—from certain citizens opposing cuts to pensioner concessions.

2 PAPERS

(1) Mr Greiner laid upon the Table—

A letter from the Ombudsman responding to reports of an alleged leak to the media of information from the Ombudsman's office being his report to the Parliament in respect of the complaint by former Constable Blackshaw, and a reply by Mr Greiner to the Ombudsman dated 11 May 1989.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Children (Care and Protection) Act 1987—Children (Care and Protection) Regulation 1988—amendment of clause 7. (Gazette 32/1989.)

Referred to the Printing Committee.

(3) Mr Baird laid upon the Table—

Public Works Act 1912—notification of appropriation and/or resumption of land and/or easements for railway purposes at Mulgrave. (Gazette 48/1989.)

Referred to the Printing Committee.

(4) Mr Fahey laid upon the Table—

State Authorities Non-contributory Superannuation Act 1987—State Authorities Non-contributory Superannuation Regulation 1988—amendment of clauses 3, 5, substituted clause 7. (Gazette 37/1989.)

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 calls on the Minister for Natural Resources to introduce a Register of Foreign Ownership of Land in New South Wales.

Question put.

The House divided.

Ayes 39

Ms Allan	Mr Knight	Mr Price
Mr Amery	Mr Langton	Mr Primrose
Mr Aquilina	Mr Lovelee	Dr Refshauge
Mr A. S. Aquilina	Mr McManus	Mr Rogan
Mr Brereton	Mr Markham	Mr Rumble
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 Ferguson	Mr Nagle	
Mr Gibson	Mr Newman	Tellers
Mr Harrison	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

11 May 1989

Noes 58

Mr Andrews	Mr Hatton	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 J. D. Booth	Miss Machin	Mr Smith
Mr Catterson	Mr Matheson	Mr Souris
Mr Causley	Mr Merton	Mr Tink
Mr Cochran	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 Wotton
Mr Downy	Mr Park	Mr Yabsley
Mr Fahey	Mr Peacocke	Mr Yeomans
Ms Fraser	Mr Petch	Mr Zammit
Mr Glachan	Mr Photios	
Mr Graham	Ms Read	Tellers
Mr Greiner	Mr Rixon	Mr Beck
Mr Griffiths	Mr Roberts	Mr Phillips

Pairs

Mr Chappell	Mr Anderson
Mr Hartcher	Mrs Crosio
Mr D. L. Page	Mr Hunter
Mr White	Mr Knowles

And so it passed in the negative.

5 QUESTIONS (continuation of entry No. 3)

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

Paper: Mr Greiner laid upon the Table—Terms of Settlement in consideration of Hooker Corporation Limited against Darling Harbour Authority and others, Harrahs against Darling Harbour Authority and others, and Darling Harbour Authority against Hooker Corporation Limited and others.

Referred to the Printing Committee.

6 NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL
WILDERNESS (PLANS OF MANAGEMENT) AMENDMENT BILL

(Formal Order of the Day)—Bills, on motion of Mr Moore, read a third time.

7 MINISTERIAL STATEMENT—TARONGA ZOO AND WESTERN PLAINS ZOO

Mr Moore made a ministerial statement concerning the funding and management of Taronga Zoo and Western Plains Zoo.

8 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported the following messages from the Legislative Council:

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's Message, dated 10 May 1989 in reference to the University of New England Bill—

Does not insist upon its amendments disagreed to by the Assembly in this Bill.

Legislative Council
11 May 1989

JOHN JOHNSON
President

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's Message, dated 10 May 1989 in reference to the University of Newcastle Bill—

Does not insist upon its amendments disagreed to by the Assembly in this Bill.

Legislative Council
11 May 1989

JOHN JOHNSON
President

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's Message, dated 10 May 1989 in reference to the University of Technology, Sydney, Bill—

Does not insist upon its amendments disagreed to by the Assembly in this Bill.

Legislative Council
11 May 1989

JOHN JOHNSON
President

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—

Public Health (Amendment) Bill

Rural Assistance Bill

Miscellaneous Acts (Rural Assistance) Repeal and Amendment Bill

Sentencing Bill

Simon University College (Amendment) Bill

Soccer Football Pools (Amendment) Bill.

Debate ensued.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 May 1989

10 SPECIAL ADJOURNMENT

Mr Dowd moved, pursuant to notice, That this House at its rising this day do adjourn until Tuesday, 25 July 1989, at 2.15 p.m.

Debate ensued.

Question put and passed.

11 PRECEDENCE OF BUSINESS

Mr Dowd moved, pursuant to notice, That on Thursday, 11 May 1989, Government Business shall take precedence of General Business.

Question put and passed.

12 JOINT STANDING COMMITTEE UPON ROAD SAFETY

Ordered, on the motion of Mr Dowd, That Laurence John Brereton be discharged from attendance upon the Joint Standing Committee upon Road Safety and that John Paul Newman be appointed a member of such Committee.

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 Laurence John Brereton be discharged from attendance upon the Joint Standing Committee upon Road Safety and that John Paul Newman be appointed a member of such Committee.”

Legislative Assembly
11 May 1989

K. R. ROZZOLI
Speaker

13 REGULATION REVIEW COMMITTEE

(1) Mr Dowd moved, That Jack Richard Face be discharged from attendance upon the Regulation Review Committee and that Stanley Alfred James Knowles be appointed a member of such Committee.

Question put and passed.

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 Jack Richard Face be discharged from attendance upon the Regulation Review Committee and that Stanley Alfred James Knowles be appointed a member of such Committee.”

Legislative Assembly
11 May 1989

K. R. ROZZOLI
Speaker

14 TEMPORARY CHAIRMAN OF COMMITTEES

Mr Speaker informed the House that he had received the resignation of Jack Richard Face from the position of Temporary Chairman of Committees.

Mr Speaker, pursuant to Standing Order 28A, nominated John Henry Murray as a Temporary Chairman of Committees during the present Session, in the place of Jack Richard Face, resigned.

15 SENTENCING 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.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

16 RURAL ASSISTANCE BILL**MISCELLANEOUS ACTS (RURAL ASSISTANCE) REPEAL AND AMENDMENT BILL**

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Armstrong, 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 Armstrong, read a third time.

17 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 11 May 1989, returning the Motor Accidents (Amendment) Bill without amendment.

18 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Sessional Orders be suspended as would preclude Private Members' Statements from being noted at this sitting.

19 PUBLIC HEALTH (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.

20 SOCCER FOOTBALL POOLS (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.

Leave granted for the third reading to be moved forthwith.

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

21 PRINTING COMMITTEE

Mr Small brought up Report No. 17 of the Printing Committee.

**22 RACING APPEALS TRIBUNAL (AMENDMENT) BILL
HARNESS RACING AUTHORITY (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 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.

23 SIMON UNIVERSITY COLLEGE (AMENDMENT) 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.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

Bill, on motion of Dr Metherell, read a third time.

24 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE COUNCIL OF THE UNIVERSITY OF NEW SOUTH WALES

Ordered, on the motion of Dr Metherell, by leave, That 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 in the place of the Honourable Timothy John Moore, member for Gordon, resigned, in pursuance of the provisions of section 8 (3) (b) of the University of New South Wales Act 1968.

Mr Caterson, Acting Speaker, left the Chair at 4.25 p.m. until the ringing of one long bell.

Mr Speaker resumed the Chair at 9.06 p.m.

25 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 11 May 1989, returning the following bills, without amendment:

Charles Sturt University Bill

Crimes (Computers and Forgery) Amendment Bill

Dust Diseases Tribunal Bill

Workers' Compensation (Dust Diseases) Amendment Bill

Parliamentary Remuneration Tribunal (Special Provisions) Bill.

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 Local Government Act 1919 to specify the extent to which the Crown is bound by the building regulation provisions of that Act and to make further provision with respect to the determination of building applications; 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
11 May 1989

JOHN JOHNSON
President

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 May 1989

LOCAL GOVERNMENT (BUILDING REGULATION) AMENDMENT BILL

Schedule of the amendment referred to in Message of 11 May 1989

L. A. JECKELN
Clerk of the Parliaments

Pages 3 and 4, Schedule 1, line 29 on page 3 down to and including line 33 on page 4. Omit all words on those lines.

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 forthwith.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to establish the Industrial and Commercial Training Council and the Vocational Training Board; to define the functions of those bodies; to provide for the regulation of apprenticeships and traineeships; 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
11 May 1989

JOHN JOHNSON
President

INDUSTRIAL AND COMMERCIAL TRAINING BILL

Schedule of the amendments referred to in Message of 11 May 1989

L. A. JECKELN
Clerk of the Parliaments

-
- No. 1 Page 15, clause 34, lines 6 to 9. Omit all words on those lines, insert instead: pending appropriate award or agreement variation, the interim rate of remuneration for that person shall be the maximum rate of remuneration set by the award or agreement for apprentices in that trade who are under the age of 21 years, being apprentices who are at the same stage of apprenticeship in that trade.
- No. 2 Page 21, clause 52, lines 36 to 38. Omit all words on those lines, insert instead: pending appropriate award or agreement variation, the interim rate of remuneration for that person shall be the maximum rate of remuneration set by the award or agreement for trainees in that calling who are under the age of 21 years.

No. 3 Page 35, clause 88, line 12. Omit "is final and".

No. 4 Page 35, clause 88. After line 14, insert:

(5) An appeal may be made to the Industrial Commission from a decision of the Appeal Panel by leave of the Industrial Commission.

(6) An appeal under subsection (5) shall be heard and determined by the Industrial Commission as if it were an application under the Industrial Arbitration Act 1940 for determination of an industrial matter.

(7) The decision of the Industrial Commission is final and shall be given effect to as if it were the decision of the person or body in respect of whose decision, determination, action or failure to act the appeal has been made.

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.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Industrial Arbitration Act 1940 as a consequence of the enactment of the Industrial and Commercial Training Act 1989; 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
11 May 1989

JOHN JOHNSON
President

**INDUSTRIAL ARBITRATION (INDUSTRIAL AND COMMERCIAL
TRAINING) AMENDMENT BILL**

Schedule of the amendments referred to in Message of 11 May 1989

L. A. JECKELN
Clerk of the Parliaments

No. 1 Page 4, Schedule 1, line 22. After "Board", insert ", provided that this shall not affect an appeal under section 88 (5) of the Industrial and Commercial Training Act 1989".

No. 2 Pages 8 to 10, Schedule 1, line 28 on page 8 down to and including line 2 on page 10. Omit all words on those lines.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 May 1989

No. 3 Pages 10 and 11, Schedule 2, line 35 on page 10 down to and including line 4 on page 11. Omit all words on those lines.

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.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend various Acts as a consequence of the enactment of the Industrial and Commercial Training Act 1989 and the Industrial Arbitration (Industrial and Commercial Training) Amendment Act 1989; 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
11 May 1989

JOHN JOHNSON
President

MISCELLANEOUS ACTS (INDUSTRIAL AND COMMERCIAL TRAINING)
AMENDMENT BILL

Schedule of the amendments referred to in Message of 11 May 1989

L. A. JECKELN
Clerk of the Parliaments

- No. 1 Page 2, clause 2, lines 8 to 11. Omit all words on those lines, insert instead:
(2) Different days may be appointed for the commencement of section 3 and Schedule 1 in their application to different Acts or different provisions of the same Act.
- No. 2 Page 2, clauses 4 and 5, lines 15 to 30. Omit all words on those lines.
- No. 3 Pages 3 and 4, Schedule 2, line 27 on page 3 down to and including line 18 on page 4. Omit all words on those lines.

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.

26 INDUSTRIAL AND COMMERCIAL TRAINING BILL**INDUSTRIAL ARBITRATION (INDUSTRIAL AND COMMERCIAL TRAINING) AMENDMENT BILL****MISCELLANEOUS ACTS (INDUSTRIAL AND COMMERCIAL TRAINING) 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 Industrial and Commercial Training Bill, Industrial Arbitration (Industrial and Commercial Training) Amendment Bill and Miscellaneous Acts (Industrial and Commercial Training) Amendment Bill.

Mr Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman, reported that the Committee had agreed to the Council amendments.

Report adopted.

27 LOCAL GOVERNMENT (BUILDING REGULATION) 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 amendment made by the Legislative Council in the Local Government (Building Regulation) Amendment Bill.

Mr Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman, reported that the Committee had agreed to the Council amendment.

Report adopted.

28 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 9.13 p.m., until Tuesday, 25 July 1989, at 2.15 p.m.

G. H. COOKSLEY,
Clerk of the Legislative Assembly.

K. R. ROZZOLI,
Speaker.



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 51

TUESDAY 25 JULY 1989

1 MESSAGES FROM THE GOVERNOR

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

11 May 1989

Animal Research (Amendment) Bill
Criminal Procedure (Sentencing) Amendment Bill
National Parks (Special Provisions) Bill
Trustee Companies (Amendment) Bill
Very Fast Train (Route Investigation) Bill.

15 May 1989

Gaming and Betting (Racing) Amendment Bill
Police Regulation (False Security Alarms) Amendment Bill.

16 May 1989

Motor Accidents (Amendment) Bill.

17 May 1989

Anti-Discrimination (Racial Vilification) Amendment Bill.

19 May 1989

Auctioneers and Agents (Amendment) Bill
Business Names (Amendment) Bill
Community Welfare (Developmental Disabilities) Amendment Bill
Co-operation (Amendment) Bill
Credit Legislation (Amendment) Bill
Fisheries and Oyster Farms (Penalties and Enforcement) Amendment Bill
Fluoridation of Public Water Supplies (Amendment) Bill
Psychologists Bill
Public Finance and Audit (Public Accounts) Amendment Bill.

22 May 1989

Police Department (Transit Police) Bill
Racing Appeals Tribunal (Amendment) Bill
Harness Racing Authority (Amendment) Bill.

23 May 1989

Crimes (Apprehended Violence) Amendment Bill
Dust Diseases Tribunal Bill
Workers Compensation (Dust Diseases) Amendment Bill
Higher Education (Amalgamation) Bill
University and University Colleges (Amendment) Bill
University of New England Bill
University of Newcastle Bill
University of Technology, Sydney, Bill
Parliamentary Remuneration Tribunal (Special Provisions) Bill
Public Trustee (Amendment) Bill.

29 May 1989

Crimes (Computers and Forgery) Amendment Bill
Soccer Football Pools (Amendment) Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
25 July 1989

2 June 1989

Business Franchise Licences (Tobacco) Amendment Bill
Business Franchise Licences (Petroleum Products) Amendment Bill
Revenue Laws (Reciprocal Powers) Further Amendment Bill
Charles Sturt University Bill
Children (Criminal Proceedings) Amendment Bill
Industrial and Commercial Training Bill
Industrial Arbitration (Industrial and Commercial Training) Amendment Bill
Miscellaneous Acts (Industrial and Commercial Training) Amendment Bill
Local Government (Building Regulation) Amendment Bill
National Parks and Wildlife (Amendment) Bill
Wilderness (Plans of Management) Amendment Bill
Public Health (Amendment) Bill
Residential Tenancies (Amendment) Bill
Retirement Villages Bill
Sentencing Bill.

13 June 1989

Confiscation of Proceeds of Crime Bill
Liquor (Amendment) Bill
Registered Clubs (Liquor) Amendment Bill
Marine Administration Bill
Maritime Services (Amendment) Bill
Road Improvement (Special Funding) Bill
Business Franchise Licences (Petroleum Products) (Road Funding) Amendment Bill
Rural Assistance Bill
Miscellaneous Acts (Rural Assistance) Repeal and Amendment Bill
Simon University College (Amendment) Bill
Statute Law (Miscellaneous Provisions) Bill.

2 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

23 May 1989

Business Franchise Licences (Tobacco) Amendment Bill
Business Franchise Licences (Petroleum Products) Amendment Bill
Revenue Laws (Reciprocal Powers) Further Amendment Bill
National Parks and Wildlife (Amendment) Bill
Wilderness (Plans of Management) Amendment Bill
Public Health (Amendment) Bill
Sentencing Bill
Simon University College (Amendment) Bill
Statute Law (Miscellaneous Provisions) Bill.

24 May 1989 a.m.

Confiscation of Proceeds of Crime Bill.

24 May 1989

Liquor (Amendment) Bill
Registered Clubs (Liquor) Amendment Bill
Marine Administration Bill
Maritime Services (Amendment) Bill
Road Improvement (Special Funding) Bill
Business Franchise Licences (Petroleum Products) (Road Funding) Amendment Bill
Rural Assistance Bill
Miscellaneous Acts (Rural Assistance) Repeal and Amendment Bill
Soccer Football Pools (Amendment) Bill.

3 LEAVE OF ABSENCE

Ordered, on motion of Mr Singleton, That leave of absence for the present session be granted to Donald Frederick Charles Beck, member for Murwillumbah, on account of absence from the State.

Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to Paul Francis Patrick Whelan, member for Ashfield, on account of absence from the State.

Ordered, on motion of Mr Arkell, That leave of absence for the present session be granted to John Edward Hatton, member for South Coast, on account of absence from the State.

Ordered, on motion of Mr Phillips, That leave of absence for the present session be granted to Phillip Murray Smiles, member for Mosman, on account of absence from the State.

4 DEATH OF THE HONOURABLE ABRAM LANDA, LL.B., A FORMER MINISTER OF THE CROWN

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 the Honourable Abram Landa, LL.B., a former Minister of the Crown.

(2) That Mr Speaker convey to the 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 Murray.

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

5 PETITIONS

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

Mr Beck—from certain citizens requesting the reopening of a full time office of the Department of Family and Community Services in Murwillumbah.

Mr Smiles—from certain citizens requesting the prohibition of nude bathing at Reef Beach.

Mr Causley and Mr J.H. Murray—from certain citizens requesting a return to 1988 staffing levels in public education.

Mr J.H. Murray—from certain citizens opposing cuts to pensioner concessions.

Mr Hunter, Mr Page and Mr Rogan—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Mr H. F. Moore—from certain citizens requesting that certain land on the North Entrance Peninsula area be proclaimed as a national park.

Mr Primrose—from certain citizens requesting the construction of access ramps at Campbelltown Railway Station.

Mr Longley and Mr Park—from certain citizens requesting support for legislation to protect the unborn.

Mr Armstrong, Mr Beckroge, Mr Christie, Mr Cleary, Mr Cochran, Mr Cruickshank, Mr Face, Mr Greiner, Mr Griffiths, Mr Hartcher, Mr Hunter, Mr Irwin, Mr Jeffery, Mr Kerr, Mr Knowles, Mr Langton, Mr Longley, Miss Machin, Mr Moore, Mr Murray, Mr J.H. Murray, Mr Park, Mr Peacocke, Mr Phillips, Ms Read, Dr Refshauge, Mr Schipp, Mr Singleton, Mr Small, Mr Smith, Mr Tink, Mr Turner, Mr Webster, Mr West, Mr Whelan, Mr Wotton and Mr Yeomans—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Langton, Mr Phillips and Mr Webster—from certain citizens requesting that society be protected from the harmful effects of moral pollution.

Mr Martin—from certain citizens opposing the proposed extension of liquor trading hours.

Mr Cruickshank, Mr Hatton and Mr Park—from certain citizens opposing the introduction of contractors into public sector hospitals.

Mr Amery and Mr Gibson—from certain citizens requesting that the rail line between Riverstone and Blacktown remain open.

Mr Walsh—from certain citizens requesting that the Hunter Prelude Early Intervention Centre remain open.

Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

Mr Hunter—from certain citizens requesting the abolition of the flat rate sewerage pump out charge.

Mr Souris—from certain citizens requesting the rerouting of the New England Highway at Muswellbrook.

Mr H.F. Moore—from certain citizens requesting that the decision to close the Vales Point "A" Power Station be reconsidered.

Mr Primrose—from certain citizens requesting that a police station be built in the Claymore/Eaglevale area.

Mr Page—from certain citizens requesting a Royal Commission into the death of David Gundy.

Mr Page—from certain citizens requesting that property in the Millers Point area not be sold.

Mr Page—from certain citizens opposing the tax on video poker machines.

Mr Webster—from certain citizens requesting that casino gambling not be legalised.

Mr Page—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Mr Webster—from certain citizens requesting that the recommendations of the Law Reform Commission on de facto relationships not be implemented.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

6 NOTICES OF MOTIONS

7 PAPERS

(1) Mr Pickard laid upon the Table—

Report of the Mines Rescue Board for 1988.

Coal Mining Act 1973—Coal Mining Regulations 1974—substituted regulation 6, omission of schedule 2. (Gazette 72/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
25 July 1989

Electricity Commission Act 1950—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912 for transmission lines at Cowra. (Gazette 78/1989.)

Mining Act 1973—Mining Regulations 1974—substituted regulation 8, omission of schedule 2. (Gazette 72/1989.)

Referred to the Printing Committee.

8 REPORTS RECEIVED BY THE CLERK

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

30 May 1989

Report of the Trustees of the Anzac Memorial Building for 1988.

19 June 1989

Report of Armidale College of Advanced Education for 1988.

Report of the Higher Education Board for the period 1 January to 30 June 1988.

Report of the Hunter Institute of Higher Education for 1988.

Report of the Macarthur Institute of Higher Education for 1988.

Report of the Northern Rivers College of Advanced Education for 1988.

Report of the Riverina—Murray Institute of Higher Education for 1988.

Report of the University of New England for 1988.

Report of the University of Wollongong for 1988.

4 July 1989

Report of the Aboriginal Land Council for the year ended 30 June 1988.

9 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to the Public Finance and Audit 1983, announced receipt of the Report of the Public Accounts Committee on Payments to Visiting Medical Officers, dated June 1989.

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 Greiner Government for repeatedly deceiving public sector employees in relation to job security.

Question put.

The House divided.

Ayes 46

Ms Allan	Mr Harrison	Ms Nori
Mr Amery	Mr Hunter	Mr Page
Mr Anderson	Mr Irwin	Mr Price
Mr Aquilina	Mr Keegan	Mr Primrose
Mr A.S.Aquilina	Mr Knight	Ms Read
Mr Arkell	Mr Knowles	Dr Refshauge
Mr Brereton	Mr Langton	Mr Rogan
Mr Carr	Mr Lovelee	Mr Rumble
Mr Cleary	Mr McManus	Mr Shedden
Mrs Crosio	Mr Markham	Mr Unsworth
Mr Davoren	Mr Martin	Mr Walsh
Mr Doyle	Mr Mills	Mr Welsh
Mr Face	Mr H. F. Moore	
Mr Ferguson	Ms Moore	Tellers
Ms Fraser	Mr Moss	Mr Beckroge
Mr Gibson	Mr Newman	Mr Christie

Noes 53

Mr Andrews	Mr Hartcher	Mr Schultz
Mr Armstrong	Mr Hay	Mr Small
Mr Baird	Mr Jeffery	Mr Smith
Mr Berry	Mr Kerr	Mr Souris
Mr J.D. 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	Dr Metherell	Mr White
Mrs Cohen	Mr Moore	Mr Wotton
Mr Collins	Mr Morris	Mr Yabsley
Mr Cruickshank	Mr Murray	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 Greiner	Mr Roberts	Mr Phillips
Mr Griffiths	Mr Schipp	Mr Singleton

Pairs

Mr Beck
Mr Rixon
Mr Smiles

Mr J.H. Murray
Mr Nagle
Mr Whelan

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
25 July 1989

12 QUESTIONS (continuation of entry No. 10).

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

13 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Cultural Institutions (Miscellaneous Amendments) Bill
Forestry (Amendment) Bill
Legal Aid Commission (Amendment) Bill
Local Government (Rating) Amendment Bill
Valuation of Land (Rating) Amendment Bill
Minors (Property and Contracts) Amendment Bill
Stamp Duties (Amendment) Bill
State Emergency Services and Civil Defence (Amendment) Bill
Victims Compensation (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.

14 MOUNT PANORAMA MOTOR RACING 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 facilitate and regulate major motor racing meetings at Mount Panorama, near Bathurst; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
24 May 1989

JOHN JOHNSON
President

Bill read a first time.

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

Debate adjourned (Mr Cleary) and the resumption of the debate made an Order of the Day for tomorrow.

15 CULTURAL INSTITUTIONS (MISCELLANEOUS AMENDMENTS) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend certain Acts in relation to the governing bodies of the Archives Authority, the Art Gallery Trust, the Australian Museum Trust, the Historic Houses Trust, the Library Council, the Trustees of the Museum of Applied Arts and Sciences and the Sydney Opera House Trust; 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 Aquilina) and the resumption of the debate made an Order for the Day for a future day.

16 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 with respect to applications for legal aid, payment of fees to private legal practitioners and certain other matters.

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 debate made an Order of the Day for a future day.

17 VICTIMS COMPENSATION (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend to Victims Compensation Act 1987 so as to provide for the imposition of compensation levies on persons convicted of certain offences, for the recovery of money from certain persons and for other matters.

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 debate made an Order of the Day for a future day.

18 MINORS (PROPERTY AND CONTRACTS) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Minors (Property and Contracts) Act 1970 with respect to the jurisdiction of Local Courts and the District Court.

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 debate made an Order of the Day for a future day.

19 STATE EMERGENCY SERVICES AND CIVIL DEFENCE (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the State Emergency Services and Civil Defence Act 1972 with respect to the Director of State Emergency Services and Civil Defence and the nomination of officers for the purposes of the Act.

Question put and passed.

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 a future day.

20 STAMP DUTIES (AMENDMENT) BILL

Mr Fahey, 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 with respect to the payment of stamp duty relating to insurance and to facilitate the administration of that Act; to amend the Land Tax Management Act 1956 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 Aquilina) and the resumption of the debate made an Order of the Day for a future day.

21 LOCAL GOVERNMENT (RATING) AMENDMENT BILL
VALUATION OF LAND (RATING) AMENDMENT BILL

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

- (i) A bill for an Act to amend the Local Government Act 1919 with respect to the rating of coal mines and differential rates and to make other amendments relating to rates; and for other purposes.
- (ii) A bill for an Act to amend the Valuation of Land Act 1916 with respect to the provision of new valuations of land at the request of councils; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mr Hay 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.

22 FORESTRY (AMENDMENT) BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Forestry Act 1916 with respect to the payment and apportionment of royalties; to repeal the Forestry (Amendment) Act 1984; 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 debate made an Order of the Day for a future day.

23 BAIL (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.

Debate interrupted.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
25 July 1989

24 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

25 ADJOURNMENT

Mr Pickard moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 6.07 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 52

WEDNESDAY 26 JULY 1989

1 LEAVE OF ABSENCE

Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to John Henry Murray, member for Drummoyne, on account of absence from the State.

Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to Peter Richard Nagle, member for Auburn, on account of absence from the State.

2 PETITIONS

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

Mr Causley, Mr Christie, Mr Cruickshank, Mr Davoren, Mr Face, Mr Griffiths, Mr Kerr, Mr Moore, Mr Phillips, Mr Price, Ms Read, Mr Roberts, Mr Rumble, Mr Turner, Mr West, Mr Wotton, Mr Yeomans and Mr Zammit—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Primrose—from certain citizens requesting the construction of access ramps at Campbelltown Railway Station.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Doyle and Mr Roberts—from certain citizens opposing the proposed changes to union based health funds.

Mr Davoren—from certain citizens opposing cuts to pensioner concessions.

Mr Davoren and Mr Rumble—from certain citizens opposing the tax on video poker machines.

Mr Davoren—from certain citizens opposing the staffing cuts to schools participating in the Disadvantaged Schools Program.

Mr Davoren—from certain citizens opposing the proposed changes to regulations under the Child Care Act.

Mr H.F. Moore—from certain citizens requesting that the decision to close the Vales Point "A" Power Station be reconsidered.

Mr Martin and 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 opposing the revocation of Corowa common.

Mr Collins—from certain citizens requesting legislation for the protection of bushland within the Sydney region.

Mr Longley and Mr Park—from certain citizens requesting support for legislation for the prohibition of moral pollution.

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Mr Moore—from certain citizens requesting that action be taken to prevent the further deterioration of the global environment and atmosphere.

Mr West—from certain citizens requesting the maintenance of the current food labelling standards.

Mr Price—from certain citizens requesting the prevention of excessive noise pollution in North Lambton.

Mr Roberts—from certain citizens opposing the proposed location of an open cut coal mine at Rix's Creek, Singleton.

Mr Roberts—from certain citizens requesting the review of the highway speed limits in Brunkerville, Mount Vincent and Mulbring.

Mrs Crosio—from certain citizens requesting the repeal of the Local Government (Rates and Charges) Amendment Act 1988.

Mrs Crosio—from certain citizens requesting the amendment of the Crimes Act in relation to homosexual activities.

Mr Merton—from certain citizens requesting continued support for brain injury therapy programmes.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report and Determination under section 5A of the Parliamentary Remuneration Tribunal Act 1975 dated 18 May 1989. (Gazette 72/1989.)

Report and Determination under section 5A of the Parliamentary Remuneration Tribunal Act 1975 dated 13 June 1989. (Gazette 83/1989.)

Statistical Return in respect of the By-election in the Electoral District of Liverpool held on 29 April 1989.

Royal Commission into Aboriginal Deaths in Custody: Report of the Inquiry into the Death of Thomas William Murray, by Commissioner J.H. Wootten.

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Dentist Act 1934—Dentist Regulations—substituted regulation 55. (Gazette 82/1989.)

Human Tissue Act 1983—Human Tissue Regulation 1984—amendment of schedule 1, substituted clause 7. (Gazette 62/1989.)

Poisons Act 1966—

(a) Poisons Regulations—regulations 6A, 6B, 6C, 6D, 10C, 23A, 23B, 23C, 23D, 23E, 31AA, 38, 73, Appendix H, amendment of regulations 2, 22, 26, 26A, 27, 28, 30, 31D, 33B, 40A, 41B, 42, 43, 46, 46A, forms 1, 3, substituted regulations 3 to 6, 33, form 2, omission of regulation 41. (Gazettes 38/1989, 78/1989, 81/1989.)

(b) Proclamation amending the Poisons List. (Gazette 73/1989.)

Private Health Establishments Act 1982—Private Health Establishments (Day Procedure Centres) Regulation 1989—clauses 1 to 16, schedules 1, 2. (Gazette 82/1989.)

Pure Food Act 1908—

(a) Food Standards Code (Adoption) Regulation 1989—amendments to the Food Standards Code. (Gazette 59/1989.)

(b) Pure Food Regulations 1937—amendment of regulations 19, 24A, 77, 78, 80, substituted regulation 85. (Gazette 59/1989.)

Radioactive Substances Act 1957—Radioactive Substances Regulations 1959—amendment of schedules 1, 2. (Gazette 38/1989.)

Referred to the Printing Committee.

(3) Mr Armstrong laid upon the Table—

Report of the Barley Marketing Board for the year ended 31 October 1988.

Report of the Tobacco Leaf Marketing Board for 1988.

Dairy Industry Act 1979—Dairy Industry (Pricing) Regulation 1984—amendment of clause 3, schedule 1. (Gazette 48/1989.)

Fisheries and Oyster Farms Act 1935—Fisheries and Oyster Farms (Nets and Other Fishing Gear) Regulation 1989—clause 15A. (Gazette 73/1989.)

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Meat Industry Act 1978—Meat Industry (Nomination of Panel) Regulation 1978—amendment of clause 5. (Gazette 62/1989.)

Registration of Stock Brands Act 1921—Registration of Stock Brands Regulations 1989—regulations 1AA, 1AB, 3A, 3B, schedules 2, 3, amendment of regulations 5, 6, 8, 8A, 8B, 10, 12, 15, schedule 1, substituted regulations 3, 9, 11, omission of regulations 4, 11A. (Gazette 81/1989.)

Referred to the Printing Committee.

(4) Mr Dowd laid upon the Table—

Report of the Board of Fire Commissioners for 1988.

Report of the Inquiry under section 475 of the Crimes act 1900 into the conviction of Douglas Harry Rendell at the Supreme Court, Dubbo, on 4 March, 1980, of murder, dated June 1989.

Report of the Inquiry pursuant to Section 475 of the Crimes Act 1900 into the guilt of Douglas Harry Rendell of the murder of Yvonne Kendal, by the Hon. Mr Justice David Hunt, dated 23 June 1989.

MINISTERIAL STATEMENT—PARDON OF DOUGLAS HARRY RENDELL

Mr Dowd made a ministerial statement concerning the pardon of Douglas Harry Rendell.

Report of the Police Internal Affairs Branch for 1988.

Police Regulation Act 1899—Police Rules 1977—amendment of rule 77A. (Gazette 55/1989.)

Referred to the Printing Committee.

(5) Mr Moore laid upon the Table—

Report of the Lord Howe Island Board for the year ended 30 June 1988.

Referred to the Printing Committee.

(6) Mr West laid upon the Table—

Gaming and Betting Act 1912—Gaming and Betting General Regulations—regulation 2A. (Gazette 69/1989.)

Referred to the Printing Committee.

(7) Mr Causley laid upon the Table—

Forestry Act 1916—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act, 1912, for the purposes of—

Buckenbowra State Forest. (Gazette 62/1989.)

Carabost State Forest. (Gazette 52/1989.)

Riamukka State Forest. (Gazette 59/1989.)

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.)

Public Works Act 1912—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Act for the following purposes—

Glen Ugie Creek—weir. (Gazette 69/1989.)

Glenbawn Dam—enlargement. (Gazette 59/1989.)

Water Act 1912—Water (Part VIII) Regulations—amendment of regulations 3, 5, 8, 10. (Gazette 59/1989.)

Water Supply Authorities Act 1987—Broken Hill Water Supply Control Regulation 1989—clauses 1 to 6. (Gazette 59/1989.)

Wentworth Irrigation Act 1890—Wentworth Irrigation (Former By-laws) Regulations 1926—amendment of regulation 21. (Gazette 48/1989.)

Referred to the Printing Committee.

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(8) Mr Hay laid upon the Table—

Report of the Animal Research Review Panel for the year ended 30 June 1988.

Darling Harbour Authority Act—

- (a) Darling Harbour Authority Regulation 1984—amendment of regulations 19, 20A, 24, 28, schedules 10, 11, omission of regulation 20. (Gazettes 8/1989 (2), 38/1989, 95/1989.)
- (b) Darling Harbour (Management of Public Areas) Regulation 1988—clauses 1 to 17. (Gazette 8/1989.)
- (c) Darling Harbour (Monorail) Regulation 1988—clauses 1 to 44. (Gazette 102/1989.)

Environmental Planning and Assessment Act 1979—Environmental Planning and Assessment Regulation 1980—schedule 1A, amendment of clause 26, schedule 2, substituted clauses 40, 41A. (Gazette 73/1989.)

Local Government Act 1919—amendment of ordinances 5, 33, 70, 73. (Gazettes 69/1989, 82/1989 (3).)

Prevention of Cruelty to Animals Act 1979—Prevention of Cruelty to Animals (General) Regulation 1981—schedule 1A, amendment of clause 7A. (Gazette 48/1989.)

Referred to the Printing Committee.

5 QUESTIONS

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

Paper: Mr West laid upon the Table—

Report of a Management Review of the National Trust of Australia (New South Wales), dated July 1989.

Report of the Auditor-General on the inspection of the National Trust of Australia (New South Wales) in terms of section 11 of the Charitable Collections Act 1934, dated 21 July 1989.

Referred to the Printing Committee.

6 PLACING OF BUSINESS—POSTPONEMENT

Notice of Motion No. 5 of General Business postponed by Mr J.D. Booth until Thursday, 27 July 1989.

7 DISALLOWANCE OF REGULATION UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

Mr Doyle moved, pursuant to notice, That this House disallows the amendment to the Environmental Planning and Assessment Regulation, 1980, made under the Environmental Planning and Assessment Act, 1979, as set forth in Government Gazette No. 73 of 16 June 1989.

Debate ensued.

Question put.

The House divided.

Ayes 43

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Keegan	Mr Primrose
Mr Anderson	Mr Knight	Ms Read
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Arkell	Mr Lovelee	Mr Rumble
Mr Brereton	Mr McManus	Mr Shedden
Mr Carr	Mr Markham	Mr Unsworth
Mr Cleary	Mr Martin	Mr Welsh
Mrs Crosio	Mr Mills	
Mr Doyle	Mr H. F. Moore	
Mr Face	Ms Moore	
Mr Ferguson	Mr Moss	Tellers
Ms Fraser	Mr Newman	
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hunter	Mr Page	Mr Davoren

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Mr Andrews	Mr Hay	Mr Schultz
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 J. D. Booth	Mr Matheson	Mr Turner
Mr Caterson	Mr Merton	Mr Webster
Mr Causley	Dr Metherell	Mr West
Mr Chappell	Mr Moore	Mr White
Mr Cochran	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 Phillips
Mr Hartcher	Mr Schipp	Mr Singleton

Pairs

Mr Beck	Mr J.H. Murray
Mr Greiner	Mr Nagle
Mr Smiles	Mr Whelan

And so it passed in the negative.

8 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude—

- (i) the Egg Industry (Repeal and Deregulation) Bill being brought in and proceeded with up to and including the Minister's second reading speech; and

- (ii) the resumption of the adjourned debate on the:

Cultural Institutions (Miscellaneous Amendments) Bill
Forestry (Amendment) Bill
Legal Aid Commission (Amendment) Bill
Minors (Property and Contracts) Amendment Bill
Stamp Duties (Amendment) Bill; and
State Emergency Services and Civil Defence (Amendment) Bill.

9 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the Supply Bill being brought in and passed through all stages in one day.

10 EGG INDUSTRY (REPEAL AND DEREGULATION) BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the dissolution of the New South Wales Egg Corporation, the repeal of the Egg Industry Act 1983, and the deregulation of the egg industry; and for other purposes.

Question put and passed.

Bill presented and read a first time.

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

Debate interrupted

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 EGG INDUSTRY (REPEAL AND DEREGULATION) BILL

Resumption of the interrupted debate, on the motion of Mr Armstrong, 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
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13 PUBLIC TRUSTEE (FURTHER AMENDMENT) BILL
PROTECTED ESTATES (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 Public Trustee Act 1913 with respect to the management of the funds of the Public Trustee, the administration of the Public Trust Office and for other purposes.
- (ii) a bill for an Act to amend the Protected Estates Act 1983 to enable the delegation of the Protective Commissioner's functions and to facilitate the investment of money.

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 Anderson) and the resumption of the debate made an Order of the Day for a future day.

14 BUSH FIRES (AMENDMENT) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Bush Fires Act 1949 with respect to the prevention and fighting of bushfire; to increase penalties; 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 Anderson) and the resumption of the debate made an Order for the Day for a future day.

15 COMPANIES AND SECURITIES LEGISLATION (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Companies (Application of Laws) Act 1981, the Companies (Acquisition of Shares) (Application of Laws) Act 1981, the Securities Industry (Application of Laws) Act 1981, and the Futures Industry (Application of Laws) Act 1986 as a consequence of the Co-operative Scheme Legislation Amendment Act 1989 of the Commonwealth.

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 debate made an Order of the Day for a future day.

16 PROPERTY SERVICES CORPORATION BILL

Mr Webster moved, pursuant to notice, That leave be given to bring in a bill for an Act to constitute the Property Services Corporation of New South Wales and to specify its functions; and to provide for 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 Irwin) and the resumption of the debate made an Order of the Day for a future day.

17 BUSINESS FRANCHISE LICENCES (TOBACCO) FURTHER AMENDMENT BILL

Mr Fahey, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend section 41 of the Business Franchise Licences (Tobacco) Act 1987 to increase the fees paid for licenses under that Act.

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 Mills) and the resumption of the debate made an Order of the Day for a future day.

18 SUPPLY BILL

Mr Fahey moved, That leave be given to bring in a bill for Act to apply certain sums out of the consolidated fund towards the services of the year 1989—1990.

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.

Mr Fahey moved, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

19 BAIL (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 Caterson, Acting-Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Caterson, Acting-Speaker, resumed the Chair, and Mr J.D. Booth, Temporary Chairman, reported the bill with amendments.

On motion of Mr Dowd, the Report was adopted.

Ordered by Mr Caterson, Acting-Speaker, That the third reading stand an Order of the Day for tomorrow.

20 CRIMES (MENTAL DISORDER) AMENDMENT BILL
MENTAL HEALTH (MENTAL DISORDER) AMENDMENT BILL
CRIMINAL APPEAL (MENTAL DISORDER) 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 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.

21 MOUNT PANORAMA MOTOR RACING 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.

Leave granted for the third reading to be moved forthwith.

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

22 CULTURAL INSTITUTIONS (MISCELLANEOUS AMENDMENTS) 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 J.D. Booth 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
26 July 1989

23 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.01 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 53

THURSDAY 27 JULY 1989

1 PETITIONS

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

Mr Causley, Mr Chappell, Mr Davoren, Mr Hartcher, Mr Hunter, Miss Machin, Mr Page, Mr Petch, Mr Phillips, Mr Photios, Mr Turner, Mr Wotton and Mr Yeomans—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Ms Moore—from certain citizens requesting the preservation of the Thomas Walker and Yaralla Estates for public use.

Mr Davoren—from certain citizens requesting a review of the Children Services Regulations.

Mr Davoren—from certain citizens opposing the staffing cuts to schools participating in the Disadvantaged Schools Program.

Mr Davoren—from certain citizens opposing the tax on video poker machines.

Ms Fraser—from certain citizens requesting the continued provision of rescue services.

Ms Fraser—from certain citizens requesting that traffic lights be installed at the pedestrian crossing outside Petersham TAFE college.

Mr Markham—from certain citizens requesting that peak hour rail services be upgraded in the Illawarra region.

Ms Fraser—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House complex.

Mr H.F. Moore—from certain citizens requesting that the decision to close the Vales Point "A" power station be reconsidered.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Graham—from certain citizens requesting the establishment of new high schools in the Ourimbah and Tumby Valley areas.

Mr Rogan—from certain citizens requesting that the police force not be reduced.

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

Mr Rogan—from certain citizens requesting a public inquiry into the proposed commencement of sandmining on the North Coast.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 July 1989

3 PAPERS

(1) Mr Greiner laid upon the Table—

Pay-roll Tax Act 1971—Pay-roll Tax Regulations 1971—regulation 9A. (Gazette 78/1989.)

Public Sector Management Act 1988—Public Sector Management (General) Regulation 1988—clauses 21A, 21B, 21C, 21D. (Gazette 82/1989.)

Stamp Duties Act 1920—

(a) Stamp Duties (Financial Institutions Duty) Regulation 1982—clause 9I. (Gazette 72/1989.)

(b) Stamp Duties Regulations 1934—substituted regulation 80. (Gazette 73/1989.)

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Housing Act 1976—notifications of acquisition appropriation and/or resumption of land and/or easements under the Public Works Act, 1912, for housing purposes at Waterloo. (Gazettes 30/1989, 52/1989.)

Referred to the Printing Committee.

(3) Mr West laid upon the Table—

State Sports Centre Trust Act 1984—State Sports Centre Regulation 1989—clauses 1 to 27. (Gazette 52/1989.)

Referred to the Printing Committee.

(4) Mr Baird laid upon the Table—

Motor Vehicle Driving Instructors Act 1961—Motor Vehicle Driving Instructors Regulations 1962—schedule C, amendment of regulations 3, 5, 11. (Gazette 78/1989.)

Recreation Vehicles Act 1983—Recreation Vehicles (General) Regulation 1985—amendment of clauses 11, 17, 30, 31, schedule 4. (Gazette 78/1989.)

Traffic Act 1909—Motor Traffic Regulations 1935—regulation 7A, schedule A, amendment of regulations 2, 4, 5, 5A, 5AA, 5B, 5C, 9A, 11, 12, 14, 15A, 17, 18, 19, 20, 21A, 21B, 29, 31, 33A, 35, 44, 51, 53A, 90, 92A, 94, 94B, 110E, 110F, 110G, 110GA, 113A, 116, 127, 132B, schedule K. (Gazettes 69/1989, 78/1989 (2), 81/1989(2).)

Transport Administration Act 1988—

- (a) amendment of by-law no. 1351. (Gazettes 64/1989, 67/1989.)
- (b) notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act, 1912, for railway purposes at—
Dubbo. (Gazette 61/1989.)
East Maitland. (Gazette 33/1989.)
Kempsey. (Gazette 61/1989.)

Transport Licensing Act 1931—Transport Licensing Regulations 1931— regulation 88A, amendment of regulations 1A, 2A, 17, schedule G. (Gazette 78/1989 (2).)

Tow-truck Act 1967—Tow-truck Regulations 1969—substituted schedule E. (Gazette 78/1989.)

Referred to the Printing Committee.

4 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Report of the Regulation Review Committee on Legislation for the Staged Review of New South Wales Statutory Rules, dated July 1989.

Ordered to be printed.

5 QUESTIONS

6 MINISTERIAL STATEMENT—REGISTER OF CHARITIES

Mr West made a ministerial statement concerning the removal from the Register of Charities the charity known as the Association for the Preservation and Welfare of Endangered Species and the Preservation of Australian Flora and Fauna.

7 BAIL (AMENDMENT) BILL

(Formal Order of the Day)—Bill, on motion of Mr Dowd, read a third time.

8 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 Egg Industry (Repeal and Deregulation) Bill.

Debate ensued.

Motion, by leave, withdrawn.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 July 1989

9 SUSPENSION OF STANDING ORDERS—PRECEDENCE OF BUSINESS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude Government Business taking precedence of General Business on Thursday, 27 July 1989.

Debate ensued.

Question put.

The House divided.

Ayes 52

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Schultz
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr J. D. Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Moore	Mr West
Mr Cochran	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	Tellers
Mr Graham	Mr Pickard	Mr Phillips
Mr Griffiths	Mr Roberts	Mr Singleton

Noes 45

Ms Allan	Mr Hunter	Mr Page
Mr Amery	Mr Irwin	Mr Price
Mr Anderson	Mr Keegan	Mr Primrose
Mr Aquilina	Mr Knight	Ms Read
Mr A. S. Aquilina	Mr Knowles	Dr Refshauge
Mr Arkell	Mr Langton	Mr Rogan
Mr Brereton	Mr Lovelee	Mr Rumble
Mr Cleary	Mr McManus	Mr Shedden
Mrs Crosio	Mr Markham	Mr Unsworth
Mr Davoren	Mr Martin	Mr Walsh
Mr Doyle	Mr Mills	Mr Welsh
Mr Face	Mr H. F. Moore	
Mr Ferguson	Ms Moore	Tellers
Ms Fraser	Mr Moss	
Mr Gibson	Mr Newman	Mr Beckroge
Mr Harrison	Ms Nori	Mr Christie

Pairs

Mr Beck	Mr Carr
Mr Greiner	Mr J. H. Murray
Mr Rixon	Mr Nagle
Mr Smiles	Mr Whelan

And so it was resolved in the affirmative.

10 STATUTE LAW (MISCELLANEOUS PROVISIONS) (No.2) 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 affecting 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 Anderson) and the resumption of the debate made an Order for the Day for a future day.

- 11 PUBLIC SECTOR MANAGEMENT (EXECUTIVES) AMENDMENT BILL
STATUTORY AND OTHER OFFICES REMUNERATION (EXECUTIVES)
AMENDMENT BILL
MISCELLANEOUS ACTS (PUBLIC SECTOR EXECUTIVES EMPLOYMENT)
AMENDMENT BILL
PUBLIC SECTOR EXECUTIVES SUPERANNUATION BILL
MISCELLANEOUS ACTS (PUBLIC SECTOR EXECUTIVES
SUPERANNUATION) AMENDMENT BILL

Mr Fahey, 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 Public Sector Management Act 1988 with respect to chief executive officers and senior executive officers; and for other purposes.
- (ii) A bill for an Act to amend the Statutory and Other Offices Remuneration Act 1975 in connection with the remuneration of chief executive and senior executive office holders; and for other purposes.
- (iii) A bill for an Act to amend certain Acts as a consequence of the enactment of the Public Sector Management (Executives) Amendment Act 1989.
- (iv) A bill for an Act to establish a superannuation scheme for public sector chief executive officers and senior executive officers and other persons employed in senior positions in the public sector; and for other purposes.
- (v) A bill for an Act to amend certain Acts as a consequence of the enactment of the Public Sector Executives Superannuation Act 1989, the Public Sector Management (Executives) Amendment Act 1989 and the Statutory and Other Offices Remuneration (Executives) Amendment Act 1989.

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 debate made an Order for the Day for a future day.

12 LIQUOR (HOTELIERS) AMENDMENT BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Liquor (Amendment) Act 1989 with respect to certain trading hours for hotels.

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.

13 UNIVERSITY OF SYDNEY BILL
UNIVERSITY OF NEW SOUTH WALES BILL
MACQUARIE UNIVERSITY BILL
UNIVERSITY OF WOLLONGONG BILL
UNIVERSITY OF WESTERN SYDNEY (AMENDMENT) BILL
HIGHER EDUCATION (AMALGAMATION) (AMENDMENT) BILL
MISCELLANEOUS ACTS (HIGHER EDUCATION) REPEAL AND
AMENDMENT BILL

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

- (i) A bill for an Act with respect to the constitution and functions of the University of Sydney; to repeal the University and University Colleges Act 1900; and for other purposes.
- (ii) A bill for an Act with respect to the constitution and functions of the University of New South Wales; to repeal the University of New South Wales Act 1968; and for other purposes.
- (iii) A bill for an Act with respect to the constitution and functions of the Macquarie University; to repeal the Macquarie University Act 1964; and for other purposes.
- (iv) A bill for an Act with respect to the constitution and functions of the University of Wollongong; to repeal the University of Wollongong Act 1972; and for other purposes.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 July 1989

- (v) A bill for an Act to amend the University of Western Sydney Act 1988 with respect to the transfer to the University of Western Sydney of the Macarthur Institute of Higher Education and to the constitution of the Board of Governors of the University; and for other purposes.
- (vi) A bill for an Act to amend the Higher Education (Amalgamation) Act 1989 so as to provide for the transfer to the University of New England of the Orange Agricultural College; and for other purposes.
- (vii) A bill for an Act to repeal the Colleges of Advanced Education Act 1975 and to amend certain other Acts as a consequence of that repeal; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Dr Metherell moved, That these bills be now read a second time.

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

14 CULTURAL INSTITUTIONS (MISCELLANEOUS AMENDMENTS) 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.

15 FORESTRY (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.

The House divided.

Ayes 49

Mr Andrews	Mr Kerr	Mr Schultz
Mr Baird	Mr Longley	Mr Small
Mr Berry	Miss Machin	Mr Smith
Mr Books	Mr Matheson	Mr Souris
Mr J. D. Booth	Mr Merton	Mr Tink
Mr Causley	Dr Metherell	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
Mr Cochran	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
Mr Graham	Mr Photios	
Mr Griffiths	Mr Pickard	Tellers
Mr Hay	Mr Roberts	Mr Phillips
Mr Jeffery	Mr Schipp	Mr Singleton

Noes 43

Mr Amery	Mr Hunter	Mr Pag
Mr Anderson	Mr Irwin	Mr Price
Mr Aquilina	Mr Knight	Mr Primrose
Mr A. S. Aquilina	Mr Knowles	Ms Read
Mr Arkell	Mr Langton	Dr Refshauge
Mr Brereton	Mr Lovelee	Mr Rogan
Mr Carr	Mr McManus	Mr Rumble
Mr Cleary	Mr Markham	Mr Shedden
Mrs Crosio	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Walsh
Mr Doyle	Mr H. F. Moore	Mr Welsh
Mr Face	Ms Moore	
Ms Fraser	Mr Moss	
Mr Gibson	Mr Newman	
Mr Harrison	Ms Nori	Tellers
		Mr Beckroge
		Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 July 1989

Pairs

Mr Beck
Mr Greiner
Mr Hartcher
Mr Rixon
Mr Smiles

Ms Allan
Mr Ferguson
Mr J. H. Murray
Mr Nagle
Mr Whelan

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 Causley, read a third time.

16 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—

The House resumed the said adjourned debate.

Mr Longley moved, That this debate be now adjourned.

Question put and passed.

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

17 PRINTING COMMITTEE

Mr Small brought up Report No. 18 of the Printing Committee.

18 ADJOURNMENT

Mr Fahey moved, That this House do now adjourn.

Question put.

The House divided.

Ayes 49

Mr Andrews	Mr Longley	Mr Souris
Mr Baird	Mr Matheson	Mr Tink
Mr Berry	Mr Merton	Mr Turner
Mr Books	Dr Metherell	Mr Webster
Mr J. D. Booth	Mr Moore	Mr Welsh
Mr Caterson	Ms Moore	Mr West
Mr Causley	Mr Morris	Mr White
Mr Chappell	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	
Mr Graham	Mr Roberts	
Mr Griffiths	Mr Schipp	Tellers
Mr Hay	Mr Schultz	
Mr Jeffery	Mr Small	Mr Phillips
Mr Kerr	Mr Smith	Mr Singleton

Noes 41

Mr Amery	Mr Harrison	Ms Nori
Mr Anderson	Mr Hunter	Mr Page
Mr Aquilina	Mr Irwin	Mr Price
Mr A. S. Aquilina	Mr Knight	Mr Primrose
Mr Arkell	Mr Knowles	Ms Read
Mr Brereton	Mr Langton	Dr Refshauge
Mr Carr	Mr Lovelee	Mr Rogan
Mr Cleary	Mr McManus	Mr Rumble
Mrs Crosio	Mr Markham	Mr Shedden
Mr Davoren	Mr Martin	Mr Unsworth
Mr Doyle	Mr Mills	Mr Walsh
Mr Face	Mr H. F. Moore	Tellers
Ms Fraser	Mr Moss	Mr Beckroge
Mr Gibson	Mr Newman	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
27 July 1989

Pairs

Mr Beck
Mr Greiner
Mr Hartcher
Mr Rixon
Mr Smiles

Ms Allan
Mr Ferguson
Mr J. H. Murray
Mr Nagle
Mr Whelan

And so it was resolved in the affirmative.

The House adjourned accordingly at 4.12 p.m., until Tuesday, 1 August 1989, at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 54

TUESDAY 1 AUGUST 1989

1 LEAVE OF ABSENCE

Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to Dawn Fraser, member for Balmain, on account of absence from the State.

2 PETITIONS

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

Mr Newman—from certain citizens opposing the introduction of contractors into public sector hospitals.

Mr Christie, Mr Newman, Mr Tink and Mr Webster—from certain citizens requesting support for legislation to implement citizen initiated referendums.

Mr Ferguson—from certain citizens opposing the transfer of administration of child care centres at TAFE colleges to the Department of Family and Community Services.

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House complex.

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

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Ms Moore—from certain citizens the preservation of the Thomas Walker and Yaralla Estate for public use.

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

Mr H.F. Moore—from certain citizens requesting that the decision to close Vales Point "A" power station be reconsidered.

Mr Amery—from certain citizens requesting that the rail line between Riverstone and Blacktown remain.

Mr Mills—from certain citizens opposing the tax on video poker machines.

Mr Downy, Mr Glachan, Mr Harrison, Mr Hartcher, Mr Hunter, Mr Keegan, Mr Martin, Mr Matheson, Mr Morris, Mr D.L. Page, Mr Roberts, Mr Rozzoli, Mr Rumble, Mr Tink, Mr Turner and Mr Wotton—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

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

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Public Finance and Audit Act 1983—

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 August 1989

- (a) amendment of schedule 2 of the Act—(Gazette 78/1989(2).)
- (b) determination in terms of section 24 of the Public Finance and Audit Act, 1983 concerning—
 - (i) administrative changes flowing from the transfer of the Building Management Function and the Government Accommodation Allocation for fitouts from the Department of Public Works to the Department of Administrative Services.
 - (ii) appropriate financial provisions for the transfer of administration of the Office for Trade Development from Business and Consumer Affairs to the Department of State Development.
- (c) variations (3) of receipts and payments estimates and appropriations for 1988-89 in terms of section 26 of the Act.

Referred to the Printing Committee.

- (2) Mr Murray laid upon the Table—

South-West Tablelands Water Supply Administration Act 1941—South-West Tablelands Water Supply Administration (Price of Water) Regulation 1983—amendment of clause 2. (Gazette 2/1989.)

Referred to the Printing Committee.

- (3) Mr Schipp laid upon the Table—

Plumbers, Gasfitters and Drainers Act 1979—plumbers, Gasfitters and Drainers Regulation 1980—clause 15A, amendment of clauses 11,12,13. (Gazette 55/1989.)

Referred to the Printing Committee.

- (4) Mr Moore laid upon the Table—

Clean Air Act 1961—Clean Air (Control of Refuse Burning) Regulation 1988—amendment of schedules 1,2,3. (Gazette 68/1989.)

Hunter Water Board Act 1988—notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act, 1912, for the following purposes at—

Fassifern—sewerage purposes. (Gazette 72/1989.)
 Lambton—water supply. (Gazette 62/1989.)
 Maitland—water supply. (Gazette 78/1989.)
 Merewether—water supply. (Gazette 59/1989.)

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

Border Ranges National Park. (Gazette 72/1989.)
Hartley Historic Site. (Gazette 72/1989.)
Inner Pocket Nature Reserve. (Gazette 72/1989.)
Moore Park Nature Reserve. (Gazette 72/1989.)
Mount Warning National Park. (Gazette 72/1989.)
Numinbah Nature Reserve. (Gazette 72/1989.)
Pelican Island Nature Reserve. (Gazette 72/1989.)
Rileys Island Nature Reserve. (Gazette 72/1989.)

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

Blaxland—sewerage pumping station. (Gazette 69/1989.)
Douglas Park—water supply. (Gazette 52/1989.)
Fairfield—sewerage purposes. (Gazette 18/1989.)
Ingleside—water supply. (Gazette 18/1989.)
Newport—sewerage pumping station. (Gazette 21/1989.)
Wentworth Falls—sewerage pumping station. (Gazette 18/1989.)

Referred to the Printing Committee.

(5) 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—

Boggabri. (Gazette 37/1989.)
Bookham. (Gazette 62/1989.)
Dareton. (Gazette 37/1989.)
Gladstone. (Gazette 59/1989.)
Hazelbrook. (Gazette 59/1989.)
Homebush. (Gazette 55/1989.)
Hurstville. (Gazette 32/1989.)
Katoomba. (Gazette 37/1989.)
Manly. (Gazette 37/1989.)
Menangle. (Gazette 32/1989.)
Milperra and Revesby. (Gazette 37/1989.)
Nambucca Heads. (Gazette 37/1989.)
North Wollongong. (Gazette 32/1989.)
Redfern. (Gazette 55/1989.)
Rhodes. (Gazette 59/1989.)
Tuggerah. (Gazette 32/1989.)
West Gosford. (Gazette 37/1989.)
Wiley Park. (Gazette 55/1989.)
Yallah. (Gazette 32/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 August 1989

Referred to the Printing Committee.

(6) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—Gazette notices setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazettes 62/1989(2), 64/1989, 83/1989(2), 84/1989.)

Public Roads Act 1902—Abstracts(20) of resumptions under section 8 of the Act, for public road purposes. (Gazettes 59/1989(4), 62/1989(2), 64/1989(3), 69/1989(2), 72/1989(3), 73/1989(2), 78/1989(2), 83/1989(2).)

(7) Mr Hay laid upon the Table—

Report of the Sydney Cove Redevelopment Authority for the year ended 31 March 1989.

Referred to the Printing Committee.

5 MINISTERIAL STATEMENT—FINANCIAL STATEMENT

Mr Greiner made a ministerial statement concerning the pre-Budget Financial Statement.

Papers: Mr Greiner laid upon the Table—

Financial Statement August 1989, dated 1 August 1989.

Forward Estimates of the Consolidated Fund Recurrent Expenditures of the New South Wales Government 1989-90 to 1991-92, dated August 1989.

Referred to the Printing Committee.

Mr Carr also addressed the House.

6 QUESTIONS

7 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—

Public Sector Management (Executives) Amendment Bill
Statutory and Other Offices Remuneration (Executives) Amendment Bill
Miscellaneous Acts (Public Sector Executives Employment) Amendment Bill
Public Sector Executives Superannuation Bill Miscellaneous Acts (Public Sector Executives Superannuation) Amendment Bill
Miscellaneous Acts (Public Sector Executives Superannuation) Amendment Bill.

Question put and passed.

8 ENVIRONMENTAL OFFENCES AND PENALTIES BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to create further offences relating to the pollution of the environment; to amend certain Acts; and for other purposes.

Question put and passed.

Bill presented and read a third 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.

9 COMPENSATION COURT (AMENDMENT) BILL WORKERS COMPENSATION (COMPENSATION COURT) 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 amend the Compensation Court Act 1984 to make provision with respect to the appointment and functions of Commissioners of the Compensation Court, and for other purposes.
- (ii) a bill for an Act to amend the Workers Compensation Act 1987 and certain other Acts consequentially on the transfer of Workers Compensation Commissioners and their jurisdiction to the Compensation Court, in relation to conciliation and dispute resolution, 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 Unsworth) and the resumption of the debate made an Order of the Day for a future day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 August 1989

10 WORKERS COMPENSATION (BENEFITS) AMENDMENT BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Workers Compensation Act 1987 and certain other Acts in relation to common law rights, increases in benefits, journey claims, "top-up" arrangements, 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 Price) and the resumption of the debate made an Order of the Day for a future day.

11 WORKCOVER ADMINISTRATION BILL
WORKCOVER 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 constitute the WorkCover Authority and the Occupational Health, Safety and Rehabilitation Council; to define their functions; and for other purposes.
- (ii) a bill for an Act to amend various Acts as a consequence of the enactment of the WorkCover Administration Act 1989; to repeal the Occupational Health and Safety (Workers Compensation) Amendment Act 1985; 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 Unsworth) and the resumption of the debate made an Order of the Day for a future day.

12 EGG INDUSTRY (REPEAL AND DEREGULATION) 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.

Debate interrupted.

It being 5.30pm, private members' statements proceeded with.

13 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

14 EGG INDUSTRY (REPEAL AND DEREGULATION) BILL

Resumption of the interrupted debate, on the motion of Mr Armstrong, 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 Armstrong, read a third time.

15 MESSAGES FROM THE LEGISLATIVE COUNCIL

Madam Deputy-Speaker reported messages from the Legislative Council dated 1 August, 1989, returning the following bills, without amendment:

Bail (Amendment) Bill

Crimes (Mental Disorder) Amendment Bill

Mental Health (Mental Disorder) Amendment Bill

Criminal Appeal (Mental Disorder) Amendment Bill

Cultural Institutions (Miscellaneous Amendments) Bill

Forestry (Amendment) Bill

Supply Bill.

16 STAMP DUTIES (AMENDMENT) BILL

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

And the question being again proposed—

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
1 August 1989

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, on behalf of Mr Greiner, read a third time.

17 BUSINESS FRANCHISE LICENCES (TOBACCO) FURTHER 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—

Mr Moss moved, That this debate be now adjourned.

Question put and passed.

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

18 ADJOURNMENT

Mr Fahey moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.36 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 55

WEDNESDAY 2 AUGUST 1989

1 PETITIONS

Mr Davoren—from certain citizens requesting a review of the Children's Services Regulations.

Ms Nori—from certain citizens opposing the proposed closure of the Wilson Street entrance to Redfern Railway Station.

Mr Davoren—from certain citizens opposing the staffing cuts to schools participating in the Disadvantaged Schools Program.

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

Mr Collins—from certain citizens praying that section 15(4A) of the Medical Practitioners Act not be proclaimed.

Mr Hunter—from certain citizens requesting the abolition of the flat rate sewerage pump-out charge.

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House complex.

Ms Nori—from certain citizens praying that the Sydney Homeopathic Hospital remain open.

Mr Face—from certain citizens opposing the new tax on video poker machines.

Mr Books—from certain citizens requesting support for legislation for the prohibition of moral pollution.

Mr H.F. Moore—from certain citizens requesting that the decision to close Point "A" Power Station be reconsidered.

Mr Armstrong—from certain citizens requesting that casino gambling not be legalised.

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

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Books, Mr Caterson, Mr Longley, Mr Matheson, Mr Park, Mr Rumble and Mr Wotton—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

2 PAPERS

(1) 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 62/1989.)

Associations Incorporation Act 1984—Associations Incorporation Regulation 1985—substituted clause 14. (Gazette 84/1989.)

Commercial Tribunal Act 1984—Commercial Tribunal Regulation 1984—substituted clauses 3, 7, 8, schedules 4, 5. (Gazette 69/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 August 1989

Co-operation Act 1923—Co-operatives Regulations 1961—regulation 33A, amendment of regulations 33, 34, substituted regulation 97. (Gazettes 48/1989, 59/1989, 76/1989.)

Credit Union Act 1969—Credit Union Regulations 1969—amendment of regulation 28. (Gazette 48/1989.)

Fair Trading Act 1987—orders under section 31. (Gazette 62/1989(2).)

Friendly Societies Act 1912—Friendly Societies Regulations 1935—amendment of regulation 29. (Gazette 48/1989.)

Referred to the Printing Committee.

(2) Mr Causley laid upon the Table—

Forestry Act 1916—Copy of proposed agreement with Dudley Ashton Mulhearn pursuant to section 16A of the Act, for the sale of land being part of Wild Cattle Creek State Forest in the County of Fitzroy.

Referred to the Printing Committee.

3 REGULATION REVIEW COMMITTEE

Mr Cruickshank brought up the Sixth Report of the Regulation Review Committee on Regulations, dated August, 1989.

Ordered to be printed.

4 QUESTIONS

5 MINISTERIAL STATEMENT—APPARENT SUICIDE OF DAVID HARTLEY KITSON

Mr Yabsley made a ministerial statement concerning the apparent suicide of Long Bay Prison prisoner, David Hartley Kitson, on Tuesday 25 July, 1989.

Mr Carr also addressed the House.

6 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—

Compensation Court (Amendment) Bill
Workers Compensation (Compensation Court) Amendment Bill
WorkCover Administration Bill.
WorkCover Legislation (Amendment) Bill
Workers Compensation (Benefits) Amendment Bill.

7 STATE OWNED CORPORATION BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the establishment and operation of Government enterprises as State owned corporations.

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

8 LEGAL PROFESSION (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 in relation to practising certificates, fees and costs, the management of solicitors' practices and the constitution of certain bodies; 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 Anderson) and the resumption of the debate made an Order of the Day for a future day.

9 SUBORDINATE LEGISLATION BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the making and staged repeal of subordinate legislation.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 August 1989

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 debate made an Order of the Day for a future day.

10 DENTISTS BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to regulate the practice of dentistry and to repeal the Dentists Act 1934.

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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

11 COMPENSATION COURT (AMENDMENT) BILL
WORKERS COMPENSATION (COMPENSATION COURT) AMENDMENT
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.

Question put.

The House divided.

Ayes 55

- | | | |
|------------|---------------|----------------|
| Mr Roberts | Mr Harcher | Mr Andrews |
| Mr Schipp | Mr Hay | Mr Armstrong |
| Mr Shultz | Mr Jeffrey | Mr Baird |
| Mr Small | Mr Kegan | Mr Berry |
| Mr Smith | Mr Kerr | Mr Books |
| Mr Souris | Mr Longley | Mr J. D. Booth |
| Mr Tink | Mr Matheson | Mr Carerson |
| Mr Turner | Mr Merton | Mr Causley |
| Mr Webster | Dr Meiherrill | Mr Chappell |
| Mr West | Mr Moore | Mr Cochran |
| Mr White | Mr Morris | Mrs Cohen |
| Mr Wotton | Mr Murray | Mr Collins |
| Mr Yabsley | Mr D. L. Page | Mr Cnuickshank |
| Mr Yeomans | Mr Park | Mr Dowd |
| Mr Zammitt | Mr Peacocke | Mr Downy |
| | Mr Peich | Mr Fahey |
| | Mr Pholios | Mr Giachan |
| | Mr Pickard | Mr Graham |
| | Mr Rixon | Mr Griffiths |

Noes 44

- | | | |
|--------------|----------------|-------------------|
| Mr Price | Mr Hunter | Ms Allan |
| Mr Primrose | Mr Irwin | Mr Amery |
| Ms Read | Mr Knight | Mr Anderson |
| Dr Reishauge | Mr Knowles | Mr Aquilina |
| Mr Rogan | Mr Langton | Mr A. S. Aquilina |
| Mr Rumble | Mr Lovele | Mr Arkeil |
| Mr Shedden | Mr Markham | Mr Breton |
| Mr Unsworth | Mr Martin | Mr Carr |
| Mr Walsh | Mr Mills | Mr Cleary |
| Mr Welsh | Mr H. F. Moore | Mrs Crosio |
| | Ms Moore | Mr Davoren |
| | Mr Moss | Mr Doyle |
| | Mr Nagle | Mr Face |
| | Mr Newman | Mr Ferguson |
| | Ms Nori | Mr Gibson |
| | Mr Page | Mr Harrison |

Pairs

- | | |
|-----------------|-----------|
| Mr Beck | Mr Smiles |
| Mr J. H. Murray | Mr Whelan |

And so it was resolved in the affirmative.

Tellers

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 August 1989

Bills read a second time.

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 COMPENSATION COURT (AMENDMENT) BILL
WORKERS COMPENSATION (COMPENSATION COURT) AMENDMENT
BILL

The House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr J. D. Booth, Acting Speaker, resumed the Chair, and the Chairman reported the bills 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 the motion of Mr Fahey, read a third time.

14 WORKERS COMPENSATION (BENEFITS) 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.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 August 1989

Ayes 54

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
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 Hay
Mr Jeffery
Mr Kerr
Mr Longley
Mr Matheson
Miss Machin
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 Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wotton
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Phillips
Mr Singleton

Noes 43

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Brereton
Mr Cleary
Mrs Crosio
Mr Davoren
Mr Doyle
Mr Face
Mr Ferguson
Mr Gibson
Mr Harrison

Mr Hunter
Mr Irwin
Mr Keegan
Mr Knight
Mr Knowles
Mr Langton
Mr Lovelee
Mr Markham
Mr Martin
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 Shedden
Mr Unsworth
Mr Walsh
Mr Welsh

Tellers

Mr Beckroge
Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
2 August 1989

Pairs

Mr Beck
Mr Books
Mr Greiner
Mr Smiles

Mr McManus
Mr Mills
Mr J. H. Murray
Mr Whelan

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.

And the Committee continuing to sit after midnight—

THURSDAY 3 AUGUST 1989 a.m.

Mr Speaker resumed the Chair, and the Chairman reported the bills without amendment.

On motion of Mr Fahey, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

Bill, on the motion of Mr Fahey, read a third time.

15 WORKCOVER ADMINISTRATION BILL
WORKCOVER LEGISLATION (AMENDMENT) 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.

Question put and passed.

Bills 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 bills.

Mr Speaker resumed the Chair, and the Chairman reported the bills without amendment.

Mr Fahey moved, That the Report be now adopted.

Question put and passed.

And Mr Speaker having consented to the third reading being taken forthwith—

Bills, on motion Mr Fahey, read a third time.

16 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 3 August, 1989 a.m., returning the Stamp Duties (Amendment) Bill, without amendment.

17 LIQUOR (HOTELIERS) 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.

And Mr Speaker having consented to the third reading being taken forthwith—

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

18 STATUTE LAW (MISCELLANEOUS PROVISIONS) (No. 2) 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 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
2 August 1989

19 MINING (ACCESS TO LANDS) 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.

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 Pickard, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

20 LOCAL GOVERNMENT (RATING) AMENDMENT BILL
VALUATION OF LAND (RATING) AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Hay, 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 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 the Local Government (Rating) Amendment Bill with amendments and the Valuation of Land (Rating) Amendment Bill without amendment.

On motion of Mr Hay, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

21 ADJOURNMENT

Mr Hay moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.40 a.m., until 10.30 a.m., this day.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 56

THURSDAY 3 AUGUST 1989

1 PETITIONS

Mr Andrews—from certain citizens requesting an extra teacher and the reduction of composite classes at Helensburgh Primary School.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

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

Ms Moore—from certain citizens praying for the retention of the existing equestrian area within any new development of the Showground site.

Ms Moore—from certain citizens requesting more resources for the Woolloomooloo Community Centre.

Mr A.S. Aquilina—from certain citizens requesting support services to maintain access by women to technical and further education.

Ms Moore—from certain citizens requesting access to the contingency plans dealing with nuclear accidents in Sydney ports.

Ms Moore—from certain citizens requesting the preservation of the Thomas Walker and Yaralla Estates for public use.

Mr Irwin—from certain citizens requesting that society be protected from the harmful effects of moral pollution.

Mr Greiner—from certain citizens requesting the transfer of the management of Wentworth Park to Leichhardt Municipal Council.

Mr H. F. Moore—from certain citizens requesting that the decision to close Vales Point "A" Power Station be reconsidered.

Mr Davoren—from certain citizens opposing staffing cuts to schools participating in the Disadvantaged Schools program.

Mr Face and Mr Martin—from certain citizens opposing the tax on video poker machines.

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House complex.

Mr Hunter—from certain citizens requesting the abolition of the flat rate sewerage pump-out charge.

Mr Andrews, Mr Baird, Mr Knight, Mr Markham, Mr Rumble and Mr Wotton—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
3 August 1989

2 PAPERS

(1) Mr Greiner laid upon the Table—

Interim Report of the National Crime Authority pursuant to section 59 of the Commonwealth National Crime Authority Act 1984 (New South Wales Reference Number (3) concerning certain matters arising out of certain fires which took place in Sydney in the period 1979 to 1982, dated April 1989.

Determination of the Treasurer in terms of section 24 of the Public Finance and Audit Act, 1983, concerning administrative changes flowing from the transfer of the responsibility for the regulation of private transport services and the administration of subsidy payments for travel concessions from the Department of Motor Transport to the Ministry of Transport.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Report of the Metropolitan Waste Disposal Authority for the year ended 30 June 1989.

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Electricity Commission: Strategic Plan meeting Customer Demands, dated June 1989.

Referred to the Printing Committee.

(4) Mr Fahey laid upon the Table—

Report of the State Authorities Superannuation Board for the year ended 31 March, 1989.

Referred to the Printing Committee.

3 QUESTIONS

4 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 debate on the—

State Owned Corporation Bill
Subordinate Legislation Bill.

5 SUSPENSION OF STANDING ORDERS—PRECEDENCE OF BUSINESS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude Government Business taking precedence of General Business on Thursday, 3 August, 1989.

Debate ensued.

Question put.

The House divided.

Ayes 54

- | | | |
|----------------|---------------|--------------|
| Mr Andrews | Mr Hay | Mr Schipp |
| Mr Armstrong | Mr Jeffery | Mr Shultz |
| Mr Berry | Mr Kerr | Mr Small |
| Mr Books | Mr Longley | Mr Smith |
| Mr J. D. Booth | Miss Machin | Mr Sours |
| Mr Caretson | Mr Matheson | Mr Tink |
| Mr Causley | Mr Merton | Mr Turner |
| Mr Chappell | Dr Methrell | Mr Webster |
| Mr Cochran | Mr Moore | Mr West |
| Mrs Cohen | Mr Morris | Mr White |
| Mr Collins | Mr Murray | Mr Wolton |
| Mr Cruickshank | Mr D. L. Page | Mr Yabsley |
| Mr Dowd | Mr Park | Mr Yeomans |
| Mr Downy | Mr Peacocke | Mr Zammitt |
| Mr Fahey | Mr Peich | Tellers |
| Mr Giachan | Mr Photos | Mr Phillips |
| Mr Graham | Mr Pickard | Mr Singleton |
| Mr Griffiths | Mr Rixon | Mr Roberts |
| Mr Haricher | Mr Roberts | |

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

Noes 42

Ms Allan	Mr Keegan	Mr Price
Mr Amery	Mr Knight	Mr Primrose
Mr Anderson	Mr Langton	Ms Read
Mr Aquilina	Mr Lovelee	Dr Refshauge
Mr A.S.Aquilina	Mr Markham	Mr Rogan
Mr Arkell	Mr Martin	Mr Rumble
Mr Cleary	Mr McManus	Mr Shedden
Mrs Crosio	Mr Mills	Mr Unsworth
Mr Davoren	Mr H. F. Moore	Mr Walsh
Mr Doyle	Ms Moore	Mr Welsh
Mr Ferguson	Mr Moss	
Mr Gibson	Mr Nagle	Tellers
Mr Harrison	Mr Newman	
Mr Hunter	Ms Nori	Mr Beckroge
Mr Irwin	Mr Page	Mr Christie

Pairs

Mr Beck	Mr Knowles
Mr Greiner	Mr J. H. Murray
Mr Smiles	Mr Whelan

And so it was resolved in the affirmative.

6 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising this day do adjourn until Tuesday, 12 September, 1989, at 2.15 p.m.

Question put and passed.

7 PROPERTY SERVICES CORPORATION BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the 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.

The House divided.

Ayes 53

Mr Andrews	Mr Hay	Mr Schipp
Mr Armstrong	Mr Jeffery	Mr Shultz
Mr Baird	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smith
Mr Books	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 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	Tellers
Mr Griffiths	Mr Rixon	Mr Phillips
Mr Hartcher	Mr Roberts	Mr Singleton

Noes 39

Mr Amery	Mr Irwin	Mr Primrose
Mr Anderson	Mr Knight	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
Mrs Crosio	Mr Mills	Mr Walsh
Mr Davoren	Ms Moore	Mr Welsh
Mr Doyle	Mr Moss	
Mr Ferguson	Mr Nagle	Tellers
Mr Gibson	Mr Newman	
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

Pairs

Mr Beck	Mr Face
Mr Graham	Mr Knowles
Mr Greiner	Mr H. F. Moore
Mr Pickard	Mr J. H. Murray
Mr Smiles	Mr Whelan

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

And so it was resolved in the affirmative.

Bill read a second time.

Mr J. D. Booth, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr J. D. 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 J. D. Booth, Acting Speaker, having consented to the third reading being taken forthwith—

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

8 LOCAL GOVERNMENT (RATING) AMENDMENT BILL
VALUATION OF LAND (RATING) AMENDMENT BILL

The Order of the Day having been read, Mr Hay moved, That these bills be now read a third time.

Question put and passed.

Bills read a third time.

9 MINING (ACCESS TO LANDS) AMENDMENT BILL

The Order of the Day having been read, Mr Hay, on behalf of Mr Pickard, moved, That this bill be now read a third time.

Question put and passed.

Bill read a third time.

10 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing and Sessional Orders be suspended as would preclude private members' statements being proceeded with at this sitting.

Question put and passed.

-
- 11 PUBLIC SECTOR MANAGEMENT (EXECUTIVES) AMENDMENT BILL
STATUTORY AND OTHER OFFICERS REMUNERATION (EXECUTIVES)
AMENDMENT BILL
MISCELLANEOUS ACTS (PUBLIC SECTOR EXECUTIVES EMPLOYMENT)
AMENDMENT BILL
PUBLIC SECTOR EXECUTIVES SUPERANNUATION BILL
MISCELLANEOUS ACTS (PUBLIC SECTOR EXECUTIVES
SUPERANNUATION) 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 Greiner, read a third time.

- 12 BUSINESS FRANCHISE LICENCES (TOBACCO) FURTHER 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 and passed.

Bill read a second time.

Mr J. D. Booth, Acting Speaker, left the Chair and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr J. D. Booth, Acting Speaker, resumed the Chair, and the Chairman reported the bill without amendment.

On motion of Mr Greiner, the Report was adopted.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

And Mr J. D. Booth, Acting Speaker, having consented to the third reading being taken forthwith—

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

13 STATE OWNED CORPORATIONS 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 Greiner, read a third time.

14 STATE EMERGENCY SERVICES AND CIVIL DEFENCE (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.

15 BUSH FIRES (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.

16 PRINTING COMMITTEE

Mr Small brought up Report No. 19 of the Printing Committee.

17 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 3 August, 1989, returning the following bills, without amendment:

WorkCover Legislation (Amendment) Bill

Workers Compensation (Compensation Court) Amendment Bill.

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 provide for the dissolution of the New South Wales Egg Corporation, the repeal of the Egg Industry Act 1983 and the deregulation of the egg industry; 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 JOHN JOHNSON
3 August 1989 President

 EGG INDUSTRY (REPEAL AND DEREGULATION) BILL

Schedule of the amendments referred to in Message of 3 August 1989

JOHN EVANS
Acting Clerk of the Parliaments

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

- No. 1 Page 2, clause 2 (2). Omit "11", insert instead "12".
- No. 2 Page 2, clause 2 (2). Omit "37", insert instead "38".
- No. 3 Page 2, clause 3 (c). After "affected", insert "either directly or indirectly,".
- No. 4 Page 6, before line 20, insert:

Compensation for egg carrier

11. (1) The Corporation must, within 28 days after the commencement of this Part, set up an arbitration panel to determine the cases, if any, in which compensation is to be payable to sub-contract carriers:

- (a) employed by, or under contract to, the Corporation dissolved by section 6, the Egg Marketing Board abolished by section 73 of the repealed Act or Thomas Nationwide Transport for the purpose of carrying produce for or on behalf of the dissolved Corporation; and
 - (b) making a claim for compensation under this section.
- (2) The arbitration panel is to consist of 3 persons appointed by the Corporation, of whom:
- (a) 1 is to be a person nominated by the Corporation; and
 - (b) 1 is to be a person nominated by the Transport Workers Union (NSW Branch) as a representative of that trade union; and
 - (c) 1 is to be an arbitrator appointed in accordance with rules made under the District Court Act 1973.
- (3) The arbitration panel may, if it considers necessary, make an award for payment of compensation to a sub-contract carrier who has suffered or may suffer loss as a result of the enactment of this Act.
- (4) In determining whether compensation is payable and the amount of payment, the arbitration panel is to have regard to:
- (a) type of contract the sub-contract carrier had with the dissolved Corporation, the abolished Board or Thomas Nationwide Transport; and
 - (b) the duration of the contracts with all or any of those bodies or any of those bodies; and
 - (c) the likelihood of the carrier being able to utilise the motor vehicle used to carry the dissolved Corporation's produce for some other commercial purpose; and
 - (d) the loss suffered or likely to be suffered by the carrier as a consequence of the enactment of this Act; and
 - (e) any previous decisions regarding legal proceedings conducted by the carrier in relation to the contracts concerned; and
 - (f) any other factor it considers relevant.
- (5) If the arbitration panel determines that compensation is to be paid to a claimant under this section and the 3 members of the panel are unable to agree on the sum of compensation to be paid, then the amount to be paid to the claimant under the award of the panel is to be the highest average sum as determined by 2 of the members.

- (6) The award of the arbitration panel is binding on the Corporation.
- (7) Payment of compensation is to be made out of:
 - (a) money borrowed by the Corporation; or
 - (b) money provided by Parliament.
- (8) Sections 50 - 60 apply to claims for compensation under this section in the same way as they apply to claims made under the Hen Quota Payment Scheme.

- No. 5 Page 8, clause 20 (2) (b). Omit "19", insert instead "20".
- No. 6 Page 9, clause 23 Omit "27", insert instead "28".
- No. 7 Page 9, clause 24 (a). Omit "26", insert instead "27".
- No. 8 Page 10, clause 24 (b). Omit "27", insert instead "28".
- No. 9 Page 10, clause 25 (2). Omit "may", insert instead "shall".
- No. 10 Page 10, clause 25 (3). Omit "may", insert instead "shall".
- No. 11 Page 10, clause 26 (2) (c). Omit "27", insert instead "28".
- No. 12 Page 11, clause 27 (3) (c). Omit "26", insert instead "27".
- No. 13 Page 11, clause 27 (5). Omit "28", insert instead "29".
- No. 14 Page 12, clause 28 (1). Omit "26", insert instead "27".
- No. 15 Page 12, clause 28 (1). Omit "27", insert instead "28".
- No. 16 Page 12, clause 28 (2). Omit "26", insert instead "27".
- No. 17 Page 12, clause 28 (2). Omit "27", insert instead "28".
- No. 18 Page 13, clause 28 (3). Omit "27", insert instead "28".
- No. 19 Page 14, clause 33 (1). Omit "26", insert instead "27".
- No. 20 Page 15, clause 33 (2). Omit "28", insert instead "29".
- No. 21 Page 15, clause 33 (3). Omit "28", insert instead "29".
- No. 22 Page 15, clause 33 (4). Omit "27", insert instead "28".
- No. 23 Page 15, clause 34 (1) (b). Omit "78", insert instead "79".
- No. 24 Page 16, clause 35 (2). Omit "28", insert instead "29".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

- No. 25 Page 17, clause 37 (3). Omit "11", insert instead "12".
- No. 26 Page 20, clause 46. Omit "59", insert instead "60".
- No. 27 Page 24, clause 59 (1). Omit "54", insert instead "55".
- No. 28 Page 26, clause 65 (1). After the words "standards relating to the", insert "description".
- No. 29 Page 27, clause 67 (2). Omit "68", insert instead "69".
- No. 30 Page 31, clause 82. Omit "68", insert instead "69".

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 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 amend the Workers Compensation Act 1987 and certain other Acts in relation to common law rights, increases in benefits, journey claims, "top-up" arrangements, 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
3 August 1989

JOHN JOHNSON
President

WORKERS COMPENSATION (BENEFITS) AMENDMENT BILL

Schedule of the amendments referred to in Message of 3 August 1989

JOHN EVANS
Acting Clerk of the Parliaments

-
- No. 1 Page 2, clause 3. Omit "8", insert instead "6".
- No. 2 Page 2, clause 4. Omit "9", insert instead "7".

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

- No. 3 Page 2, clause 5. Omit "10", insert instead "8".
- No. 4 Page 2, clause 6. Omit "11", insert instead "9".
- No. 5 Pages 4 and 5, Schedule 1. Omit all words on lines 24 - 30 on page 4 and all words on lines 1 - 24 on page 5 (proposed section 151A).
- No. 6 Page 6, Schedule 1, proposed section 151B (2). Omit all words on lines 6 - 11.
- No. 7 Pages 7 and 8, Schedule 1. Omit all words on the last 2 lines on page 7 and on the first 2 lines on page 8 (proposed section 151G).
- No. 8 Page 8, Schedule 1, lines 4 and 5 (proposed section 151G (3)). Omit ", but the maximum amount may be awarded only in a most extreme case".
- No. 9 Page 8, Schedule 1, lines 6 - 21 (proposed section 151G (4) - (7)). Omit all words on those lines, insert instead:
- (3) If the amount of non-economic loss is assessed to be \$15,000 or less, no damages for non-economic loss are to be awarded.
- (4) If the amount of damages to be awarded for non-economic loss in accordance with subsections (1) and (2) is more than \$15,000 but less than \$55,000, the following deductions are to be made from that amount:
- (a) if the amount of damages is less than \$40,000 - the amount to be deducted is \$15,000;
- (b) if the amount of damages is not less than \$40,000 - the amount to be deducted is \$15,000, or \$15,000 reduced by \$1,000 for every \$1,000 by which the amount of damages exceeds \$40,000.
- (5) Division 6 of Part 3 (Indexation of amounts of benefits) applies as if the amounts mentioned in this section were adjustable amounts.
- No. 10 Pages 8 and 9, Schedule 1. Omit all words on lines 28 - 31 on page 8 and all words on page 9 (proposed section 151H).
- No. 11 Page 16, Schedule 1, lines 1 - 5 (proposed section 151Q (1)). Omit all words on those lines, insert instead:
- award exceeds the statutory weekly payments of workers compensation and the plaintiff has requested that the section should apply; or
- (b) the court considers that the section should apply.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

- No. 12 Page 19, Schedule 1, lines 12 - 31 (proposed section 151V). Omit all words on those lines.
- No. 13 Page 20, Schedule 1, proposed section 151W. Omit "151D", insert instead "151C".
- No. 14 Page 22, Schedule 1, proposed section 151W. Omit "151X", insert instead "151U".
- No. 15 Page 26, Schedule 1, item (5). Omit "151AA", insert instead "151X".
- No. 16 Page 39, Schedule 4, lines 16 - 30 (proposed section 63A (3) and (4)). Omit all words on those lines, insert instead:
- (3) The Authority may investigate and take such action as it considers appropriate if the costs of occupational rehabilitation services under this section appear unreasonable.
- No. 17 Pages 41 - 43, Schedule 5. Omit the Schedule.
- No. 18 Pages 48 - 50, Schedule 7. Omit the Schedule.
- No. 19 Page 55, Schedule 8, item (19). Omit "Schedule 8", insert instead "Schedule 6".
- No. 20 Page 56, Schedule 8, item (20). Omit "Schedule 8", insert instead "Schedule 6".
- No. 21 Page 59, Schedule 9, item (7) (c). Omit "151Z", insert instead "151W".
- No. 22 Page 59, Schedule 10, item (1) (e). Omit "Schedule 10", insert instead "Schedule 8".

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 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 amend the Compensation Court Act 1984 to make provision with respect to the appointment and functions of Commissioners of the Compensation Court, 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
3 August 1989

JOHN JOHNSON
President

COMPENSATION COURT (AMENDMENT) BILL

Schedule of the amendments referred to in Message of 3 August 1989

JOHN EVANS
Acting Clerk of Parliaments

-
- No. 1 Page 3, Schedule 1, lines 2 - 7 (proposed section 12 (2) (b)). Omit all words on those lines, insert instead:
- (b) has, in the opinion of the Minister, had sufficient experience in workers compensation or in other fields of compensation considered by the Minister to be relevant to the functions of a commissioner; or
 - (c) has, in the opinion of the Minister, satisfactorily completed studies in the field of law or industrial relations or some other field of study considered by the Minister to have substantial relevance to the functions of a commissioner.
- No. 2 Page 8, Schedule 1. Omit item (12), insert instead:
- (12) Section 32 (**Appeals from Court**):
 - (a) Omit section 32 (1), insert instead:
 - (1) A party aggrieved by an award of the court constituted by a Judge may appeal to the Supreme Court.
 - (b) After section 32 (2), insert:
 - (3) If an appeal involves neither:
 - (a) a point of law or the admission or rejection of any evidence; nor
 - (b) compensation amounting to \$5,000 or more, the appeal lies by law of the Supreme Court.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

- (4) In any other case, the appeal lies as of right.
(13) Section 33 (Stated cases):
Section 33 (1):
Omit "(other than proceedings before a registrar)", insert instead "constituted by a Judge".

No. 3 Page 12, Schedule 1, lines 7 - 12 (proposed clause 2). Omit all words on those lines, insert instead:

Term of office

2. (1) A commissioner holds office (subject to this Schedule):
(a) if the commissioner was appointed before reaching the age of 59 years—until the commissioner reaches the age of 60 year; or
(b) in any other case—for a period (not exceeding 12 months) specified in the instrument of appointment.
(2) Subject to this Schedule, the Governor may, before the expiration of a commissioner's term of office, extend from time to time that term for a period or periods each not exceeding 12 months.

No. 4 Page 19, Schedule 1. After clause 4, insert:

Appeals

5. (1) An appeal that does not involve a point of law or the admission or rejection of any evidence does not lie in respect of an award given in proceedings commenced before the commencement of the amendments made to section 32 by the Compensation Court (Amendment) Act 1989.
(2) The amendments made to section 32 by the Compensation Court (Amendment) Act 1989 do not affect any appeals commenced before the commencement of those amendments.

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 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 constitute the WorkCover Authority and the Occupational Health, Safety and Rehabilitation Council; to define their functions and for other purposes" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

WORKCOVER ADMINISTRATION BILL

Schedule of the amendment referred to in Message of 3 August 1989

JOHN EVANS
Acting Clerk of the Parliament

No. 1 Page 8, clause 16. After line 28 (being the end of the clause), insert:

(4) For the purposes of the Council exercising its functions, a member of the Council may at any reasonable time enter and inspect any premises which are a place of work (except premises occupied as a private dwelling).

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 at a later hour of the day.

18 UNIVERSITY OF SYDNEY BILL
UNIVERSITY OF NEW SOUTH WALES BILL
MACQUARIE UNIVERSITY BILL
UNIVERSITY OF WOLLONGONG BILL
UNIVERSITY OF WESTERN SYDNEY (AMENDMENT) BILL
HIGHER EDUCATION (AMALGAMATION) AMENDMENT BILL
MISCELLANEOUS ACTS (HIGHER EDUCATION) REPEAL AND
AMENDMENT BILL

The Order of the Day having being read for the resumption of the adjourned debate, on the motion of Dr Metherell, 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

Madam Deputy Speaker, resumed the Chair, and Mr Caterson, Temporary Chairman, reported the University of New South Wales Bill with amendments and the University of Sydney Bill, Macquarie University Bill, University of Wollongong Bill, Higher Education (Amalgamation) Amendment Bill and the Miscellaneous Acts (Higher Education) Repeal and Amendment Bill without amendment.

On motion of Dr Metherell, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

Bills, on motion of Dr Metherell, read a third time.

19 COMPANIES AND SECURITIES LEGISLATION (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.

Madam Deputy Speaker left the Chair at 7.07p.m. until the ringing of one long bell.

Mr Speaker resumed the Chair at 8.04 p.m.

20 COMPENSATION COURT (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 amendment made by the Legislative Council in the WorkCover Administration Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendment.

Report adopted.

21 WORKCOVER ADMINISTRATION 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 Workcover Administration Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

22 WORKERS COMPENSATION (BENEFITS) 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 Workers Compensation (Benefits) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit at a later hour of the day.

23 EGG INDUSTRY (REPEAL AND DEREGULATION) 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 Egg Industry (Repeal and Deregulation) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
'3 August 1989

24 LEGAL AID 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.

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.

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.

25 WORKERS COMPENSATION (BENEFITS) 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 Workers Compensation (Benefits) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had disagreed with amendments Nos. 1 - 4 and Nos. 6 - 30 and proposed further amendments to amendment No. 5.

Report adopted.

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 3 August 1989 requesting the concurrence of the Legislative Assembly with certain amendments to the Workers Compensation (Benefits) Amendment Bill 1989 as set forth in the Schedule to that Message, acquaints the Legislative Council as follows—

Amendments Nos. 1 to 4: The Assembly disagrees to the proposed amendment because—

The amendments are consequential amendments to the substantive amendments proposed by the Council.

Amendment No. 5: The Assembly disagrees with the proposed amendment and proposes the following—

"Page 5, Schedule 1 (1), line 19. Omit all words on that line, insert instead:

(4) an election is irrevocable, except that an election to claim permanent loss compensation may be revoked with the leave of the court given in accordance with this section.

(5) if:

- (a) a person elects to claim permanent loss compensation in respect of an injury; and
- (b) after the election is made, the injury causes a further material deterioration in the person's medical condition that, had it existed at the time of the election, would have entitled the person to additional permanent loss compensation; and
- (c) at the time of the election, there was no reasonable cause to believe that the further deterioration would occur, the person may, with the leave of the court and on such terms (if any) as the court thinks fit, revoke the election and commence proceedings in the court for the recovery of damages in respect of the injury.

(6) if the election is revoked the permanent loss compensation paid is not required to be repaid, except out of the damages recovered in accordance with section "151b."

because—

The modified common law in the terms of the bill as passed by the Assembly is fair and affordable.

Amendment No. 6: The Assembly disagrees with the proposed amendment because—

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
3 August 1989

The amendment is a consequential amendment to the substantive amendments proposed by the Council.

Amendments Nos. 7 to 12: The Assembly disagrees with the proposed amendments because—

The modified common law in terms of the bill as passed by the Assembly is fair and affordable.

Amendments Nos. 13 to 15: The Assembly disagrees with the proposed amendments because—

The amendments are consequential amendments to the substantive amendments proposed by the Council.

Amendment No. 16: The Assembly disagrees to the proposed amendment because—

Rehabilitation costs can only be properly controlled in the terms of the bill as passed by the Assembly.

Amendment No. 17: The Assembly disagrees to the proposed amendment because—

Journey claims in the terms of the bill as passed by the Assembly should only be the subject of workers compensation.

Amendment No. 18: The Assembly disagrees to the proposed amendment because—

Regulation of top-up arrangements in terms of the bill as passed by the Assembly is required to ensure the viability of the WorkCover Scheme.

Amendments Nos. 19 to 22: The Assembly disagrees with the proposed amendments because—

The amendments are consequential amendments to the substantive amendments proposed by the Council.

KEVIN ROZZOLI
Speaker
Legislative Assembly
3 August 1989

26 ADJOURNMENT

Mr Fahey moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.37 p.m., until Tuesday 12 September 1989,
at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 57

TUESDAY 12 SEPTEMBER 1989

1 MESSAGES FROM THE GOVERNOR

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

8 August 1989

Egg Industry (Repeal and Deregulation) Bill.

15 August 1989

Crimes (Mental Disorder) Amendment Bill
Mental Health (Mental Disorder) Amendment Bill
Criminal Appeal (Mental Disorder) Amendment Bill
Public Sector Management (Executives) Amendment Bill
Statutory and Other Offices Remuneration (Executives) Amendment Bill
Miscellaneous Acts (Public Sector Executives Employment) Amendment Bill
Public Sector Executives Superannuation Bill
Miscellaneous Acts (Public Sector Executives Superannuation) Amendment Bill.

24 August 1989

Bail (Amendment) Bill
Bush Fires (Amendment) Bill
Business Franchise Licences (Tobacco) Further Amendment Bill
Compensation Court (Amendment) Bill
Workers Compensation (Compensation Court) Amendment Bill
Cultural Institutions (Miscellaneous Amendments) Bill
Forestry (Amendment) Bill
Liquor (Hoteliers) Amendment Bill
Local Government (Rating) Amendment Bill
Valuation of Land (Rating) Amendment Bill
Mount Panorama Motor Racing Bill
Stamp Duties (Amendment) Bill
State Emergency Services and Civil Defence (Amendment) Bill
Supply Bill
Workcover Administration Bill
Workcover Legislation (Amendment) Bill.

30 August 1989

University of Sydney Bill
University of New South Wales Bill
Macquarie University Bill
University of Wollongong Bill
University of Western Sydney (Amendment) Bill
Higher Education (Amalgamation) Amendment Bill
Miscellaneous Acts (Higher Education) Repeal and Amendment Bill.

5 September 1989

Companies and Securities Legislation (Amendment) Bill
Statute Law (Miscellaneous Provisions) (No. 2) Bill
Workers Compensation (Benefits) Amendment Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

2 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

8 August 1989

Business Franchise Licences (Tobacco) Further Amendment Bill
Public Sector Management (Executives) Amendment Bill
Statutory and Other Offices Remuneration (Executives) Amendment Bill
Miscellaneous Acts (Public Sector Executives Employment) Amendment Bill
Public Sector Executives Superannuation Bill
Miscellaneous Acts (Public Sector Executives Superannuation) Amendment Bill.

9 August 1989

Bush Fires (Amendment) Bill
Companies and Securities Legislation (Amendment) Bill
Liquor (Hoteliers) Amendment Bill
State Emergency Services and Civil Defence (Amendment) Bill
Statute Law (Miscellaneous Provisions) (No. 2) Bill.

10 August 1989

Local Government (Rating) Amendment Bill
Valuation of Land (Rating) Amendment Bill
University of Sydney Bill
University of New South Wales Bill
Macquarie University Bill
University of Wollongong Bill
University of Western Sydney (Amendment) Bill
Higher Education (Amalgamation) Amendment Bill
Miscellaneous Acts (Higher Education) Repeal and Amendment Bill.

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

Mr SPEAKER

The Legislative Council, having had under consideration the Legislative Assembly's Message dated 3 August 1989, in reference to the Workers Compensation (Benefits) Amendment Bill, acquaints the Legislative Assembly as follows:

Amendments Nos 1 to 4 and 6 to 22—Does not insist on its amendments disagreed to by the Assembly.

Amendment No. 5—Does not insist on its amendment disagreed to by the Assembly and agrees to the Assembly's proposed amendment in the Bill.

Legislative Council
10 August 1989

JOHN JOHNSON
President

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to amend the Legal Aid Commission Act 1979 with respect to applications for legal aid, payment of fees to private legal practitioners and certain other matters" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
10 August 1989

JOHN JOHNSON
President

LEGAL AID COMMISSION (AMENDMENT) BILL

Schedule of amendment referred to in Message of 10 August 1989

J.D. Evans
Acting Clerk of the Parliaments

Page 3, Schedule 1, lines 15-24 (proposed section 35 (4) (c) and (d)).
Omit all words on those lines, insert instead:

- (c) if the applicant is a corporation, any person whose financial interests will, in the opinion of the Commission, be directly and beneficially affected if the proceedings in respect of which legal aid is granted to the applicant are successful;
- (d) if the applicant is applying as a member of an unincorporated association, any other member of the association whose financial interests will, in the opinion of the Commission, be directly and beneficially affected if the proceedings in respect of which legal aid is granted to the applicant are successful; and

Examined
ADRIAN SOLOMONS
Chairman of Committees

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

Ordered by Mr Speaker, That the amendment made by the Legislative Council in this 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 amend the Mining Act 1973 so as to facilitate the exercise of rights under exploration licences and prospecting licences in relation to agricultural and other lands; 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
10 August 1989

JOHN JOHNSON
President

MINING (ACCESS TO LANDS) AMENDMENT BILL

Schedule of amendments referred to in Message of 10 August 1989

J.D. Evans
Acting Clerk of the Parliaments

-
- No. 1 Page 5, Schedule 1. After proposed section 84D (1) (d), insert:
- (e) the things which the licensee needs to do in order to protect the environment while having access to the land and prospecting in or on the land;
- No. 2 Page 5, Schedule 1. Omit proposed section 84D (3) (b), insert instead:
- (b) a provision of this Act (including, in particular, any provision of Part 7 that relates to the protection of the environment), the regulations or a condition of an exploration licence or prospecting licence (including, in particular, a condition approved by the Soil Conservation Service of New South Wales in accordance with section 53 (6)),
- No. 3 Page 5, Schedule 1. After proposed section 84D (3), insert:

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

- (4) Without affecting any proceedings which may be brought against a licensee in respect of the contravention of an access arrangement, if a licensee contravenes an access arrangement, an owner or occupier of the land to which the arrangement applies may deny the licensee access to the land until:
- (a) the licensee ceases the contravention; or
 - (b) the contravention is remedied to the reasonable satisfaction of the owner or occupier.
- No. 4 Page 6, Schedule 1. After proposed section 84E (1), insert:
- (2) The notice of the licensee's intention to obtain an access arrangement must, in addition to stating the licensee's intention, contain:
- (a) a plan and description of the area of land over which the access is sought sufficient to enable the ready identification of that area; and;
 - (b) a description of the prospecting methods intended to be used in that area.
- No. 5 Page 7, Schedule 1. Omit proposed section 84H (2), insert instead:
- (2) A party to a hearing may be represented:
- (a) by an agent who is not a barrister or a solicitor; or
 - (b) with the agreement of the parties and the leave of the arbitrator, by a barrister or a solicitor.
- No. 6 Page 13, Schedule 1. After proposed section 84S, insert:
- Duration of access arrangements
- 84T. An access arrangement does not run with the land and, unless sooner terminated, terminates:
- (a) if an owner or occupier of the land with whom the arrangement is made ceases to be an owner or occupier of the land; or
 - (b) on the death of an owner or occupier of the land with whom the arrangement is made.
- No. 7 Page 16, Schedule 1. From proposed section 133 (r), omit "determined by an arbitrator under Division 4A of Part 5".

Examined
ADRIAN SOLOMONS
Chairman of Committees

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

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.

Mr SPEAKER

The Legislative Council has this day agreed to the Bill, returned herewith, intituled "An Act to provide for the establishment and operation of Government enterprises as State owned corporations" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
10 August 1989

JOHN JOHNSON
President

STATE OWNED CORPORATIONS BILL
Schedule of amendments referred to in Message of 10 August 1989

J.D. Evans
Acting Clerk of the Parliaments

- No. 1 Page 5, clause 11. From subclause (1), omit "to provide goods or services", insert instead "to perform activities, or to cease to perform activities, or not to perform activities,".
- No. 2 Page 5, clause 11. Omit subclause (3), insert instead:
- (3) The corporation is entitled to be reimbursed, from money advanced by the Treasurer or appropriated by Parliament for the purpose, amounts equal to:
- (a) the net cost of performing any such activities, including the cost of capital; and
- (b) the net cost of complying with a direction to cease to perform or not to perform any such activities.
- No. 3 Page 5, clause 11. After subclause (4), insert:

- (5) The corporation may be reimbursed, from money advanced by the Treasurer or appropriated by Parliament for the purpose, amounts not exceeding the estimated net amount of revenue forgone through ceasing to perform or not performing any such activities, as determined by the Treasurer having regard to such factors as the Treasurer considers relevant in the circumstances.

No. 4 Page 10, clause 19. After subclause (8) insert:

- (9) The voting shareholders may, by written notice, direct a State owned corporation or its subsidiaries not to dispose of any specified asset.

No. 5 Page 15, clause 26. From paragraph (j), omit "to provide goods or services", insert instead "to perform activities, or to cease to perform activities, or not to perform activities".

No. 6 Page 15, clause 26. After paragraph (m), insert:

- (n) a copy of any written instrument under section 17 (3), within 14 sitting days after the date the instrument was signed.

No. 7 Page 16, clause 26. After subclause (4), insert:

- (5) The material referred to in subsection (1) (i) must be accompanied by a statement describing how the State owned corporation has, during the financial year concerned, exhibited a sense of social responsibility, including:
- (a) a summary of any community interests considered under section 8 (c) the accommodation of which was thought to be incompatible with its principal objective; and
 - (b) an assessment of the cost that would have been incurred in accommodating any such interests.

No. 8 Page 18, clause 36. Omit subclause (2).

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 at a later hour of the day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

3 LEAVE OF ABSENCE

Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to John Joseph Aquilina, member for Blacktown, on account of absence from the State.

Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to Harry Frank Moore, member for Wyong, on account of absence from the State.

Ordered, on motion of Mr Welsh, That leave of absence for the present session be granted to Ernest George Keegan, member for Newcastle, on account of absence from the state.

4 PETITIONS

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

Mr Armstrong, Mr Langton, Mr Moore, Mr Park, Mr Phillips, Mr Schipp, Mr Singleton, Mr Small, Mr Souris, Mr Tink, Mr Unsworth, Mr West, Mr Whelan and Mr Yeomans—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Armstrong, Mr Causley, Mr Cruickshank, Mr Hunter, Mr Jeffery, Mr H.F. Moore, Mr Murray, Mr Tink and Mr Webster—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Armstrong, Mr Hartcher, Mr Jeffery, Mr H.F. Moore, Mr D.L. Page, Mr Tink, Mr Webster and Mr West—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Cleary, Mr Graham, Mr Hunter, Mr H.F. Moore, Mr D.L. Page and Dr Refshauge—from certain citizens requesting a public inquiry into the proposed recommencement of sand mining on the North Coast.

Mr Webster—from certain citizens requesting the maintenance of the current food labelling standards.

Mr Armstrong—from certain citizens requesting that casino gambling not be legalised.

Mr Dowd—from certain citizens opposing recent amendments to the Environmental Planning and Assessment Act.

Mr J. H. Murray—from certain citizens requesting that the vehicular/passenger ferry service between Mortlake and Putney be retained.

Mr J. H. Murray—from certain citizens opposing the transfer of the Five Dock Highway Patrol to Canterbury.

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

Mr Aquilina—from certain citizens requesting the establishment of a 24 hour police station at Doonside.

Mr Greiner—from certain citizens requesting the restructuring of railway services to the Northern Tablelands.

Mr Gibson—from certain citizens opposing increases in New South Wales Government charges.

Mr Primrose—from certain citizens opposing the closure of local Department of Housing Offices.

Mr Greiner—from certain citizens requesting that hospital services in Bundarra be maintained.

Mr Beckroge—from certain citizens requesting the establishment of hospital services in Lightning Ridge.

Mr Small—from certain citizens requesting that working conditions for librarian staff in primary and secondary schools be restored to the 1988 level.

Ms Nori—from certain citizens opposing the closure of the Waterloo office of the Department of Housing.

Ms Nori—from certain citizens requesting that land between Gibbons and Rosehill Streets, Redfern be secured as parkland.

Mr Kerr—from certain citizens requesting the enforcement of occupational health and safety regulations at the Caltex Refining Company Pty Ltd and Australian Lubricating Oil Refinery Ltd plants.

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

Mr Graham—from certain citizens requesting the construction of a roundabout at the intersection of the Pacific Highway and Renwick Street Wyoming.

Mr Graham—from certain citizens requesting the relocation of the methadone clinic at Long Jetty.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

Mr Beckroge—from certain citizens opposing the rezoning of residential land for development in Broken Hill.

Mrs Crosio—from certain citizens requesting the repeal of the Local Government (Rates and Charges) Act 1988.

Mr Gibson—from certain citizens requesting the return of the Woodriff Gardens to the control of amateur sporting organisations.

Ms Moore—from certain citizens requesting the preservation of the Thomas Walker and Yaralla Estates for public use.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Dr Refshauge—from certain citizens requesting the maintenance of services at Prince Henry Hospital.

Mr Webster—from certain citizens opposing cuts to public services in the Goulburn area.

Mr Wotton—from certain citizens requesting a commission of inquiry to determine more efficient usage of recyclable resources.

Mr Hatton—from certain citizens opposing the introduction of contractors into public sector hospitals.

Mr Amery—from certain citizens requesting that the rail line between Riverstone and Blacktown remain open.

Mr Small—from certain citizens opposing recent changes to regulations which govern import and export licences for buying, selling and exchange of birdlife.

Mr D. L. Page—from certain citizens requesting the retention of one staff member to operate Mullumbimby Railway Station.

5 NOTICES OF MOTIONS

6 MINISTERIAL STATEMENT—SYDNEY HARBOUR TUNNEL

Mr Greiner made a ministerial statement concerning the contractual arrangements between the Sydney Harbour Tunnel Company and the State Government.

Paper: Mr Greiner laid upon the Table— Documents making up the contract between the Government of New South Wales and the Sydney Harbour Tunnel Company for the Sydney Harbour Tunnel, together with a summary.

Referred to the Printing Committee.

7 PAPERS

(1) Mr Greiner laid upon the Table—

Report and Determinations under section 4 of the Parliamentary Remuneration Tribunal (Special Provisions) Act 1989, dated 28 July 1989.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975 dated 13 July 1989.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975 dated 24 August 1989.

Referred to the Printing Committee.

(2) Dr Metherell laid upon the Table—

Report of the Acupuncture Colleges of Australia for 1988.

Report of the Australian College of Physical Education for 1988.

Report of Avondale College for 1988.

Report of Moore Theological College for 1988.

Report of the National Institute of Dramatic Art for 1988.

Report of the New South Wales Institute of the Arts for 1988.

Report of the Sydney College of Divinity for 1988.

Teaching Services Act 1980—Technical and Further Education Teaching Service Regulation 1981—amendment of clauses 4, 7. (Gazette 85/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

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 technical colleges at—

Boggabilla. (Gazette 37/1989.)
Sutherland. (Gazette 78/1989.)

Referred to the Printing Committee.

(3) Mr Collins laid upon the Table—

Report of the Mental Health Review Tribunal for 1988.

Referred to the Printing Committee.

(4) Mr Dowd laid upon the Table—

Report of the Law Reform Commission—Community Law Reform Program—Liability of Highway Authorities for Non-repair.

Report of the Privacy Committee for 1988.

Police Regulation Act 1899—Police Rules 1977—omission of rule 77A. (Gazette 55/1989.)

Referred to the Printing Committee.

(5) Mr Baird laid upon the Table—

Marine Administration Act 1989—Marine Administration Regulation 1989— clauses 1 to 4. (Gazette 88/1989.)

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—

Boambee. (Gazette 83/1989.)
Bombala. (Gazette 82/1989.)
Bookham. (Gazette 78/1989.)
Broadwater. (Gazette 85/1989.)
Collector. (Gazette 84/1989.)
Cullerin Range. (Gazette 88/1989.)
Darling Harbour. (Gazette 78/1989.)
Granville. (Gazette 90/1989.)
Halfway Creek. (Gazette 83/1989.)
Kiama. (Gazette 84/1989.)
Lane Cove. (Gazette 89/1989.)
Lawson. (Gazette 87/1989.)
Lidcombe. (Gazette 92/1989.)
Moama. (Gazette 82/1989.)
Murray Downs. (Gazette 88/1989.)
Naremburn. (Gazette 72/1989.)
Peakhurst. (Gazette 83/1989.)
Pymble. (Gazette 85/1989.)
Pyrmont. (Gazette 88/1989.)
Reidtown. (Gazette 69/1989.)
Swanbrook. (Gazette 92/1989.)
Tocumwal. (Gazette 83/1989.)
Wanatta. (Gazette 87/1989.)
Warrell Creek. (Gazette 84/1989.)
Wentworth Falls. (Gazette 69/1989.)
Wollogorang. (Gazette 83/1989.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 10, 13, 31. (Gazette 89/1989.)

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—

Coledale. (Gazette 7/1989.)
Valley Heights. (Gazette 84/1989.)

(b) Transport Administration (SRA) Staff Regulation 1989—clauses 1 to 21. (Gazette 54/1989.)

(b) Transport Administration (STA) Staff Regulation 1989—clauses 1 to 22. (Gazette 54/1989.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

(6) Mr Peacocke laid upon the Table—

Co-operation Act 1923—

(a) Co-operation (Accounts and Audit) Regulation 1988—clauses 1 to 24, amendment of clauses 14, 22. (Gazettes 24/1988, 23/1989.)

(b) Co-operation (1987 Further Amendment) Transitional Regulation 1988— clauses 1 to 4. (Gazette 41/1989.)

(c) Co-operatives Regulation 1961—regulation 101, amendment of regulations 30A, 34. (Gazettes 193/1987, 52/1989, 56/1989.)

Referred to the Printing Committee.

(8) Mr Pickard laid upon the Table—

Report of the Board of Inquiry into New South Wales Gas Prices dated August 1989.

Report of the Ministerial Working Party on Gas Regulation dated July 1989, together with appendices 1 to 10.

Electricity Commission Act 1950—notification of acquisition, appropriation and/or resumption of land and/or easements for the purpose of transmission lines at Newcastle. (Gazette 89/1989.)

Referred to the Printing Committee.

(8) Mr Causley laid upon the Table—

Conveyancing Act 1919—Conveyancing Act Regulations 1961—substituted schedule 3. (Gazette 78/1989.)

Crown Lands Consolidation Act 1913—

(a) Field of Mars Catholic Cemetery By-law 1986—substituted schedule of fees and charges. (Gazette 151/1988.)

(b) Woronora General Cemetery and Crematorium By-law—substituted schedule of fees and charges. (Gazette 114/1988.)

(c) schedules (3) of Crown Lands intended to be dedicated or added to existing dedications for public purposes in accordance with section 24 of the Act.

(d) erratum notice concerning the schedule of charges of the Liverpool General Cemetery published in Gazette 159/1987. (Gazette 85/1988.)

(e) erratum notice concerning the schedule of charges of the Woronora General Cemetery published in Gazette 114/1988. (Gazette 37/1989.)

(f) correction notice concerning the schedule of fees and charges of the Presbyterian portion of Liverpool General Cemetery published in Gazette 159/1987. (Gazette 85/1988.)

Public Roads Act 1902—abstracts of resumptions (12) under section 8 of the Act for public road purposes. (Gazettes 44/1989, 48/1989(5), 52/1989(2), 55/1989(4).)

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements for public recreation grounds at Cowra. (Gazette 48/1989.)

Real Property Act 1900—Real Property Act Regulations 1970—substituted schedule 3. (Gazette 78/1989.)

Strata Titles Act 1973—Strata Titles Act Regulations 1974—substituted regulations 52, 80. (Gazette 78/1989.)

Referred to the Printing Committee.

(9) Mr Hay laid upon the Table—

Report of the Animal Research Review Panel for the year ended 30 June 1988.

Local Government Act 1919—amendment of ordinances 24, 68, 44. (Gazettes 88/1989, 92/1989, 93/1989.)

Prevention of Cruelty to Animals Act 1979—Prevention of Cruelty to Animals (General) Regulation 1981—clause 17, schedule 1B. (Gazette 90/1989.)

Theatres and Public Halls Act 1908—Theatres and Public Halls (General) Regulation 1977—substituted clause 44. (Gazette 90/1989.)

Referred to the Printing Committee.

8 REPORTS RECEIVED BY THE CLERK

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

18 August 1989

Report of the Department of Education for 1988.

Report of the Department of Technical and Further Education for 1988.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

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

Report of Kuring-Gai College of Advanced Education for the year ended 31 December 1988.

Report of the Orange Agricultural College for 1988.

Report of the Sydney Cricket and Sports Ground Trust for the year ended 28 February 1989.

Report of the University of Technology, Sydney for 1988.

21 August 1989

Report of the State Brickworks for the year ended 31 March 1989.

Report of the Lake Illawarra Authority for the year ended 31 March 1989.

31 August 1989

Report of Mitchell College of Advanced Education for 1988.

Report of the Council of Auctioneers and Agents for the year ended 31 March 1989.

Report of the Dried Fruits Board for 1988.

Report of the Fish Marketing Authority for the year ended 31 March 1989.

Report of the Homebush Abattoir Corporation for the year ended 31 March 1989.

Report of the Murray Valley Citrus Marketing Board for 1988.

Report of the Sydney Market Authority for the year ended 31 March 1989.

9 JOINT STANDING COMMITTEE UPON ROAD SAFETY

The Clerk announced that in accordance with the resolution of the House on 15 November 1988, he had received from the Chairman the Fourteenth Report from the Joint Standing Committee on Road Safety concerning Malpractice in Driver Licence Testing, dated August 1989.

The Clerk placed the Report upon the Table of the House.

10 QUESTIONS

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

11 MINISTERIAL STATEMENT— SPEDLEY HOLDINGS LIMITED

Mr Peacocke made a ministerial statement concerning the appointment of an inquiry by the National Companies and Securities Commission and the Business and Consumer Affairs Agency into Spedley Holdings Limited.

Mr Carr also addressed the House.

12 STATE OWNED CORPORATIONS 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 State Owned Corporations Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

13 MINING (ACCESS TO LANDS) 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 Mining (Access to Lands) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

14 MINING (GEOLOGICAL AND MINING MUSEUM) 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 constitute the Geological and Mining Museum Trust; to define the Trust's subjects and functions; to make provision with respect to the administration of the Geological and Mining Museum; to amend certain other Acts; and for other purposes.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 September 1989

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.

15 LEGAL PROFESSION (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 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.

16 SUBORDINATE LEGISLATION 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.

Debate interrupted.

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 SUBORDINATE LEGISLATION 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.

19 DENTISTS 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.

20 ADJOURNMENT

Mr Collins moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 9.51 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 58

WEDNESDAY 13 SEPTEMBER 1989

1 DEATH OF WILLIAM ROBERT WEILEY, A FORMER MEMBER OF THE
LEGISLATIVE ASSEMBLY

Mr Speaker informed the House of the death of William Robert Weiley, a former member of the Legislative Assembly and that, on behalf of the House, he had extended to Mrs Weiley 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 Martin—from certain citizens requesting the implementation of safety measures on Main Road 518 at Silver Wattle Drive, Medowie.

Mr Berry, Mr Glachan, Ms Nori and Mr Rixon—from certain citizens requesting that working conditions for librarian staff in primary and secondary schools be restored to the 1988 level.

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

Mr Rixon—from certain citizens requesting the protection of certain parts of Billilimbra and Washpool State Forests.

Mr Hartcher, Mr Jeffery and Mr Page—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Causley, Mrs Crosio, Mr Griffiths, Mr Matheson, Mr Rumble and Mr West—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Hunter—from certain citizens requesting the abolition of the flat rate sewerage pump out charge.

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House Complex.

Ms Nori—from certain citizens opposing the closure of local Department of Housing Offices.

Mr Welsh—from certain citizens opposing the use of haul nets in the southern end of Lake Macquarie.

Mr Rumble—from certain citizens opposing the closure of the Unanderra office of the Department of Housing.

Mr Lovelee—from certain citizens opposing the closure of the Villawood office of the Department of Housing.

Ms Fraser—from certain citizens supporting the development of the Marina and Bicentennial Park at Rozelle Bay.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1989

Mr Graham—from certain citizens requesting the construction of a roundabout at the intersection of the Pacific Highway and Renwick Street, Wyoming.

Mr Webster—from certain citizens requesting the maintenance of the current food labelling standards.

Mr Kerr—from certain citizens requesting the enforcement of occupational health and safety regulations at the Caltex Refining Company Pty Ltd and Australian Lubricating Oil Refinery Ltd plants.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

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

Mr Books—from certain citizens requesting increased support for public libraries.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report and Determination pursuant to section 13 of the Statutory and Other Offices Remuneration Act 1975 dated 24 August, 1989.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Children Care and Protection Act 1987—

- (a) Centre-based Care Services Regulation 1989—clauses 1 to 21, schedules 1, 2. (Gazette 88/1989.)
- (b) Family Day Care Services Regulation 1989—clauses 1 to 24, schedule 1. (Gazette 88/1989.)
- (c) Home-based Child Care Services Regulation 1989—clauses 1 to 13, schedule 1. (Gazette 88/1989.)
- (d) Mobile Child Care Services Regulation 1989, clauses 1 to 13, schedule 1. (Gazette 88/1989.)

Disability Services and Guardianship Act 1987—Disability Services and Guardianship (Provision of Services) Regulation 1989—clauses 1 to 5. (Gazette 78/1989.)

Hunter Water Board Act 1988—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for a stormwater channel, at Winding Creek. (Gazette 89/1989.)

Miscellaneous Acts (Community Welfare) Repeal and Amendment Act 1987—Miscellaneous Acts (Community Welfare) Repeal and Deregulation Amendment Regulation 1988—omission of part 3. (Gazette 48/1989.)

National Parks and Wildlife Act 1974—proposed revocation pursuant to section 47L of the Act, at Burrendong State Recreation Area. (Gazette 85/1989.)

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 Wentworth Falls. (Gazette 151/1989.)

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Report of the New South Wales Investment Corporation for the period 1 July 1988 to 11 January 1989.

Co-operation (Amendment) Act 1986—

(a) Co-operation (1986 Amendment) Transitional Regulation 1988—clauses 1 to 5 (Gazette 41/1989.)

(b) Co-operation (1986 Amendment) Transitional Regulation (No.2) 1988—clauses 1 to 4. (Gazette 52/1989.)

Credit Union Act 1969—Credit Union Regulations 1969—regulations 28C, 60. (Gazette 56/1989.)

Fair Trading Act 1987—orders under section 31. (Gazettes 83/1989, 88/1989(2).)

Permanent Building Societies Act 1967—Permanent Building Societies Regulations 1967—amendment of regulation 41A. (Gazette 48/1989.)

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Report of the Murray-Darling Basin Commission for the year ended 30 June 1988.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1989

Crown Lands Consolidation Act 1913—Gazette notices (8) setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazettes 85/1989, 87/1989 (3), 88/1989, 89/1989, 90/1989, 93/1989.)

Public Roads Act 1902—Abstracts (22) of resumption under section 8 of the Act, for public road purposes. (Gazettes 85/1989 (2), 87/1989 (2), 88/1989 (10), 89/1989, 90/1989, 92/1989 (3), 93/1989 (3).)

Water Act 1900—Water (Part 2) Regulations—regulation 43A. (Gazette 78/1989.)

Water Supply Authorities Act 1987—Water Supply Authorities (Upper Parramatta River Catchment Trust) Finance Regulation 1989—clauses 1 to 26 (Gazette 72/1989.)

Referred to the Printing Committee.

5 MINISTERIAL STATEMENT—NEWSTAN COALMINE

Mr Pickard made a ministerial statement concerning the alleged dumping of polychlorinated biphenyls in the Newstan coalmine.

6 QUESTIONS

7 DISALLOWANCE OF PROPOSED REVOCATION OF COMMON LAND AT COROWA UNDER THE CROWN LANDS CONSOLIDATION ACT 1913

Mr Amery moved, pursuant to notice, That this House disallows the proposed revocation of the dedication of common land in Corowa, under the Crown Land Consolidation Act, 1913, as set forth in the Government Gazette No. 90 of 25th August, 1989.

Debate ensued.

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

Question put.

The House divided.

Ayes 46

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

Noes 56

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr J. D. Booth
Mr Careson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Giachan
Mr Graham
Mr Griffiths
Mr Härtscher

Mr Hay
Mr Jeffery
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Meibereil
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Peich
Mr Photos
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp

Mr Shultz
Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wolton
Mr Yeomans
Mr Zammitt

Mr Shultz
Mr Singleton
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr Webster
Mr West
Mr White
Mr Wolton
Mr Yeomans
Mr Zammitt

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

Tellers,
Mr Beckroge
Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1989

Pairs

Mr Greiner
Mr Yabsley

Mr Aquilina
Mr H.F. Moore

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 Grain Handling Authority (Corporatisation) Bill being brought in and proceeded with up to and including the minister's second reading speech.

9 GRAIN HANDLING AUTHORITY (CORPORATISATION) BILL

Mr Webster moved, pursuant to notice, That leave be given to bring in a bill for an Act to establish a State owned corporation in relation to grain handling; to provide for the transfer of assets, rights and liabilities of the Grain Handling Authority; to amend the State Owned Corporations Act 1989 and certain other Acts; to repeal the Grain Handling Act 1954; and for other purposes.

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

10 AREA HEALTH SERVICES (ELECTIONS) AMENDMENT BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Area Health Services Act 1986 in order to remove certain disqualifications from eligibility for election as the elected staff member of an area health board.

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 STATES AND NORTHERN TERRITORY GRANTS (RURAL ADJUSTMENT)
AGREEMENT RATIFICATION BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to approve, ratify and confirm an Agreement between the Commonwealth and the State of New South Wales in relation to rural adjustment; to validate certain matters; and for other related 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 debate made an Order of the Day for a future day.

12 BICENTENNIAL PARK TRUST (LEASES) AMENDMENT BILL.

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Bicentennial Park Trust Act 1987 with respect to the term of a lease of trust lands.

Question put and passed.

Bill presented and read a first time.

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

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

13 EVIDENCE (RELIGIOUS CONFESSIONS) AMENDMENT BILL.

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Evidence Act 1898 in relation to clerical religious confessional privilege; and to make a consequential amendment to the Independent Commission Against Corruption Act 1988.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
13 September 1989

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 debate made an Order of the Day for a future day.

14 MARINE PORT CHARGES BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the levy and payment of certain charges in respect of vessels and their passengers and cargo in New South Wales ports; to repeal the Port Rates Act 1975 and to amend certain other Acts; 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 Price) and the resumption of the debate made an Order of the Day for a future day.

15 ENVIRONMENTAL OFFENCES AND PENALTIES 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.

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 ENVIRONMENTAL OFFENCES AND PENALTIES BILL

Resumption of the interrupted debate, on the motion of Mr Moore, 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.

The House resumed the said adjourned debate.

Mr Mills moved, That this debate be now adjourned.

Question put and passed.

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

18 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.01 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 59

THURSDAY 14 SEPTEMBER 1989

1 PETITIONS

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

Mr Arkell—from certain citizens opposing the proposed closure of the Warrawong office of the Department of Housing.

Mr Merton—from certain citizens opposing proposed changes to rescue services legislation.

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

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House Complex.

Mr McManus—from certain citizens requesting that staffing at Corrimal Public School be restored to the 1988 level.

Mr Mills—from certain citizens requesting the construction of a pedestrian underpass below the northern railway line between Kirby and Marianne Streets, Cardiff.

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

Mr Nagle—from certain citizens requesting that working conditions for librarian staff in primary and secondary schools be restored to the 1988 level.

Mr Nagle—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Mr Nagle—from certain citizens requesting an improvement in crime prevention measures on the public transport system.

Mr Nagle—from certain citizens opposing the proposed cuts to the New South Wales Police Force.

Mr Griffiths—from certain citizens opposing the proposed closure of the Riverwood office of the Department of Housing.

Mr Welsh—from certain citizens opposing the use of haul nets in the southern end of Lake Macquarie.

Ms Moore—from certain citizens requesting the preservation of the Thomas Walker and Yaralla Estates for public use.

2 PAPERS

(1) Mr Murray laid upon the Table—

Very Fast Train (Route Investigation) Act 1989—Very Fast Train (Route Investigation) Regulation 1989—clauses 1 to 5, schedules 1, 2. (Gazette 92/1989.)

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Final Report of the Water Board Computer Tender Review dated July 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 September 1989

(3) Mr Peacocke laid upon the Table—

Associations Incorporation Act 1984—Associations Incorporation Regulation 1985—substituted clause 14. (Gazette 84/1989.)

Commercial Tribunal Act 1984—Commercial Tribunal Rules 1989—rules 1 to 12, schedule X. (Gazette 85/1989.)

Companies (Application of Laws) Act 1981—

(a) Companies (Application of Laws—Fees) Regulations 1988—clauses 1 to 3. (Gazette 105/1989.)

(b) Companies (Application of Laws) (Westpac) Regulations 1989—clauses 1 and 2. (Gazette 88/1989.)

Growth Centres (Developmental 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 Campbelltown. (Gazette 10/1989.)

Permanent Building Societies Act 1967—

(a) Permanent Building Societies Regulations 1967—amendment of regulation 41A. (Gazette 48/1989.)

(b) Permanent Building Societies (Prescribed Interest Interim Provisions) Regulation 1988—clauses 1 to 8. (Gazette 79/1988.)

Referred to the Printing Committee.

3 QUESTIONS

4 SUSPENSION OF STANDING ORDERS

Mr Anderson 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 Minister for Corrective Services for misleading the House in relation to his conflicting statements regarding his administration of the release on licence of prisoners and calls on him to resign his portfolio.

Question put.

The House divided.

Ayes 45

Ms Allan	Mr Irwin	Mr Price
Mr Amery	Mr Knight	Mr Primrose
Mr Anderson	Mr Knowles	Ms Read
Mr Arkell	Mr Langton	Dr Refshauge
Mr Brereton	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 Walsh
Mr Face	Ms Moore	Mr Welsh
Mr Ferguson	Mr Moss	Mr Whelan
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers,
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Mr Beckroge
Mr Hunter	Mr Page	Mr Christie

Noes 53

Mr Andrews	Mr Jeffery	Mr Singleton
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 J. D. Booth	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 Cruickshank	Mr D. L. Page	Mr Yabsley
Mr Dowd	Mr Park	Mr Yeomans
Mr Downy	Mr Peacocke	Mr Zammit
Mr Fahey	Mr Petch	
Mr Graham	Mr Photios	
Mr Greiner	Mr Rixon	Tellers,
Mr Griffiths	Mr Roberts	
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Pairs

Mr Caterson	Mr Aquilina
Mr Causley	Mr A. S. Aquilina
Mr Glachan	Mrs Crosio
Mr Pickard	Mr H. F. Moore

And so it passed in the negative.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 September 1989

5 QUESTIONS (continuation of entry No. 3)

6 MINISTERIAL STATEMENT—WATER BOARD COMPUTER CONTRACTS

Mr Moore made a ministerial statement concerning the report of an investigation into the tendering process for computer contracts for the Water Board.

7 ENVIRONMENTAL OFFENCES AND PENALTIES 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 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.

It being 2.15 p.m. General Business proceeded with.

8 ROAD BUILDING

Mr J.D. Booth moved, That this House, recognising the economic and social significance of a sustained programme of "road building"—

- (i) commends the actions of the State Government in dedicating State petrol tax receipts to road construction and maintenance; and
- (ii) condemns the record of the Federal Government in providing only one fifth of its petrol excise receipts for road building.

Mr Langton moved, That the motion be amended by leaving out all words after the words "road building" with a view to adding the following "condemns the failure of the Greiner Government to honour its election commitment to dedicate all State petrol tax receipts to road construction in its first budget".

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

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

9 PRINTING COMMITTEE

Mr Kerr, Acting-Chairman, brought up Report No. 20 of the Printing Committee.

10 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, 19 September 1989, at 2.15p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 60

TUESDAY 19 SEPTEMBER 1989

1 MESSAGE FROM THE GOVERNOR

Mr Speaker reported a message dated 15 September 1989 from His Excellency the Governor assenting to the State Owned Corporations Bill.

2 MINISTERIAL ANNOUNCEMENT

Mr Greiner informed the House that on 18 September 1989, His Excellency the Governor had accepted the resignation of the Honourable Timothy John Moore LL.B., M.P., as Assistant Minister for Transport, and of the Honourable Robert Baron Rowland Smith, M.L.C., as Minister for Sport, Recreation and Racing and had appointed the Honourable Robert Baron Rowland Smith, M.L.C., as Minister for Sport and Recreation, Minister for Racing and Assistant Minister for Transport.

3 DEATH OF THE HONOURABLE SIR KENNETH MALCOLM McCaw, A FORMER MINISTER OF THE CROWN

Mr Greiner moved, That this House extends to Lady McCaw and family, the deep sympathy of members of the Legislative Assembly in the loss sustained by the death of the Honourable Sir Kenneth Malcolm McCaw, a former Minister of the Crown.

And the motion having been seconded by Mr Carr and supported by Mr Murray, Mr Dowd and Mr Pickard.

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

4 LEAVE OF ABSENCE

Ordered, on motion of Mr Beckroge, That leave of absence for the present session be granted to John Charles Price, member for Waratah, on account of absence from the State.

5 PETITIONS

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

Mr Chappell, Mr Cruickshank, Mr Harrison, Mr Peacocke and Mr West—from certain citizens requesting that certain measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Beck, Mr Cruickshank, Mr Peacocke and Mr Schipp—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Lovelee—from certain citizens opposing the proposed closure of the Villawood office of the Department of Housing.

Mr Graham—from certain citizens requesting the construction of a roundabout at the intersection of the Pacific Highway and Renwick Steet, Wyoming.

Mr Peacocke—from certain citizens requesting that the Crimes (Amendment) Act 1984 be repealed.

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 opposing the use of haul nets in the southern end of Lake Macquarie.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1989

Mr Whelan—from certain citizens requesting support for a public inquiry into the proposed recommencement of sandmining on the North Coast.

Mr Harrison—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Ms Moore—from certain citizens opposing the proposed sale of certain public lands.

Ms Moore—from certain citizens opposing recent policy changes by the Department of Housing.

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House Complex.

Mr Markham—from certain citizens supporting the land claims of the Tweed Byron Aboriginal Land Council.

Mr Page—from certain citizens requesting an investigation into Tweed Shire Council.

Ms Allan—from certain citizens requesting that certain land on the Fingal Peninsula be proclaimed as parkland.

Mr Amery—from certain citizens opposing the sale of certain land on the Fingal Peninsula to private developers.

Mr Whelan—from certain citizens opposing the proposed development by Ocean Blue Resorts on Fingal Peninsula.

Mr Doyle—from certain citizens opposing the rezoning of certain land on the Fingal Peninsula.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

6 NOTICES OF MOTIONS

7 PAPERS

(1) Mr Schipp laid upon the Table—

Housing Acts—notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for housing purposes at Berowra. (Gazette 85/1989.)

Referred to the Printing Committee.

(2) Mr West laid upon the Table—

State Sports Centre Trust Act 1984—State Sports Centre Regulation 1989—clauses 1 to 27. (Gazette 52/1989.)

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Report of the Inquiry into the Provision of Credit in Rural New South Wales dated 12 November 1987.

Report of the Maximum Interest Rate Inquiry by the Commercial Tribunal dated March 1988.

Referred to the Printing Committee.

(4) Mr Causley laid upon the Table—

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements under the Act for a public reserve at Queanbeyan. (Gazette 90/1989.)

Water Supply Authorities Act 1987—

(a) Water Supply Authorities (Areas of Operations) Regulation 1987—clause 5, amendment of clauses 3, 4. (Gazette 72/1989.)

(b) Water Supply Authorities (Finance) Regulation 1987—clause 1A, amendment of clauses 3, 5, 8, 10, 11, 13, 15, 16, 30, 35, 43, substituted clause 14. (Gazette 72/1989.)

Western Lands Act 1901—Western Lands Regulations—regulations 9, 50B, 50D, 50E, 50F, amendment of regulations 3, 10A, 10B, 11, 12, 16, 21, 23 to 26, 29, 41, 45, 50C, schedule 1, substituted regulation 50A, omission of regulations 13, 14, 19, 20, 32, 34 to 37, 48, 49, 81, schedule 3. (Gazette 90/1989.)

Referred to the Printing Committee.

8 MINISTERIAL STATEMENT—FIRE SAFETY STANDARDS

Mr Greiner made a ministerial statement concerning the fire which occurred on Sunday 17 September 1989 in the Downunder Hotel at Darlinghurst Road, Kings Cross.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1989

9 QUESTIONS

10 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Appropriation Bill
Public Authorities (Financial Arrangements) Amendment Bill
Police Regulation (Reinstatement) 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.

11 POLICE REGULATION (REINSTATEMENT) BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to make special provisions for the reinstatement of Mr. Philip Neville Arantz as a member of the Police Force and for associated 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 Whelan) and the resumption of the debate made an Order of the Day for a future day.

12 MINE SUBSIDENCE COMPENSATION (AMENDMENT) BILL

Mr Pickard moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Mine Subsidence Compensation Act 1961 with respect to rights of appeal, the meaning of subsidence, the control of unauthorised work and in other respects; and to amend the Land and Environment Court Act 1979.

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.

13 GRAIN HANDLING AUTHORITY (CORPORATISATION) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the 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.

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., private members' statements proceeded with.
—

14 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

15 GRAIN HANDLING AUTHORITY (CORPORATISATION) BILL

Resumption of the interrupted consideration of the bill in Committee.

Mr Speaker resumed the Chair, and the Chairman reported the bill without amendment.

On motion of Mr Webster, the Report was adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1989

16 ENVIRONMENTAL OFFENCES AND PENALTIES 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 Moore 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.

17 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

(1) Mr Speaker laid upon the Table a copy of the Consolidated Fund Estimates 1989-90 (Budget Paper No. 3) (Volumes I and II).

Ordered, That the Paper be printed and referred to the Committee of the Whole on the bill.

(2) Mr Greiner moved, pursuant to notice, That leave be given to bring in the following cognate bills:

- (i) A bill for an Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Government for the year 1989-90 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 1988-89; and for certain other purposes.

(Budget Paper, No. 6).

- (ii) A bill for an Act to amend the Public Authorities (Financial Arrangements) Act 1987 in relation to the New South Wales Capital Works Financing Corporation.

Bills presented and read a first time.

(3) Mr Greiner moved, That these bills 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.

18 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 1989-90 (Budget Paper No. 2).
- (3) Financial Arrangements between the Commonwealth and New South Wales 1989-90 (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 1989-90 (Budget Paper No. 7).

Ordered to be printed.

19 ENVIRONMENTAL OFFENCES AND PENALTIES 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.

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 Moore, the Report was adopted.

Ordered by Mr Speaker, That the third reading stand an Order of the Day for tomorrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 September 1989

20 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.31 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 61

WEDNESDAY 20 SEPTEMBER 1989

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 19 September 1989, returning the Dentists 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 Legal Profession Act 1987 in relation to practising certificates, fees and costs, the management of solicitors' practices and the constitution of certain bodies; 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
19 September 1989

JOHN JOHNSON
President

LEGAL PROFESSION (AMENDMENT) BILL

Schedule of the amendments referred to in Message of 19 September 1989

M.J. SWINSON
for Clerk of the Parliaments

No 1 Page 22, Schedule 5; item (2). Omit proposed section 6 (3), insert instead:

(3) The Chief Justice may from time to time nominate one of the judicial members of the Board to be the presiding member of the Board and another of the judicial members to be the deputy presiding member of the Board.

No 2 Page 22, Schedule 5, item (3). Omit proposed section 13 (3), insert instead:

(3) The Chief Justice may from time to time nominate one of the judicial members of the Board to be the presiding member of the Board and another of the judicial members to be the deputy presiding member of the Board.

No 3 Page 24, Schedule 5, item (6). After paragraph (b), insert:

(c) From section 67 (3) (g), omit "and" where lastly occurring.

(d) At the end of section 67 (3) (h), insert: ; and

(i) the payment of the costs related to the operation of the Legal Costs and Fees Board.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1989

No 4 Page 26, Schedule 5, item (14). In proposed clause 3 (1), after "Board", insert ", the Chief Justice, if electing to be present and electing to preside, shall preside, but otherwise".

Examined
JOHN MATHEWS
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.

2 PETITIONS

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

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

Mr Lovelee—from certain citizens opposing the proposed closure of the Villawood office of the Department of Housing.

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House Complex.

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

Mr Welsh—from certain citizens opposing the use of haul nets in the southern end of Lake Macquarie.

Mr Graham—from certain citizens opposing the proposed construction of a chemical factory in the Berkeley Vale Industrial Estate.

Mr Graham—from certain citizens requesting the construction of a roundabout at the intersection of the Pacific Highway and Renwick Street, Wyoming.

Mr Andrews—from certain citizens requesting support for a public inquiry into the proposed recommencement of sandmining on the North Coast.

Mr Rumble—from certain citizens opposing certain increases in public hospital charges.

Mr Morris—from certain citizens requesting the construction of a pedestrian footbridge at Faulconbridge railway station.

Mr Hunter—from certain citizens requesting the abolition of the flat-rate sewerage pump-out charge.

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 opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

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

3 PAPERS

(1) Mr Armstrong laid upon the Table—

Egg Industry (Repeal and Deregulation) Act 1989—Egg Standards Regulation 1989—clauses 1 to 6. (Gazette 88/1989.)

Meat Industry Act 1978—Meat Industry (Licensing) Regulation 1980—amendment of clauses 6, 13, 20, 28, 32, 34C, 38, 39C, 40, 41, 42, 43. (Gazette 90/1989.)

Referred to the Printing Committee.

(2) Mr Causley laid upon the Table—

Water Act 1912—Water (Part II) Regulations—regulation 40A. (Gazette 85/1989.)

Referred to the Printing Committee.

4 MINISTERIAL STATEMENT - STRUCTURAL EFFICIENCY PRINCIPLE

Mr Fahey made a ministerial statement concerning the implementation of the structural efficiency principle in the New South Wales public sector.

Mr Carr also addressed the House.

5 QUESTIONS

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1989

6 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 Police Regulation (Reinstatement) Bill.

Debate ensued.

Question put and passed.

7 ENVIRONMENTAL OFFENCES AND PENALTIES BILL

The Order of the Day having been read, Mr West moved, That this bill "be" now read a third time.

Mr Moore 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 clause 6"—instead thereof.

Question proposed—That the amendment be agreed to—put and passed.

Question proposed—That this bill be recommitted for the reconsideration of clause 6—put and passed.

Mr Speaker left the Chair and the House resolved itself into a Committee of the Whole for the reconsideration of clause 6.

Mr Speaker resumed the Chair, and the Chairman reported the bill a second time with a further 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.

8 VALUATION OF LAND (SUBDIVISION) AMENDMENT BILL

Mr Causley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Valuation of Land Act 1916 with respect to the separate valuation of lots in new subdivisions; 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.

9 STRATA TITLES (REGISTRATION OF PLANS) AMENDMENT BILL
STRATA TITLES (LEASEHOLD) (REGISTRATION OF PLANS) 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 Strata Titles Act 1973 with respect to the registration of plans, including plans of buildings that encroach on other land; and for other purposes.
- (ii) A bill for an Act to amend the Strata Titles (Leasehold) Act 1986 with respect to the registration of plans, including plans of buildings that encroach on other land; 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 Amery) and the resumption of the debate made an Order of the Day for a future day.

10 AREA HEALTH SERVICES (ELECTIONS) 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.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1989

Ayes 58

Mr Andrews	Mr Hay	Mr Roberts
Mr Arkell	Mr Jeffery	Mr Schipp
Mr Armstrong	Mr Keegan	Mr Shultz
Mr Baird	Mr Kerr	Mr Small
Mr Books	Mr Longley	Mr Smiles
Mr J. D. 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	Mr Morris	Mr Welsh
Mr Collins	Mr Murray	Mr West
Mr Cruickshank	Mr D. L. Page	Mr White
Mr Dowd	Mr Park	Mr Yabsley
Mr Downy	Mr Peacocke	Mr Yeomans
Mr Fahey	Mr Petch	Mr Zammit
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers,
Mr Griffiths	Ms Read	Mr Beck
Mr Hartcher	Mr Rixon	Mr Phillips

Noes 40

Ms Allan	Mr Hunter	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Dr Refshauge
Mr Arkell	Mr Knowles	Mr Rogan
Mr Brereton	Mr Langton	Mr Rumble
Mr Carr	Mr Lovelee	Mr Shedden
Mr Cleary	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Markham	Mr Walsh
Mr Davoren	Mr Martin	Mr Whelan
Mr Doyle	Mr Mills	
Mr Face	Ms Moore	
Mr Ferguson	Mr Moss	Tellers,
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Mr Beckroge
Mr Harrison	Mr Newman	Mr Christie

Pairs

Mr Berry
Mr Greiner
Mr Singleton

Mr Aquilina
Mr H. F. Moore
Mr Price

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 Collins, read a third time:

11 MINING (GEOLOGICAL AND MINING MUSEUM) 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—

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.

—
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
20 September 1989

13 MARITIME PORT CHARGES 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.

14 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council dated 20 September 1989, returning the Bicentennial Park Trust (Leases) Amendment Bill, without amendment.

15 POLICE REGULATION (REINSTATEMENT) 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 Dowd, on behalf of Mr Greiner, read a third time.

16 LEGAL AID COMMISSION (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 amendment made by the Legislative Council in the Legal Aid Commission (Amendment) Bill.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit again tomorrow.

17 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put.

The House divided.

Ayes 57

Mr Andrews
Mr Arkell
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr J. D. Booth
Mr Catterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Glachan
Mr Graham
Mr Griffiths
Mr Hartcher

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

Mr Schipp
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 Yeomans
Mr Zammit

Tellers,

Mr Park
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
20 September 1989

Noes 38

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Knowles	Dr Refshauge
Mr Anderson	Mr Langton	Mr Rogan
Mr Brereton	Mr Lovelee	Mr Rumble
Mr Carr	Mr McManus	Mr Shedden
Mr Cleary	Mr Markham	Mr Unsworth
Mrs Crosio	Mr Martin	Mr Walsh
Mr Doyle	Mr Mills	Mr Whelan
Mr Face	Mr Moss	
Mr Ferguson	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

Pairs

Mr Collins	Mr Aquilina
Mr Greiner	Mr H. F. Moore
Mr Hay	Mr Price

And so it was resolved in the affirmative.

The House adjourned accordingly at 10.05 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 62

THURSDAY 21 SEPTEMBER 1989

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 establish a State owned corporation in relation to grain handling; to provide for the transfer of assets, rights and liabilities of the Grain Handling Authority; to amend the State Owned Corporations Act 1989 and certain other Acts; to repeal the Grain Handling Act 1954; 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 1989

JOHN JOHNSON
President

GRAIN HANDLING AUTHORITY (CORPORATISATION) BILL

Schedule of the amendments referred to in Message of 20 September 1989

M.J. SWINSON
for Clerk of the Parliaments

No. 1 Page 7. After clause 15, insert:

Composition of board

16. Part 2 of Schedule 2 to the State Owned Corporations Act 1989 is, as regards Grain Corporation and Grain Holdings, to be taken to be altered by inserting after clause 1 (6) the following subclauses:

(6A) At least one-half of the directors of the corporation are to be graingrowers appointed from a panel nominated by NSW Farmers' Association. If nominations to constitute a panel are not made within the time and in the manner directed by the voting shareholders, or if the panel is not of the size requested by the voting shareholders, this subclause has no effect on the occasion of the appointments concerned.

(6B) One of the directors of the corporation is to be a person elected by the full-time employees of the corporation in accordance with procedures determined by the voting shareholders of the corporation. A person may be at the same time both an elected director and an employee of the corporation. If no person is nominated at an election, or if for any other reason an election fails, any full-time employee of the corporation may be appointed as the elected director.

No. 2 Page 7. Before clause 16 (as printed), insert:

Freedom of Information Act 1989

17. For the purposes of the Freedom of Information Act 1989, Grain Corporation and Grain Holdings are to be taken to be public authorities and not to be exempt (under section 9 of and Schedule 2 to that Act) from the operation of that Act in respect of any of its functions.

Examined
BERYL EVANS
Temporary Chairman of Committees

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 September 1989

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.

2 PETITIONS

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

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

Mr Lovelee—from certain citizens opposing the proposed closure of the Villawood office of the Department of Housing.

Mr Hunter—from certain citizens requesting the construction of the Toronto Court House Complex.

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

Mr Welsh—from certain citizens opposing the use of haul nets in the southern end of Lake Macquarie.

Mr Graham—from certain citizens requesting the construction of a roundabout at the intersection of the Pacific Highway and Renwick Street, Wyoming.

Mr Harrison and Mr Rixon—from certain citizens requesting support for a public inquiry into the proposed recommencement of sandmining on the North Coast.

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

Mr J. H. Murray—from certain citizens opposing the logging of State forests.

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

Mr Beck—from certain citizens requesting that working conditions for librarian staff in primary and secondary schools be restored to the 1988 level.

Mr Rixon—from certain citizens opposing the re-routing of the Tweed River by the construction of a second river mouth.

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

Ms Moore—from certain citizens requesting that legal action not be taken against stallholders over the use of the trademark and name of Paddys' Market.

3 PAPERS

(1) Mr Greiner laid upon the Table—

The Treasurer's Public Accounts and Other Reviews for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Mr Armstrong laid upon the Table—

Report of the Grain Sorghum Marketing Board for 1988.

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—clause 8A. (Gazette 87/1989.)

Disability Services and Guardianship Act 1987—Disability Services and Guardianship (General) Regulation 1989—clauses 1 to 13. (Gazette 83/1989.)

Hunter Water Board Act 1988—

(a) Hunter Water Board (Elections) Regulation 1989—clauses 1 to 25, schedule 1. (Gazette 90/1989.)

(b) Hunter Water Board (Finance) Regulation 1989—clauses 1 to 48. (Gazette 90/1989.)

(c) Hunter Water Board (Penalty Notices) Regulation 1989—clauses 1 to 4, schedule 1. (Gazette 90/1989.)

(d) Hunter Water Board (Protection of Property) Regulation 1989—clauses 1 to 4. (Gazette 90/1989.)

(e) Hunter Water Board (Recreational Use of Reservoirs) Regulation 1989—clauses 1 to 51, schedule 1. (Gazette 90/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 September 1989

- (f) Hunter Water Board (Trade Waste) Regulation 1989—clauses 1 to 14. (Gazette 90/1989.)
- (g) Hunter Water Board (Water, Sewerage and Drainage Systems) Regulation 1989—clauses 1 to 30. (Gazette 90/1989.)

Referred to the Printing Committee.

- (4) Mr Baird laid upon the Table—

Motor Vehicle Driving Instructors Act 1961—Motor Vehicle Driving Instructors Regulations—amendment of clauses 3 to 9, 12, omission of schedule B. (Gazette 92/1989.)

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 94/1989.)
Lane Cove. (Gazette 93/1989.)
Lane Cove West. (Gazette 93/1989.)
Menangle. (Gazette 94/1989.)
Mount Pleasant. (Gazette 93/1989.)
Sunnyside. (Gazette 94/1989.)
Welby. (Gazette 94/1989.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 12, 12C, 18, 111. (Gazette 92/1989.)

Referred to the Printing Committee.

4 AUDITOR-GENERAL'S REPORT

Mr Speaker laid upon the Table—

Report of the Auditor-General for 1988-89 upon—

- (1) The Auditor General's Office for the year ended 30 June 1989.
- (2) The Treasurer's Public Accounts and Other Reviews for the year ended 30 June 1989, Volume 2.

Ordered to be printed.

5 INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker laid upon the Table—

Report of the Independent Commission Against Corruption for the period 13 March 1989 to 30 June 1989.

Ordered to be printed.

6 QUESTIONS

7 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—

Appropriation Bill

Public Authorities (Financial Arrangements) Amendment Bill.

Question put and passed.

8 SPECIAL ADJOURNMENT

Ordered, on the motion of Mr Dowd, That this House at its rising this day do adjourn until Tuesday, 10 October 1989, at 2.15 p.m.

9 APPROPRIATION BILL

PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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 Longley 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
21 September 1989

10 GRAIN HANDLING AUTHORITY (CORPORATISATION) 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 Grain Handling Authority (Corporatisation) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had disagreed with the Council amendments.

Report adopted.

Ordered, on the motion Mr Webster, That the following message be sent to the Legislative Council—

Mr PRESIDENT

The Assembly having had under consideration the Legislative Council's message dated 20 September, 1989 requesting the concurrence of the Legislative Assembly with certain amendments to the Grain Handling Authority (Corporatisation) Bill 1989 as set forth in the Schedule to that Message, acquaints the Legislative Council as follows—

Amendment No. 1: The Assembly disagrees to the proposed amendment because—
It is an essential concept of Corporatisation that voting shareholders select Board Members on the basis of their demonstrated commercial expertise.

Amendment No. 2: The Assembly disagrees with the proposed amendment because—
The principle of competitive neutrality is essential to the whole philosophy of corporatisation. To make Graincorp subject to Freedom of Information Legislation would place it at a competitive disadvantage.

And the Legislative Assembly requests the concurrence of the Legislative Council in its disagreement from the Council amendments in the bill.

Legislative Assembly
21 September 1989

K.R. ROZZOLI
Speaker

11 LEGAL AID COMMISSION (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 amendment made by the Legislative Council in the Legal Aid Commission (Amendment) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendment.

Report adopted.

12 LEGAL PROFESSION (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 Legal Profession (Amendment) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

13 MINORS (PROPERTY AND CONTRACTS) 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.

It being 2.15 p.m., General Business proceeded with.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 September 1989

14 AUSTRALIAN SECURITIES COMMISSION

Mr Irwin moved, pursuant to notice, That this House condemns the Government for its mishandling of arrangements for the establishment of the Australian Securities Commission.

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

15 PRINTING COMMITTEE

Mr Small brought up Report No. 21 of the Printing Committee.

16 PAPER

Mr Dowd laid upon the Table: Report of the Bureau of Crime Statistics and Research on Lower Criminal Courts and Children's Court Statistics for 1988.

Referred to the Printing Committee.

17 PUBLIC TRUSTEES (FURTHER AMENDMENT) BILL
PROTECTED ESTATES (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 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.

Madam Deputy-Speaker left the Chair at 4.25 p.m. until the ringing of one long bell.

Mr Speaker resumed the Chair at 8.20 p.m.

18 MINISTERIAL STATEMENT—LOWER CRIMINAL COURTS AND CHILDRENS COURT STATISTICS

Mr Dowd made a ministerial statement concerning the Report of the Bureau of Crime Statistics and Research on Lower Criminal Courts and Children's Court Statistics for 1988.

19 MINISTERIAL STATEMENT—LEXINGTON HOMES

Mr Dowd, on behalf of Mr Schipp, made a ministerial statement concerning Lexington Homes.

20 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's Message, dated 21 September, 1989, in reference to the Grain Handling Authority (Corporatisation) Bill, acquaints the Legislative Assembly as follows,—

Amendment No. 1—Does not insist on its amendment but proposes a further amendment in the Bill as follows:

Page 7. After clause 15, insert:

Composition of Board

16. Part 2 of Schedule 2 to the State Owned Corporations Act 1989 is, as regards Grain Corporation, to be taken to be altered by inserting after clause 1 (6) the following subclauses:

- (6A) The Board is to consist of the following:
 - (a) a Chairman, selected by the voting shareholders;
 - (b) three directors, selected for their commercial expertise by the voting shareholders;
 - (c) three directors, selected under subclause (6B) to be grower nominee directors;
 - (d) a director with industrial relations experience, selected under subclause (6D), not being an employee of the corporation;
 - (e) the chief executive officer of the corporation.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 September 1989

- (6B) Grower nominee directors are to be selected by a Selection Committee from among persons each nominated in writing by at least 20 grain growers after nominations have been called by advertisement in a newspaper (circulating throughout New South Wales) at least 2 weeks before the close of nominations. In this subclause, "grain grower" means a person having a registration number allocated by a board having statutory responsibilities for the marketing of grains or a person having such other qualifications as are prescribed by regulations made under the Grain Handling Authority (Corporatisation) Act 1989.
- (6C) The Selection Committee for grower nominee directors is to consist of the following:
- (a) the Chairman of the Board (or, if that position is vacant, a person nominated by the voting shareholders);
 - (b) a representative nominated by the NSW Farmers' Association;
 - (c) a representative nominated by the Prime Wheat Association;
 - (d) two other persons nominated by the voting shareholders.

(6D) The director with industrial relations experience is to be selected by a Selection Committee from among panels of three persons, each such panel being nominated by a union of employees having coverage of employees of the corporation.

- (6E) The Selection Committee for the director with industrial relations experience is to consist of the following:
- (a) the Chairman of the Board (or, if that position is vacant, a person nominated by the voting shareholders);
 - (b) two persons nominated jointly by the unions of employees having coverage of employees of the corporation;
 - (c) two other persons nominated by the voting shareholders.

(6F) Subject to this clause, the procedures for nominating and selecting the grower nominee directors and the director with industrial relations experience, for determining which unions of employees have coverage of employees of the corporation and for constituting the Selection Committees are to be as determined by the voting shareholders.

in which further amendment the Legislative Council requests the concurrence of the Legislative Assembly.

Amendment No. 2—Does not insist on its amendment.

Legislative Council
21 September 1989

JOHN JOHNSON
President

Ordered by Mr Speaker, That the amendment made by the Legislative Council in this bill be taken into consideration forthwith.

21 GRAIN HANDLING AUTHORITY (CORPORATISATION) 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 further amendment made by the Legislative Council in the Grain Handling Authority (Corporatisation) Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the further Council amendment.

Report adopted.

22 ADJOURNMENT

Mr Webster moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 8.35 p.m., until Tuesday, 10 October, 1989 at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 63

TUESDAY 10 OCTOBER 1989

1 MESSAGES FROM THE GOVERNOR

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

27 September 1989

Grain Handling Authority (Corporatisation) Bill
Mining (Access to Lands) Amendment Bill.

2 PETITIONS

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

Mr Phillips—from certain citizens requesting rights to protect their premises against criminals.

Ms Moore—from certain citizens requesting that legal action not be taken against stallholders over the use of the trademark and name of Paddys' Market.

Mr Hartcher, Mr Martin, Mr D. L. Page, Mr Schipp and Mr Schultz—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr A. S. Aquilina, Mr Griffiths, Mr Markham, Mr Morris and Mr Petch—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Hartcher, Mr Martin, Mr D. L. Page, Mr Rogan, Mr Walsh and Mr Wotton—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Welsh—from certain citizens opposing the use of haul nets in the southern end of Lake Macquarie.

Ms Moore—from certain citizens opposing proposed measures that would prohibit parades and processions in the streets of Sydney.

Mr Longley—from certain citizens praying for measures to eliminate all health hazards from Sydney beaches.

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

Mr Nagle—from certain citizens opposing the recommendations of the Anti-Discrimination Board that religious conviction be made a ground of unlawful discrimination under the Anti-Discrimination Act.

Mr Nagle—from certain citizens opposing staffing level cuts and closure of public lavatories at Regents Park, Auburn, Berala and Lidcombe railway stations.

Mr Nagle—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Mr Langton and Ms Read—from certain citizens requesting the establishment of an independent public inquiry into an integrated transport system for Sydney.

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 opposing the closure of the Waterloo office of the Department of Housing.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 October 1989

Mr Face—from certain citizens opposing the early release of prisoners charged with serious criminal offences.

Mr Rogan—from certain citizens requesting support for a public inquiry into the proposed recommencement of sand mining on the North Coast.

Mr Chappell—from certain citizens requesting that working conditions for librarian staff in primary and secondary schools be restored to the 1988 level.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Ombudsman under section 31 of the Ombudsman Act concerning a request for the urgent amendment of the Ombudsman Act to enable the Ombudsman to delegate to the Deputy Ombudsman or to an Assistant Ombudsman a function conferred by Section 19(2) of the Ombudsman Act, dated 18 August, 1989.

Referred to the Printing Committee.

(2) Mr Armstrong laid upon the Table—

Dairy Industry Act 1979—Dairy Industry (Pricing) Regulation 1984—amendment of clauses 3, 4. (Gazettes 84/1989, 97/1989.)

Fisheries and Oyster Farms Act 1935—Fisheries and Oyster Farms (General) Regulation 1989—clause 62A, amendment of clause 32. (Gazette 94/1989(2).)

Meat Industry Act 1978—

(a) Meat Industry (Elections) Regulation 1988—amendment of clause 33. (Gazette 93/1989.)

(b) Meat Industry (Licensing) Regulation 1980—amendment of schedules 6, 7A. (Gazette 93/1989.)

Poultry Processing Act 1969—Poultry Processing Regulation 1982—amendment of schedule 2. (Gazette 94/1989.)

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 1989.

Report by the Attorney General of New South Wales pursuant to section 23 of the Listening Devices Act 1984 for 1988.

Criminal Procedure Act 1986—Criminal Procedure Regulation 1987—clauses 11, 12, amendment of clause 10, schedule 1. (Gazette 87/1989.)

District Court Act 1973—District Court Rules—part 19A, form 143, amendment of parts 1, 6, 9, 10, 19, 19A, 28, 32, 39, 45, 49, 51A, schedule—fees to solicitors, form 76. (Gazettes 52/1989, 62/1989(2), 69/1989 (2), 84/1989(2), 90/1989, 93/1989, 267/1989.)

Justices Act 1902—

(a) Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazettes 83/1989(2), 93/1989.)

(b) Maritime Services (Short Description of Offences) Regulation 1987—amendment of schedule 1. (Gazette 97/1989.)

Legal Profession Act 1987—Barristers (Practising Certificates) Regulation 1988—amendment of clause 5, omission of form 1. (Gazettes 84/1989, 87/1989.)

Motor Accidents Act 1988—Motor Accidents Regulation 1989—clauses 1 to 7. (Gazette 81/1989.)

Pre-Trial Diversion of Offenders Act 1985—Pre-Trial Diversion of Offenders Regulation 1989—clauses 1 to 6. (Gazette 62/1989.)

Supreme Court Act 1970—Supreme Court Rules—amendments 220 to 230. (Gazettes 62/1989(2), 78/1989, 83/1989(2), 89/1989, 90/1989(2), 97/1989(3).)

Trustee Act 1925—Trustee Regulation 1988—substituted clause 10. (Gazette 78/1989.)

Trustee Companies Act 1964—Trustee Companies Regulation 1980—clause 7, substituted schedule 2. (Gazettes 81/1989, 90/1989.)

Victims Compensation Act 1987—Victims Compensation Rule 1988—amendment of clause 3, schedule 2. (Gazettes 83/1989; 97/1989.)

Referred to the Printing Committee.

(4) - Mr Baird laid upon the Table—

Traffic Act 1909—Motor Traffic Regulations 1935—substituted regulation 130A, schedule K. (Gazette 98/1989.) †

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 October 1989

Transport Administration Act 1988—

- (a) Transport Administration (Penalty Notices) Regulation 1989—amendment of clause 4. (Gazette 98/1989.)
- (b) notifications of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes, at—

Glenlee. (Gazette 92/1989.)

Vineyard. (Gazette 94/1989.)

Referred to the Printing Committee.

(5) Mr Peacocke laid upon the Table—

Business Names Act 1962—Business Names Regulation 1989—clauses 1 to 10, schedules 1 to 3. (Gazette 90/1989.)

Credit (Home Finance Contracts) Act 1984—Credit (Home Finance Contracts) Regulation—clause 3A. (Gazette 90/1989.)

Credit Union Act 1969—Credit Union Regulations 1969—amendment of regulations 27AA, 27AB, 27BA. (Gazette 93/1989.)

Referred to the Printing Committee.

(6) Mr Fahey laid upon the Table—

Workers Compensation Act 1987—

- (a) Workers Compensation (General) Regulation 1987—clauses 31 to 34, amendment of clauses 24, 25, schedule 1. (Gazette 80/1989.)
- (b) Workers Compensation (General Rehabilitation Programmes) Regulation 1988—amendment of clause 4. (Gazette 80/1989.)
- (c) Workers Compensation (Insurance Premiums) Regulation 1987—amendment of clauses 5, 9, 10, 12, schedule 1. (Gazette 80/1989.)

Referred to the Printing Committee.

(7) Mr Causley laid upon the Table—

Private Irrigation Districts Act 1973—Moirā Board of Management (General) By-law 1989—clauses 1 to 5. (Gazette 97/1989.)

Water Administration Act 1986—Water Administration (Transferred Employees) Regulation 1988—clauses 1 to 4. (Gazette 90/1989.)

Referred to the Printing Committee.

(8) 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 open space and country road purposes at Hornsby. (Gazette 90/1989.)

Local Government Act 1919—amendment of ordinance 55. (Gazette 94/1989.)

Referred to the Printing Committee.

(9) Mr Yabsley laid upon the Table—

Community Service Orders Act 1979—Community Service Orders Regulation 1988—amendment of clause 17, schedule 1. (Gazette 83/1989.)

Periodic Detention of Prisoners Act 1981—Periodic Detention of Prisoners Regulation 1989—amendment of clauses 4, 5, 12, 19, 27, 29, 32, 33, 35, 47, 52, 57, omission of part 7. (Gazette 97/1989.)

Prisoners (Interstate Transfer) Act 1982—Prisoners (Interstate Transfer) Regulation 1984—amendment of clauses 2, 3, 5, 9, 12, 13, 15, 25, 29, 30, schedule 1. (Gazette 94/1989.)

Prisons Act 1952—

(a) Prisons (Administration) Regulation 1989—clauses 1 to 54, schedule 1. (Gazette 94/1989.)

(b) Prisons (General) Regulation 1989—clauses 1 to 187, schedules 1, 2. (Gazette 94/1989.)

Sentencing Act 1989—

(a) Sentencing Regulation 1989—clauses 1 to 20, schedule 1. (Gazette 97/1989.)

(b) Sentencing (Savings and Transitional Provisions) Regulation 1989—clauses 1 to 8. (Gazette 97/1989.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 October 1989

5 INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Speaker laid upon the Table—

Report of the Independent Commission Against Corruption concerning the Investigation relating to the Park Plaza Site, dated October, 1989.

Ordered to be printed.

6 JOINT STANDING COMMITTEE UPON ROAD SAFETY

The Clerk announced that in accordance with the resolution of the House of 15 November, 1988, he had received from the Chairman, the Fifteenth Report from the Joint Standing Committee on Road Safety concerning Alert Drivers and Safe Speeds for Heavy Vehicles, dated September, 1989.

The Clerk placed the Report upon the Table of the House.

7 QUESTIONS

8 MINISTERIAL STATEMENT—BEACHWATCH

Mr Moore made a ministerial statement concerning the first weekend operation of the interim Beachwatch service conducted by the State Pollution Control Commission and Coastal Studies Pty Limited.

Mr Carr also addressed the House.

9 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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.

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

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 APPROPRIATION BILL PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

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

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

Mr McManus 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.

12 MESSAGE FROM THE LEGISLATIVE COUNCIL

Madam Deputy-Speaker reported a message from the Legislative Council, dated 10 October 1989, returning the Mining (Geological and Mining Museum) Amendment Bill, without amendment.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
10 October 1989

13 ADJOURNMENT

Mr West 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.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 64

WEDNESDAY 11 OCTOBER 1989

1 PARLIAMENTARY LIBRARY—OXFORD ENGLISH DICTIONARY

Mr Speaker informed the House that on Tuesday 3 October 1989 the Presiding Officers had, on behalf of honourable members, handed over to the Parliamentary Library the 20-volume set of the Oxford English Dictionary donated by honourable members as a Bicentennial gift.

2 PETITIONS

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

Ms Moore—from certain citizens requesting that legal action not be taken against stallholders over the use of the trademark and name of Paddy's Market.

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

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

Ms Nori—from certain citizens opposing the closure of the Waterloo office of the Department of Housing.

Mr Rumble—from certain citizens opposing increases in public hospital charges.

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

Ms Moore—from certain citizens opposing recent policy changes by the Department of Housing.

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 proposed measures that would prohibit any parades and processions in the streets of Sydney.

Mr Rixon—from certain citizens opposing the implementation of regulations that would prohibit the use of handphones or microphones in motor vehicles.

Mr J. H. Murray—from certain citizens opposing the removal of certain traffic signs on Victoria Road at Seymour Street, Lyons Road, and Edwin Street, Drummoyne.

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

Mrs Crosio—from certain citizens requesting support for a public inquiry into the proposed recommencement of sand mining on the North Coast.

3 NOTICES OF MOTIONS

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 October 1989

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 water supply purposes, at—

Abermain. (Gazette 93/1989.)

Medowie. (Gazette 93/1989.)

Wallsend. (Gazette 93/1989.)

Referred to the Printing Committee.

(2) Mr West laid upon the Table—

Report of the Totalizator Agency Board for the year ended 30 June 1989.

Referred to the Printing Committee.

5 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 June 1989.

(b) Ordinary Returns as at 30 June 1989.

Ordered to be printed.

6 QUESTIONS

Papers: Mr Murray laid upon the Table letters from the Prime Minister and the Minister for Defence concerning the ANZAC Frigate Project.

Referred to the Printing Committee.

7 PERIODIC DETENTION OF PRISONERS (AMENDMENT) BILL

Mr Yabsley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Periodic Detention of Prisoners Act 1981 to allow longer sentences to be served by way of periodic detention, to provide that cumulative sentences may be served by way of periodic detention and to specify circumstances in which an order for periodic detention may be cancelled.

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 Davoren) and the resumption of the adjourned debate made an Order of the Day for a future day.

8 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 relating to the making and staged repeal of subordinate legislation" with the amendments indicated in the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
11 October 1989

JOHN JOHNSON
President

SUBORDINATE LEGISLATION BILL

Schedule of the amendments referred to in Message of 11 October 1989

M. J. SWINSON
for Clerk of the Parliaments

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 October 1989

No. 1 Page 5. After clause 7, insert:

Remaking of disallowed statutory rule

8. (1) This section applies where a House of Parliament has disallowed a statutory rule under section 41 of the Interpretation Act 1987.

(2) No statutory rule, being the same in substance as the statutory rule so disallowed, may be published in the Gazette within 4 months after the date of the disallowance, unless the resolution has been rescinded by the House of Parliament by which it was passed.

(3) If a statutory rule is published in the Gazette in contravention of this section, the statutory rule is void.

No. 2 Clause 8 (as printed), page 5. From clause 8 (1) omit "Failure", insert instead "Except as provided by section 8, failure".

No. 3 Clause 10 (as printed), page 6. Omit "9", insert instead "10".

Examined
ADRIAN SOLOMONS
Chairman of Committees

9 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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.

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

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.

MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 11 October 1989, returning the following bills without amendment:

Area Health Services (Elections) Amendment Bill
Marine Port Charges Bill.

11 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

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

Mr J. D. Booth 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
11 October 1989

12 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 11 October 1989, returning the following bills without amendment:

Minors (Property and Contracts) Amendment Bill
Police Regulation (Reinstatement) Bill.

13 ADJOURNMENT

Mr Schipp moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.33 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 65

THURSDAY 12 OCTOBER 1989

1 DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the Gallery of the visiting Parliamentary Delegation from the People's Republic of Bulgaria.

2 PETITIONS

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

Ms Read—from certain citizens requesting the establishment of an independent public inquiry into an integrated transport system for 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 opposing proposed measures for the prevention of parades and processions in the streets of Sydney.

Ms Moore—from certain citizens opposing recent policy changes by the Department of Housing.

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

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

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

Mr Small—from certain citizens requesting continued support for brain injury therapy programmes.

Mr Welsh—from certain citizens requesting support for a public inquiry into the proposed recommencement of sand mining on the North Coast.

Mr Welsh—from certain citizens opposing the use of haul nets in the southern end of Lake Macquarie.

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

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

Mr Anderson—from certain citizens opposing the introduction of contractors into public sector hospitals.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Dowd laid upon the Table—

Report of the State Drug Crime Commission for the year ended 30 June 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 October 1989

(2) Dr Metherell laid upon the Table—

Report of the Nepean College of Advanced Education for 1988.

Macquarie University Act 1989—amendments of, and additions to, the By-laws of Macquarie University. (Gazette 94/1989.)

University and University Colleges Act 1900—amendments of, and additions to, the By-laws of the University of Sydney. (Gazette 93/1989.)

University of Sydney Act 1989—amendments of, and additions to, the By-laws of the University of Sydney. (Gazette 94/1989.)

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

Report of the Occupational Health, Safety and Rehabilitation Council for the year ended 30 June 1988.

Referred to the Printing Committee.

5 QUESTIONS

6 SUSPENSION OF STANDING ORDERS

Mr Anderson 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 failing to establish a full and open judicial inquiry into the circumstances surrounding the investigation, arrest and charging of Harry Blackburn.

Question put.

The House divided.

Ayes 46

Ms Allan	Mr Hatton	Mr Newman
Mr Amery	Mr Hunter	Ms Nori
Mr Anderson	Mr Irwin	Mr Page
Mr A. S. Aquilina	Mr Knight	Mr Price
Mr Arkell	Mr Knowles	Mr Primrose
Mr Brereton	Mr Langton	Ms Read
Mr Carr	Mr Lovelee	Dr Refshauge
Mr Cleary	Mr McManus	Mr Rogan
Mrs Crosio	Mr Markham	Mr Rumble
Mr Davoren	Mr Martin	Mr Shedden
Mr Doyle	Mr Mills	Mr Unsworth
Mr Face	Mr H. F. Moore	Mr Whelan
Mr Ferguson	Ms Moore	
Ms Fraser	Mr Moss	Tellers,
Mr Gibson	Mr J. H. Murray	Mr Beckroge
Mr Harrison	Mr Nagle	Mr Christie

Noes 60

Mr Andrews	Mr Hay	Mr Shultz
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 J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	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 Cruickshank	Mr D. L. Page	Mr Wotton
Mr Dowd	Mr Park	Mr Yabstey
Mr Downy	Mr Peacocke	Mr Yeomans
Mr Fahey	Mr Petch	Mr Zammit
Mr Giachan	Mr Photios	
Mr Graham	Mr Pickard	Tellers,
Mr Greiner	Mr Rixon	
Mr Griffiths	Mr Roberts	Mr Beck
Mr Hartcher	Mr Schipp	Mr Phillips

And so it passed in the negative.

7 COURTS LEGISLATION (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 procedure of the Supreme Court, Industrial Commission, Land and Environment Court, Compensation Court, District Court and Local Courts; 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 LAW REFORM (VICARIOUS LIABILITY) AMENDMENT BILL
EMPLOYEE'S LIABILITY (INDEMNIFICATION OF EMPLOYER)
AMENDMENT BILL

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

- (i) A bill for an Act to amend the Law Reform (Vicarious Liability) Act 1983 in relation to the vicarious liability of the Crown and other employers in connection with statutory exemptions from personal liability.
- (ii) A bill for an Act to amend the Employee's Liability (Indemnification of Employer) Act 1982 to extend that Act to employees of the Crown.

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 adjourned debate made an Order of the Day for a future day.

9 SUBORDINATE LEGISLATION 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 Subordinate Legislation Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

10 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 with respect to trading stamp schemes and similar schemes; to repeal the Trading Stamps Act 1972; 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.

11 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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 J. D. Booth 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.

It being 2.15 p.m., General Business proceeded with.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
12 October 1989

12 GRIEVANCE DEBATE

Question proposed—That grievances be noted.

Debate ensued.

Question put and passed.

13 PRINTING COMMITTEE

Mr Small brought up report No. 22 of the Printing Committee.

14 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.16 p.m., until Tuesday, 17 October 1989, at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 66

TUESDAY 17 OCTOBER 1989

1 MESSAGES FROM THE GOVERNOR

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

12 October 1989

Legal Aid Commission (Amendment) Bill
Legal Profession (Amendment) Bill.

2 PETITIONS

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

Dr Refshauge—from certain citizens opposing the proposed closure or relocation of Prince Henry Hospital.

Dr Refshauge—from certain citizens opposing the proposed relocation of Prince Henry Hospital and the Royal Hospital for Women to Randwick.

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

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

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

Ms Fraser—from certain citizens requesting support for a public inquiry into the proposed recommencement of sand mining on the North Coast.

Mr Lovelee—from certain citizens opposing the closure of the Villawood office of the Department of Housing.

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 policy changes by the Department of Housing.

Ms Moore—from certain citizens opposing proposed measures that would prohibit any parades and processions in the streets of Sydney.

Mr Amery—from certain citizens requesting the provision of public lavatories at all railway stations.

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

Mr Graham—from certain citizens requesting the construction of a roundabout at the intersection of the Pacific Highway and Renwick Street, Wyoming.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 October 1989

Mr Welsh—from certain citizens opposing the use of haul nets in the southern end of Lake Macquarie.

Mr Rogan—from Mr Brian Donovan Q.C. on behalf of the Honourable J.P. Slattery, Commissioner of the Royal Commission of Inquiry into the former Chelmsford Private Hospital and Mental Health Services in New South Wales praying that the House will grant leave for the reception into evidence of Parliamentary Debates for the Legislative Assembly of 12 September 1984, pages 778 to 786; 20 March 1985, pages 4807 and 4808; 15 October 1985, pages 7820 and 7821; 29 October 1985, pages 8868 and 8869; 11 March 1986, pages 706 to 714; 23 September 1986, page 3800; 16 October 1986, pages 4901 to 4904; and 2 April 1987, pages 10062 to 10064, where Patrick Allan Rogan spoke on and questioned matters the subject of the Royal Commission and waive any privilege attached thereto.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Treasury Corporation for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Residential Tenancies Act 1987—

(a) Residential Tenancies Regulation 1989—clauses 1 to 30, schedules 1, 2. (Gazette 100/1989.)

(b) Residential Tenancies Tribunal Regulation 1989—clauses 1 to 17, schedules 1, 2. (Gazette 100/1989.)

Referred to the Printing Committee.

(3) Mr Peacocke laid upon the Table—

Report of the Department of Business and Consumer Affairs for the year ended 30 June 1989.

Referred to the Printing Committee.

5 QUESTIONS

6 MEETING OF BOTH HOUSES OF THE NEW SOUTH WALES PARLIAMENT
TO HEAR AN ADDRESS BY HIS EXCELLENCY THE HONOURABLE
SHUNICHI SUZUKI GOVERNOR OF THE METROPOLIS OF TOKYO

- (1) Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council invites the Legislative Assembly to be present in the Legislative Council Chamber at 11.50 a.m. on Thursday, 19 October, 1989, and there, at 12.00 noon to be addressed by His Excellency the Honourable Shunichi Suzuki, Governor of the Metropolis of Tokyo.

Legislative Council
17 October 1989

JOHN JOHNSON
President

Ordered, by Mr Speaker, That the Legislative Council's message be taken into consideration forthwith.

- (2) Ordered, on motion of Mr Greiner, That this House at 11.45 a.m. on Thursday, 19 October, 1989, proceed to the Legislative Council Chamber and there, at 12.00 noon be addressed by His Excellency the Honourable Shunichi Suzuki, Governor of the Metropolis of Tokyo.
- (3) Ordered, on motion of Mr Greiner, That the following message be sent to the Legislative Council:

MR PRESIDENT

The Legislative Assembly having taken into consideration the Legislative Council message dated 17 October, 1989, has resolved to be present in the Legislative Council Chamber at 11.50 a.m. on Thursday, 19 October, 1989 and there, at 12.00 noon be addressed by His Excellency the Honourable Shunichi Suzuki, Governor of the Metropolis of Tokyo.

Legislative Assembly
17 October 1989

K. R. ROZZOLI
Speaker

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 October 1989

7 PETITION—GRANT OF PRAYER

Mr Dowd moved, (by leave), That, in response to the petition of Mr Brian Donovan, Q.C., Counsel assisting the Royal Commission of Inquiry into the former Chelmsford Private Hospital and Mental Health Services in New South Wales presented to the House this day, this House authorises the Honourable J.P. Slattery, being an Acting-Judge of the Supreme Court of New South Wales constituted as the said Royal Commission under Letters Patent dated 14 September, 1988 to receive into evidence Parliamentary Debates for the Legislative Assembly of 12 September 1984, pages 778 to 786; 20 March 1985, pages 4807 and 4808; 15 October 1985, pages 7820 and 7821; 29 October 1985, pages 8868 and 8869; 11 March 1986, pages 706 to 714; 23 September 1986, page 3800; 16 October 1986, pages 4901 to 4904; and 2 April 1987, pages 10062 to 10064, where Patrick Allan Rogan spoke on and questioned matters the subject of the Royal Commission; and waives any privilege attached thereto.

Debate ensued.

Question put and passed.

8 LOCAL GOVERNMENT (WORK ON PRIVATE LAND) 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 carrying out of work on private land by councils.

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 Rogan) and the resumption of the adjourned debate made an Order of the Day for a future day.

9 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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.

Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

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 APPROPRIATION BILL PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

Resumption of the interrupted consideration of the bills in Committee.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit again tomorrow.

12 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd, on behalf of the Premier, gave notice of business to be dealt with on 18 October 1989, 24 October 1989, 25 October 1989 and 26 October 1989—

Appropriation Bill
Public Authorities (Financial Arrangements) Amendment Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
17 October 1989

13 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.53 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

**VOTES
AND
PROCEEDINGS**

No. 67

WEDNESDAY 18 OCTOBER 1989

1 PETITIONS

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

Mr Berry, Mr Harrison, Mr Yeomans and Mr Zammit—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 legislation to implement citizen-initiated referendums.

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

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

Ms Moore—from certain citizens opposing recent policy changes by the Department of Housing.

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

Mr McManus—from certain citizens requesting support for a public inquiry into the proposed recommencement of sand mining on the North Coast.

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 the upgrading of facilities at Batemans Bay District Hospital.

Dr Refshauge—from certain citizens opposing the proposed closure or relocation of Prince Henry Hospital.

2 NOTICES OF MOTIONS

3 PAPERS

Mr Webster laid upon the Table—

Statement pursuant to section 26 of the State Owned Corporations Act 1989 concerning the memorandum and articles of association of New South Wales Grain Corporation Limited containing provisions to the effect of those set out in schedule 2 of the Act.

Referred to the Printing Committee.

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 Minister for Health for misleading the House regarding the provision of Neo-natal Intensive Care Services.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 October 1989

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

Question put.

The House divided.

Ayes 42

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

Noes 62

Mr Andrews	Mr Hatton	Mr Schipp
Mr Arkell	Mr Hay	Mr Shultz
Mr Armstrong	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smiles
Mr Books	Miss Machin	Mr Smith
Mr J. D. Booth	Mr Matheson	Mr Souris
Mr Caterson	Mr Merton	Mr Tink
Mr Causley	Dr Metherell	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
Mr Cochran	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 Dowd	Mr Park	Mr Yeomans
Mr Downy	Mr Peacocke	Mr Zammit
Mr Fahey	Mr Petch	
Ms Fraser	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.

6 QUESTIONS (continuation of entry No. 4)

7 TOW TRUCK BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for a licensing and certification scheme for tow truck operators and drivers and to regulate other matters relating to the tow truck industry; to constitute the Tow Truck Industry Council; to repeal the Tow-truck Act 1967, the Tow Truck Industry Act 1987 and certain other Acts; to amend certain Acts; 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
18 October 1989

8 COMMUNITY SERVICE ORDERS (AMENDMENT) BILL

Mr Yabsley moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Community Service Orders Act 1979 to increase the number of hours of community service work that a person may be required to perform under a community service order; and for other purposes.

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 Nagle) and the resumption of the adjourned debate made an Order of the Day for a future day.

9 BUILDING SERVICES CORPORATION BILL
CONSUMER CLAIMS TRIBUNALS (BUILDING DISPUTES) AMENDMENT
BILL
LOCAL GOVERNMENT (BUILDING APPROVALS) AMENDMENT BILL

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

- (i) A bill for an Act to make provision concerning the residential building industry and certain specialist work; to constitute the Building Services Corporation and define its functions; and for other purposes.
- (ii) A bill for an Act to amend the Consumer Claims Tribunals Act 1987 to make further provision for the hearing and determination of certain claims concerning building goods and services.
- (iii) A bill for an Act to amend the Local Government Act 1919 with respect to council building approvals and information concerning builders; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mr Schipp 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.

10 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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 bills.

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 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

Resumption of the interrupted consideration of the bills in Committee.

Mr Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman, reported progress and obtained leave to sit again tomorrow.

13 ADJOURNMENT

Mr Moore moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 10.19 p.m., until tomorrow at 10.30 a.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 68

THURSDAY 19 OCTOBER 1989

1 PETITIONS

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

Mr Causley, Mr Christie, Mr Harrison, Mr Markham, Mr Park, Mr Tink and Mr Turner—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Mr Berry, Mr Schultz and Mr Yeomans—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr D. L. Page and Mr Schultz—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Rumble—from certain citizens requesting support for legislation to protect the unborn.

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

Mr Nagle—from certain citizens opposing staffing cuts and closure of public lavatories at Regents Park, Auburn, Berala and Lidcombe railway stations.

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

Mr Arkell—from certain citizens opposing the closure of the Warrawong office of the Department of Housing.

Mr Webster—from certain citizens requesting the maintenance of the current food labelling standards.

Mr Martin—from certain citizens requesting an increased police presence in Karuah.

2 PAPERS

(1) Mr Moore laid upon the Table—

Lord Howe Island Act 1953—notice of transfer of lease pursuant to the provisions of the Act. (Gazette 88/1989(2).)

National Parks and Wildlife Act 1974—Fauna Protection Regulations 1949—amendment of regulations 5, 10A, 10D, forms 25, 28. (Gazette 88/1989.)

Referred to the Printing Committee.

3 QUESTIONS

4 APPROPRIATION BILL

PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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 bills.

Mr Speaker resumed the Chair, the Chairman reported progress and obtained leave to sit again tomorrow.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 October 1989

5 JOINT MEETING OF THE LEGISLATIVE ASSEMBLY AND LEGISLATIVE COUNCIL TO HEAR AN ADDRESS BY HIS EXCELLENCY THE HONOURABLE SHUNICHI SUZUKI, GOVERNOR OF THE METROPOLIS OF TOKYO

It being 11.45 a.m., pursuant to the resolution of 17 October 1989, the House proceeded to the Legislative Council Chamber, and there, at 12.00 noon were addressed by His Excellency the Honourable Shunichi Suzuki, Governor of the Metropolis of Tokyo.

And being returned—

Mr Speaker left the Chair at 12.41 p.m., until 2.15 p.m.

Mr Speaker resumed the Chair at the hour named.

It being after 2.15 p.m., General Business proceeded with.

6 FEDERAL COALITION TAXATION POLICY

Mr Zammit moved, pursuant to notice, That this House congratulates the Federal Coalition on its taxation and expenditure policy and expresses support for the policy as a means of reversing the decline in New South Wales family living standards.

Debate ensued.

It being 4.15 p.m., debate interrupted.

Motion lapsed.

7 PRINTING COMMITTEE

Mr Small brought up report No. 23 of the Printing Committee.

8 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, 24 October 1989, at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 69

TUESDAY 24 OCTOBER 1989

1 PETITIONS

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

Ms Allan, Mr Doyle, Mr Langton and Ms Read—from certain citizens requesting the establishment of an independent public inquiry into an integrated transport system for Sydney.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 October 1989

Mr Berry, Mr Glachan and Mr Hartcher—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Hunter—from certain citizens requesting the abolition of the flat rate sewerage pump out charge.

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

Mr Martin—from certain citizens requesting an increased police presence in Karuah.

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

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Collins laid upon the Table—

Area Health Services Act 1986—Area Health Services (Visiting Practitioners) Regulation 1989—clauses 1 to 8. (Gazette 90/1989.)

Dentists Act 1934—Dentists Regulations—amendment of regulations 33, 34, 37B, 37C. (Gazette 98/1989.)

Optometrists Act 1930—Optometrists Regulations 1965—amendment of regulations 14, 22, 23, 25, 30. (Gazette 98/1989.)

Pharmacy Act 1964—Pharmacy Regulations—amendment of regulation 34. (Gazette 98/1989.)

Physiotherapists Registration Act 1945—Physiotherapists Registration Regulations—amendment of regulations 16, 17, 20. (Gazette 98/1989.)

Poisons Act 1966—

(a) Poisons Regulations—amendment of regulations 4, 42, 49, 51. (Gazettes 89/1989, 98/1989.)

(b) proclamations amending the poisons list. (Gazette 97/1989 (2).)

Public Hospitals Act 1929—Public Hospitals Regulations—regulations 62 to 68, omission of regulations 54 to 58. (Gazette 90/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 October 1989

Therapeutic Goods and Cosmetics Act 1972—Therapeutic Goods and Cosmetics Regulations—amendment of regulations 15, 17. (Gazette 98/1989.)

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Retirement Villages Act 1989—Retirement Villages Regulation 1989—clauses 1 to 7, schedule 1. (Gazette 101/1989.)

Referred to the Printing Committee.

(3) Mr Moore laid upon the Table—

Water Board Act 1987—

(a) Water Board (Plumbing and Drainage) Regulation 1989—clauses 1 to 25. (Gazette 97/1989.)

(b) Water Board (Protection of Property) Regulation 1989—clauses 1 to 8. (Gazette 97/1989.)

Referred to the Printing Committee.

(4) Mr Dowd laid upon the Table—

Report of the Public Accountants Registration Board for 1988.

Referred to the Printing Committee.

(5) Mr Peacocke laid upon the Table—

Fair Trading Act 1987—Retirement Village Industry Code of Practice Regulation 1989—clauses 1 to 3, schedule 1. (Gazette 99/1989.)

Registration of Interests in Goods Act 1986—Registration of Interests in Goods Regulation 1986—amendment of clauses 4 to 9, omission of clause 7. (Gazette 98/1989.)

Referred to the Printing Committee.

(6) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—notification under section 25 of the Act revoking the reservation of certain lands at—

Murwillumbah. (Gazette 97/1989.)

Newcastle. (Gazette 98/1989.)

Orange. (Gazette 101/1989.)

Randwick. (Gazette 101/1989.)

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements, for the purpose of a weir across the River Murray at Yarrowonga. (Gazette 97/1989.)

Valuation of Land Act 1916—Regulation No. 2 amendment of clause 5. (Gazette 87/1989.)

Referred to the Printing Committee.

4 MINISTERIAL ARRANGEMENT

Mr Murray informed the House that during the absence of the Honourable N. F. Greiner, M.P., Premier, Treasurer and Minister for Ethnic Affairs, he would be assuming the duties of the Premier, Treasurer and Minister for Ethnic Affairs.

5 QUESTIONS

6 BUILDING SERVICES CORPORATION BILL

CONSUMER CLAIMS TRIBUNALS (BUILDING DISPUTES) AMENDMENT BILL

LOCAL GOVERNMENT (BUILDING APPROVALS) AMENDMENT BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Schipp, 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, and the House resolved itself into a Committee of the Whole for the consideration of the bills.

Mr Wotton, Acting Speaker, resumed the Chair, and Mr J. D. Booth, Temporary Chairman, reported the Building Services Corporation Bill with an amendment and the Consumer Claims Tribunals (Building Disputes) Amendment Bill and the Local Government (Building Approvals) Amendment Bill without amendment.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
24 and 25 October 1989 a.m.

On motion of Mr Schipp, the Report was adopted.

Ordered by Mr Wotton, Acting Speaker, That the third reading stand as an Order of the Day for tomorrow.

7 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT
BILL

The Order of the Day having been read, Mr Wotton, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bills.

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 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT
BILL

Resumption of the interrupted consideration of the bills in Committee.

And the Committee continuing to sit after midnight—

WEDNESDAY 25 OCTOBER 1989 a.m.

Mr Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman, reported progress and obtained leave to sit again tomorrow.

10 ADJOURNMENT

Mr Pickard moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.29 a.m., until 2.15 p.m., this day.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 70

WEDNESDAY 25 OCTOBER 1989

1 PETITIONS

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

Mr Amery, Mr Newman and Dr Refshauge—from certain citizens opposing the closure of local Department of Housing offices.

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

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

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

Ms Moore—from certain citizens opposing recent policy changes by the Department of Housing.

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

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

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

Mr Doyle—from certain citizens opposing the rezoning of certain land on the Fingal Peninsula.

Mr Doyle—from certain citizens requesting that certain land on the Fingal Peninsula be proclaimed as parkland.

Mr Doyle—from certain citizens requesting an investigation into Tweed Shire Council.

Mr Doyle—from certain citizens opposing the sale of certain land on the Fingal Peninsula to private developers.

Mr Doyle—from certain citizens opposing the proposed development by Ocean Blue Resorts on Fingal Peninsula.

Mr Doyle—from certain citizens opposing the destruction of wetlands on Fingal Peninsula.

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 16 October 1989.

Report and Determination pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975 dated 16 October 1989.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
25 October 1989

Erratum notice concerning the report and determination under section 4 of the Parliamentary Remuneration (Special Provisions) Act 1989 dated 28 July 1989.

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

Report of the Board of Architects for the year ended 30 June 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 99/1989.)

Referred to the Printing Committee.

(4) Mr Peacocke laid upon the Table—

Report of the Motor Vehicle Repair Industry Council for the year ended 30 June 1989.

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 99/1989.)

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Coal Mining Act 1973—Coal Mining Regulations 1974—amendment of regulation 17. (Gazette 86/1989.)

Energy Administration Act 1987—Energy Administration (Murray River County District) Electricity Rationing Regulation 1989—clauses 1 to 16. (Gazette 94/1989.)

Mine Subsidence Compensation Act 1961—Mine Subsidence Compensation Regulations—omission of regulations 2P to 2AA, schedules 4 to 8. (Gazette 98/1989.)

Mines Rescue Act 1925—Mines Rescue Regulations 1925—regulation 54FF, schedule 10. (Gazette 44/1989.)

Mining Act 1973—Mining Regulations 1974—regulation 22A. (Gazette 98/1989.)

Referred to the Printing Committee.

(6) Mr Causley laid upon the Table—

Report of the Surveyor General for the year ended 30 June 1989.

Referred to the Printing Committee.

4 QUESTIONS

5 BUILDING SERVICES CORPORATION BILL CONSUMER CLAIMS TRIBUNALS (BUILDING DISPUTES) AMENDMENT BILL LOCAL GOVERNMENT (BUILDING APPROVALS) AMENDMENT BILL

(Formal Order of the Day)—Bills, on motion of Mr Schipp, read a third time.

6 MURRAY VALLEY CITRUS MARKETING BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a Bill for an Act to make provision for a joint New South Wales and Victorian scheme for marketing citrus fruit 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 CREDIT (VALIDATION) 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 the calculation of accrued credit charges under certain contracts prematurely terminated.

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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
25 October 1989

8 WAREHOUSEMEN'S LIENS (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a Bill for an Act to amend the Warehousemen's Liens Act 1935 in relation to the sale of goods under that Act.

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.

9 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

The Order of the Day having been read, Mr Wotton, Acting Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the further consideration of the bills.

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 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

Resumption of the interrupted consideration of the bills in Committee.

Mr Speaker resumed the Chair, and the Chairman reported progress and obtained leave to sit again tomorrow.

12 MESSAGES FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported messages from the Legislative Council, dated 25 October 1989, returning the following bills, without amendment:

Building Services Corporation Bill
Consumer Claims Tribunals (Building Disputes) Amendment Bill
Local Government (Building Approvals) Amendment Bill.

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to acquaint the Legislative Assembly that it has this day discharged the Order of the Day for the second reading of the Property Services Corporation Bill.

Legislative Council
25 October 1989

JOHN JOHNSON
President

13 MINISTERIAL STATEMENT—DEATH OF STEPHEN NAYLOR

Mr Yabsley made a ministerial statement concerning the death in custody of Stephen Naylor.

14 ADJOURNMENT

Mr Yabsley 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

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 71

THURSDAY 26 OCTOBER 1989.

1 PETITIONS

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

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

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

Mr Harrison—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

Mr Petch—from certain citizens requesting support for the maintenance of Aboriginal land councils.

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

Ms Fraser—from certain citizens requesting the retention of open space land in the vicinity of Rozelle Hospital.

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Dowd laid upon the Table—

Report of the Bush Fire Council of New South Wales and the Co-ordinating Committee for the year ended 31 March 1989.

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Housing Act 1976—notification of acquisition, appropriation and/or resumption of land/and or easements, for road purposes at Tregear. (Gazette 98/1989.)

Referred to the Printing Committee.

(3) Mr West laid upon the Table—

Liquor Act 1982—Liquor Regulation 1983—clause 57A, amendment of clauses 3, 48, 49, 55, 59 to 61, substituted clauses 45, 57, omission of clauses 33D, 47. (Gazette 97/1989.)

State Lotteries Act 1930—State Lotteries (General) Regulation 1989—clauses 1 to 22. (Gazette 98/1989.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 October 1989

(4) Mr Peacocke laid upon the Table—

Report of the Small Business Development Corporation for the year ended 30 June 1989.

Referred to the Printing Committee.

(5) Mr Fahey laid upon the Table—

Workers Compensation Act 1987—

(a) Workers Compensation (General) Regulation 1987—amendment of clause 9A, 9B. (Gazette 98/1989.)

(b) Workers Compensation (Savings and Transitional) Regulation 1989—clauses 1 to 6. (Gazette 98/1989.)

Referred to the Printing Committee.

4 SUSPENSION OF STANDING ORDERS—TEACHERS' STRIKE

(1) Ordered, on motion of Mr Greiner, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion being moved by the Minister for Education and Youth Affairs, namely: That this House endorses the actions of the Government in seeking to improve general wages for teachers and condemns the decision of public and private teacher unions to strike on the first day of the Higher School Certificate examinations.

(2) Dr Metherell moved, That this House endorses the actions of the Government in seeking to improve general wages for teachers and condemns the decision of public and private teacher unions to strike on the first day of the Higher School Certificate examinations.

Debate ensued.

Mr Phillips moved, That the question be now put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 October 1989

Ayes 56

Mr Andrews	Mr Hartcher	Mr Singleton
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 J. D. Booth	Miss Machin	Mr Tink
Mr Catterson	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 Park	Mr Yeomans
Mr Dowd	Mr Peacocke	Mr Zammit
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 49

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

Pairs

Mr Petch

Mr A. S. Aquilina

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 October 1989

And so it was resolved in the affirmative.

Original question put.

The House divided.

Ayes 56

Mr Andrews	Mr Hartcher	Mr Singleton
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 J. D. 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 Park	Mr Yeomans
Mr Dowd	Mr Peacocke	Mr Zammit
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 49

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 October 1989

Question proposed—That amendment be agreed to.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 56

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
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 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 Yeomans
Mr Zammit

Tellers

Mr Singleton
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 October 1989

Noes 45

Mr Amery
Mr Anderson
Mr Aquilina
Mr Arkell
Mr Brereton
Mr Cleary
Mrs Crosio
Mr Davoren
Mr Doyle
Mr Face
Mr Ferguson
Ms Fraser
Mr Gibson
Mr Harrison
Mr Hunter
Mr Irwin

Mr Keegan
Mr Knight
Mr Knowles
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 Walsh
Mr Welsh
Mr Whelan

Tellers

Mr Beckroge
Mr Christie

Pairs

Mr Beck

Mr Langton

And so it was resolved in the affirmative.

Question put—That the amendment be agreed to.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 October 1989

Ayes 56

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
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 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 Park
Mr Phillips

Noes 46

Mr Amery
Mr Anderson
Mr Aquilina
Mr Arkell
Mr Brereton
Mr Cleary
Mrs Crosio
Mr Davoren
Mr Doyle
Mr Face
Mr Ferguson
Ms 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

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

Pairs

Mr Beck

Mr A. S. Aquilina

And so it was resolved in the affirmative.

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

Mr Phillips moved, That the question be now put.

Question put.

The House divided.

Ayes 56

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 Caterson	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 Cruickshank	Mr D. L. Page	Mr Yabsley
Mr Dowd	Mr Peacocke	Mr Yeomans
Mr Downy	Mr Petch	Mr Zammit
Mr Fahey	Mr Photios	
Mr Glachan	Mr Pickard	
Mr Graham	Mr Rixon	Tellers
Mr Greiner	Mr Roberts	
Mr Griffiths	Mr Schipp	Mr Park
Mr Hartcher	Mr Schultz	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 October 1989

Noes 46

Mr Amery	Mr Knight	Mr Primrose
Mr Anderson	Mr Knowles	Ms Read
Mr Aquilina	Mr Langton	Dr Refshauge
Mr Arkell	Mr Lovelee	Mr Rogan
Mr Brereton	Mr McManus	Mr Rumble
Mr Cleary	Mr Markham	Mr Shedden
Mrs Crosio	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 Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hunter	Ms Nori	
Mr Irwin	Mr Page	Mr Beckroge
Mr Keegan	Mr Price	Mr Christie

Pairs

Mr Beck

Mr A. S. Aquilina

And so it was resolved in the affirmative.

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

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 Souris
Mr J. D. 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 Peacocke	Mr Zammit
Mr Downy	Mr Petch	
Mr Fahey	Mr Photios	Tellers
Mr Glachan	Mr Pickard	
Mr Graham	Mr Rixon	Mr Park
Mr Griffiths	Mr Roberts	Mr Phillips

Noes 45

Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Mr Primrose
Mr Arkell	Mr Langton	Ms Read
Mr Brereton	Mr Lovelee	Dr Refshauge
Mr Carr	Mr McManus	Mr Rogan
Mr Cleary	Mr Markham	Mr Rumble
Mrs Crosio	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Doyle	Mr H. F. Moore	Mr Walsh
Mr Face	Ms Moore	Mr Whelan
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	Tellers
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Mr Beckroge
Mr Hunter	Ms Nori	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
26 October 1989

Pairs

Mr Beck
Mr Smith

Ms Allan
Mr A. S. Aquilina

And so it was resolved in the affirmative.

8 PRINTING COMMITTEE

Mr Small brought up Report No. 24 of the Printing Committee.

9 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd, on behalf of the Premier, gave notice of business to be dealt with on 14 November 1989—

Appropriation Bill
Public Authorities (Financial Arrangements) Amendment Bill.

10 SPECIAL ADJOURNMENT

Mr Dowd moved, That this House at its rising this day do adjourn until Tuesday, 14 November 1989, at 2.15 p.m.

Question put and passed.

11 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, 14 November 1989, at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 72

TUESDAY 14 NOVEMBER 1989

1 MESSAGES FROM THE GOVERNOR

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

25 October 1989

Area Health Services (Elections) Amendment Bill
Bicentennial Park Trust (Leases) Amendment Bill
Dentists Bill

Marine Port Charges Bill
Mining (Geological and Mining Museum) Amendment Bill
Minors (Property and Contracts) Amendment Bill
Police Regulation (Reinstatement) Bill.

31 October 1989

Subordinate Legislation Bill.

7 November 1989

Building Services Corporation Bill
Consumer Claims Tribunals (Building Disputes) Amendment Bill
Local Government (Building Approvals) Amendment Bill.

2 PETITIONS

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

Mr Causley, Mr Cruickshank, Mr Longley, Mr Morris and Mr Webster—from certain citizens requesting support for the closure of all brothels in New South Wales.

Mr Armstrong, Mr Causley, Mr Longley, Mr Webster and Mr Zammit—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Longley, Mr Morris and Mr Webster—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

Dr Refshauge and Mr Rumble—from certain citizens opposing recent policy changes by the Department of Housing.

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

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

Mr Keegan—from certain citizens requesting support for a public inquiry into the proposed recommencement of sandmining on the North Coast.

Mr Dowd—from certain citizens requesting the enforcement of regulations prohibiting the irradiation of food and the sale of imported irradiated food.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1989

Mr Tink—from certain citizens praying that the proposed route of the F2 Castlereagh Freeway will not go through community areas or certain bushland.

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

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Election Funding Authority for the year ended 30 June 1989.

Report of the Director of Equal Opportunity in Public Employment for the year ended 30 September 1989.

Report of the State Electoral Office for the year ended 30 June 1989.

Stamp Duties Act 1920—

(a) Stamp Duties Regulations 1934—amendment of regulation 61. (Gazette 105/1989.)

(b) Stamp Duties (Financial Institutions Duty) Regulation 1982—clause 9J, amendment of clause 9A. (Gazette 105/1989(2).)

Referred to the Printing Committee.

(2) Mr Murray laid upon the Table—

Report of the Chipping Norton Lake Authority for the year ended 30 June 1989.

Report of the Public Works Department for the year ended 30 June 1989.

Report of the Department of State Development for the year ended 30 June 1989.

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 1989.

Report of the Banana Industry Committee for the year ended 30 June 1989.

Report of the Central Coast (New South Wales) Citrus Marketing Board for the year ended 30 June 1989.

Report of the Meat Industry Authority for the year ended 30 June 1989.

Report of the Wine Grapes Marketing Board for the year ended 31 May 1989.

Stock Diseases Act 1923—Stock Diseases Regulations 1936—amendment of regulation 143. (Gazette 102/1989.)

Referred to the Printing Committee.

(4) Mr Dowd laid upon the Table—

Report of the Attorney General's Department for the year ended 30 June 1989.

Report of the Administration of the New South Wales Bush Fire Fighting Fund for the year ended 30 June 1989.

Report of the Legal Aid Commission for the year ended 30 June 1989.

Sixteenth report of the New South Wales Law Reform Commission—Community Law Reform Program—Jurisdiction of Local Courts over Foreign Land, dated June 1989.

Justices Act 1902—Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazette 100/1989.)

Supreme Court Act 1970—Supreme Court Rules—amendment no. 231. (Gazette 102/1989.)

Referred to the Printing Committee.

(5) Mr Schipp laid upon the Table—

Report of the Real Estate Valuers Registration Board for the year ended 30 June 1989.

Report of the Rental Bond Board for the year ended 30 June 1989.

Housing Act 1976—notification of acquisition, appropriation and/or resumption of land and/or easements under the Act for road purposes at Windale. (Gazette 98/1989.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1989

(6) Mr West laid upon the Table—

Report of the State Lotteries Office for the year ended 30 June 1989.

Accounts of the State Lotteries Office for the year ended 30 June 1989.

Report of the State Sports Centre for the year ended 30 June 1989.

Referred to the Printing Committee.

(7) Mr Peacocke laid upon the Table—

Report of the Bathurst Orange Development Corporation for the year ended 30 June 1989.

Report of the Macarthur Development Corporation for the year ended 30 June 1989.

Report of the National Companies and Securities Commission on the Investigation into the affairs of Ariadne Australia Limited and Ors by Inspector R. W. Gotterson, Q.C.

Referred to the Printing Committee.

(8) Mr Causley laid upon the Table—

Report of the Dams Safety Committee for the year ended 30 June 1989.

Report of the Dumaresq-Barwon Border Rivers Commission for the year ended 30 June 1989.

Report of the Forestry Commission for the year ended 30 June 1989.

Report of the Department of Lands for the year ended 30 June 1989.

Report of the Board of Surveyors for the year ended 30 June 1989.

Report of the Department of Water Resources for the year ended 30 June 1989.

Referred to the Printing Committee.

(9) Mr Hay laid upon the Table—

Report of the Local Government Grants Commission for the year ended 30 June 1989.

Referred to the Printing Committee.

5 REPORTS RECEIVED BY THE CLERK

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

7 November 1989

Report of the Greyhound Racing Control Board for the year ended 30 June 1989.

Report of the Harness Racing Authority for the year ended 30 June 1989.

6 INDEPENDENT COMMISSION AGAINST CORRUPTION

The Clerk, pursuant to the Independent Commission Against Corruption Act 1988, announced receipt of the report of the Independent Commission Against Corruption for the period 13 March 1989 to 30 June 1989.

7 QUESTIONS

8 SUSPENSION OF STANDING ORDERS

Mr Doyle moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion, That this House condemns the Minister for Local Government and Minister for Planning for his mishandling of the North Sydney Local Environment Plan, and expresses lack of confidence in his ability to competently determine important planning, local government and heritage matters.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1989

Ayes 46

Ms Allan	Mr Hunter	Mr Page
Mr Amery	Mr Irwin	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 Brereton	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	Ms Moore	
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	Tellers
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Mr Beckroge
Mr Hatton	Ms Nori	Mr Christie

Noes 58

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 Books	Miss Machin	Mr Tink
Mr J. D. Booth	Mr Matheson	Mr Turner
Mr Causley	Mr Merton	Mr Webster
Mr Chappell	Dr Metherell	Mr Welsh
Mr Cochran	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	
Mr Greiner	Mr Rixon	Tellers
Mr Griffiths	Mr Roberts	
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Pairs

Mr Caterson
Mr Singleton

Mrs Crosio
Mr Walsh

And so it passed in the negative.

9 QUESTIONS (continuation of entry No. 7)

10 PAPER

Mr Greiner laid upon the Table—

Review of the use of consultants in the New South Wales Public Sector dated September 1989.

Referred to the Printing Committee.

11 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the—

Criminal Procedure (Fines) Amendment Bill
Jurisdiction of Courts (Foreign Land) Bill
Family Provision (Foreign Land) Amendment Bill
Limitation (Amendment) Bill
Public Health (Proclaimed Diseases) Amendment Bill
Stock Diseases (Offences) Amendment Bill
Stock Medicines Bill
Pesticides and Allied Chemicals (Amendment) Bill
Stock Foods and Medicines (Amendment) Bill
Telecommunications (Interception) (New South Wales) Amendment Bill
Trustee Companies (Further Amendment) Bill

notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

12 FISHERIES AND OYSTER FARMS (ADVISORY COUNCIL) AMENDMENT BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Fisheries and Oyster Farms Act 1935 to establish the New South Wales Commercial Fishing Advisory Council and Regional Advisory Committees; to consequentially amend the Public Finance and Audit Act 1983; and for other purposes.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1989

Question put and passed.

Mr Armstrong 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.

13 STOCK DISEASES (OFFENCES) AMENDMENT BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Stock Diseases Act 1923 to increase penalties for offences 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 debate made an Order of the Day for a future day.

14 STOCK MEDICINES BILL
PESTICIDES AND ALLIED CHEMICALS (AMENDMENT) BILL
STOCK FOODS AND MEDICINES (AMENDMENT) BILL

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

- (i) A bill for an Act relating to medicines for stock and other animals for the purposes of enhancing the quality of agricultural production, protecting the environment and safeguarding the health of stock and other animals; and for other purposes.
- (ii) A bill for an Act to give effect to a national scheme for clearance of chemicals for registration in participating States and Territories; and for other purposes.
- (iii) A bill for an Act to amend the Stock Foods and Medicines Act 1940 to remove provisions relating to stock medicines; to increase penalties for certain offences; and for other purposes.

Question put and passed.

Bills presented and read a first time.

Mr Armstrong 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.

15 PUBLIC HEALTH (PROCLAIMED DISEASES) AMENDMENT BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Public Health Act 1902 for the purpose of making further provision for preventing the spread of proclaimed diseases as defined by section 50F of that Act 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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

16 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 adjourned debate made an Order of the Day for a future day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1989

17 TRUSTEE COMPANIES (FURTHER 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 with respect to financial statements of trustee companies.

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.

18 APPROPRIATION BILL
PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) 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 bills.

Mr Speaker resumed the Chair, and the Chairman reported the bills without amendment.

Dr Metherell moved, "That" the Report be adopted.

Mr Phillips moved, That the Question be amended by leaving out all the words after the word "That" with a view to inserting the words "the bills be recommitted for the reconsideration of clause 14 of the Appropriation Bill"—instead thereof.

Question proposed—That the amendment be agreed to—put and passed.

Question proposed—That the bills be recommitted for the reconsideration of clause 14 of the Appropriation Bill—put and passed.

Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the reconsideration of clause 14 of the Appropriation Bill.

Mr Speaker resumed the Chair, and the Chairman reported the bills a second time without amendment.

On the motion of Dr Metherell, the Report was adopted.

And Mr Speaker having consented to the third reading be taken forthwith—

Bills, on motion of Dr Metherell, read a third time.

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 TELECOMMUNICATIONS (INTERCEPTION) (NEW SOUTH WALES) AMENDMENT BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Telecommunications (Interception) (New South Wales) Act 1987 so as to enable the Independent Commission Against Corruption to be authorised under the Telecommunications (Interception) Act 1979 to intercept telecommunications; 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 Amery) and the resumption of the debate made an Order of the Day for a future day.

21 JURISDICTION OF COURTS (FOREIGN LAND) BILL FAMILY PROVISION (FOREIGN LAND) AMENDMENT BILL

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1989

- (i) A bill for an Act to remove the limitation on the jurisdiction of the courts of the State with respect to land situated outside the State.
- (ii) A bill for an Act to amend the Family Provision Act 1982 with respect to the application of that Act to land situated outside New South Wales.

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

22 CRIMINAL PROCEDURE (FINES) 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 to enable the reciprocal enforcement of fines against bodies corporate.

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.

23 STATES AND NORTHERN TERRITORY GRANTS (RURAL ADJUSTMENT) AGREEMENT RATIFICATION 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.

24 MURRAY VALLEY CITRUS MARKETING 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.

25 MINE SUBSIDENCE COMPENSATION (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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1989

26 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr J. D. Booth, 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 create further offences relating to the pollution of the environment; to amend certain Acts; 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
14 November 1989

JOHN JOHNSON
President

ENVIRONMENTAL OFFENCES AND PENALTIES BILL

Schedule of the amendments referred to in Message of 14 November 1989.

JOHN EVANS
Clerk of the Parliaments

No 1. Page 5, clause 7. Omit the clause, insert instead:

Defence

7. It is a defence to any proceedings against a person for an offence against a provision of this Act for the person to prove that the commission of the offence was due to causes over which the person had no control and against the happening of which it was impracticable for the person to make provision.

No 2. Page 6, clause 10 (1) (a). After "knowledge", insert "actual, imputed or constructive".

No 3. Page 15, clause 25. Omit the clause; insert instead:

Restraint of breaches of an Act or statutory rule which harm environment etc.

25. (1) Proceedings may be brought in the Land and Environment Court for an order to restrain a breach, or a threatened or apprehended breach, of this or any other Act, or any statutory rule under an Act, if the breach, or the threatened or apprehended breach, is causing or is likely to cause harm to the environment.

(2) Proceedings may be brought under this section by:

- (a) the Minister; or
- (b) a member of the State Pollution Control Commission authorised in writing by the Minister for the purposes of this section; or
- (c) the State Pollution Control Commission; or
- (d) a member or officer of the State Pollution Control Commission authorised in writing by the Commission for the purposes of this section; or
- (e) any other person with the consent of the State Pollution Control Commission.

(3) If another Minister is responsible for the administration of such an Act or statutory rule, that Minister is to be consulted by the Minister before the proceedings may be brought, and a certificate by the Minister or such a member or officer of the State Pollution Control Commission certifying that the consultation has occurred is evidence of that fact.

(4) If a person applies for consent to bring proceedings under this section, the State Pollution Control Commission must notify the person in writing whether or not consent is granted, and if consent is refused, must inform the person of the reasons for the refusal not later than 28 days after the date of the notice of refusal.

(5) If the Court is satisfied that a breach, or a threatened or apprehended breach, will, unless restrained by order of the Court, be committed or be likely to be committed, it may make such orders as it thinks fit to restrain the breach or other conduct of the person by whom the breach is committed or by whom the threatened or apprehended breach is likely to be committed.

(6) Without limiting the powers of the Court under this section, an order under this section may suspend any pollution control authority.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 November 1989

(7) In this section, "statutory rule" means a regulation, by-law, rule or ordinance:

- (a) that is made by the Governor; or
- (b) that is made by a person or body other than the Governor, but is required by law to be approved or confirmed by the Governor.

Examined
JOHN MATTHEWS
Temporary-Chairman of Committees

Ordered by Mr J. D. Booth, Acting-Speaker, That the amendments made by the Legislative Council in the bill be taken into consideration tomorrow.

27 POLICE REGULATION (IMPOSITION OF CHARGES) AMENDMENT BILL

Mr J. D. Booth, Acting-Speaker, reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to amend the Police Regulation Act 1899 to enable charges to be imposed for certain services performed by members of the police force" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
14 November 1989

JOHN JOHNSON
President

Bill read a first time.

Ordered by Mr J. D. Booth, Acting-Speaker, That the second reading stand an Order of the Day for tomorrow.

28 VALUATION OF LAND (SUBDIVISION) 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.

The House resumed the said adjourned debate.

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.

29 STRATA TITLES (REGISTRATION OF PLANS) AMENDMENT BILL
STRATA TITLES (LEASEHOLD) (REGISTRATION OF PLANS)
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—

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.

30 PERIODIC DETENTION OF PRISONERS (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 the House continuing to sit after midnight—

WEDNESDAY 15 NOVEMBER 1989 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 Yabsley, read a third time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
14 and 15 November 1989 a.m.

31 COMMUNITY SERVICE ORDERS (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.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

32 ADJOURNMENT

Mr Yabsley moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.02 a.m., until 2.15 p.m. this day.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 73

WEDNESDAY 15 NOVEMBER 1989

1. PETITIONS

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

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

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

Mr Graham—from certain citizens praying for the shortening of Christmas school holidays.

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

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

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

Mr Armstrong—from certain citizens requesting increased support for country library services.

Mr Primrose—from certain citizens opposing the closure of Menangle Park railway station.

Mr Tink—from certain citizens opposing the proposed route of the F2 Castlereagh Freeway.

Mr Webster—from certain citizens opposing the proposed route of the Mount Piper to Marulan powerline.

Mr Welsh—from certain citizens opposing the proposed changes to the Federation of New South Wales Police-Citizens Youth Clubs.

Ms Moore—from certain citizens opposing any prohibition 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 opposing certain changes to public housing policy.

Mr Aquilina—from certain citizens requesting that steps be taken to ensure that recipients of social security are exempt from Technical and Further Education colleges fees.

Mr Yabsley—from certain citizens requesting the enforcement of regulations to prevent street littering and the obstruction of streets and footpaths in the Potts Point and Elizabeth Bay areas.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1989

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Ethnic Affairs Commission for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Report of the Cancer Council for the year ended 30 June 1989.

Report of the Chiropodists Registration Board for the year ended 30 June 1989.

Report of the Chiropractors Registration Board for the year ended 30 June 1989.

Report of the Dental Board for the year ended 30 June 1989.

Report of the Dental Technicians Registration Board for the year ended 30 June 1989.

Report of the Nurses Registration Board for the year ended 30 June 1989.

Report of the Optical Dispensers Licensing Board for the year ended 30 June 1989.

Report of the Optometrical Registration Board for the year ended 30 June 1989.

Report of the Pharmacy Board for the year ended 30 June 1989.

Report of the Physiotherapists Registration Board for the year ended 30 June 1989.

Report of the Institute of Psychiatry for the year ended 30 June 1989.

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the Judicial Commission for the year ended 30 June 1989.

Report of the Chief Executive of the Judicial Commission for the year ended 30 June 1989.

Referred to the Printing Committee.

(4) Mr Moore, laid upon the Table—

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

Dungog— water supply. (Gazette 100/1989.)

Kearsley—sewerage scheme. (Gazette 102/1989.)

National Parks and Wildlife Act 1974—

(a) National Parks and Wildlife (Land Management) Regulation 1987—amendment of clauses 11, 13, substituted clause 60. (Gazette 90/1989.)

(b) proclamations reserving certain lands as part of—

Berob Basin State Recreation Area (Gazette 92/1989)

Ku-ring-gai Chase National Park (Gazette 90/1989)

Tingira Heights Nature Reserve (Gazette 93/1989)

Referred to the Printing Committee.

(5) Dr Metherell laid upon the Table—

Report of the Ministry of Education and Youth Affairs for the year ended 30 June 1989.

Report of the Department of Technical and Further Education on Advanced Education Courses for 1988.

Report of the University of Newcastle for 1988.

Higher Education (Amalgamation) Act 1989—Higher Education (Amalgamation) University of Wollongong Transitional Regulation 1989—clauses 1, 2. (Gazette 98/1989.)

Higher Education Trust Funds Act 1967—Technical Education Trust Funds (Colleges) By-law 1985—substituted clause 10. (Gazette 98/1989.)

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 Belrose. (Gazette 97/1989.)

Referred to the Printing Committee.

(6) Mr Baird laid upon the Table—

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1989

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 69A, 119A. (Gazette 107/1989.)

Transport Administration Act 1988—

- (a) Transport Administration (RTA Staff Discipline) Regulation 1989—clauses 1 to 3. (Gazette 99/1989.)
- (b) notification of acquisition, appropriation and/or resumption of land and/or easements under the Public Works Act 1912, for railway purposes at Warwick Farm. (Gazette 107/1989.)

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—

Artarmon. (Gazette 107/1989.)
Bondi Junction. (Gazette 107/1989.)
Cordindi. (Gazette 102/1989.)
Homebush West. (Gazette 102/1989.)
Jugiong. (Gazette 102/1989.)
Maitland. (Gazette 102/1989.)
Possum Brush. (Gazette 102/1989.)
Ryde. (Gazette 107/1989.)
Swamp Oak Creek. (Gazette 102/1989.)
Tocumwal. (Gazette 107/1989.)

Referred to the Printing Committee.

(7) Mr Pickard laid upon the Table—

Report of the Coal Compensation Board 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 purpose of transmission lines at Strathfield. (Gazette 102/1989.)

Mining Act 1973—Mining Regulations 1974—amendment of clause 4. (Gazette 100/1989.)

Pipelines Act 1967—Pipelines Regulations 1968—amendment of schedule 2. (Gazette 92/1989.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Ms Allan moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the notice of motion given by her this day for tomorrow, namely: That leave be given to bring in a bill for an Act to make provision for measures to counteract the greenhouse effect and for that purpose to constitute the Greenhouse Impact Commission of New South Wales and provide for its objects and functions; and for other purposes.

Question put.

The House divided.

Ayes 42

Ms Allan	Mr Irwin	Mr Primrose
Mr Amery	Mr Knight	Ms Read
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mr Lovelee	Mr Rogan
Mr A. S. Aquilina	Mr Markham	Mr Rumble
Mr Arkell	Mr Martin	Mr Shedden
Mr Brereton	Mr Mills	Mr Unsworth
Mr Carr	Mr H. F. Moore	Mr Walsh
Mr Davoren	Ms Moore	Mr Welsh
Mr Doyte	Mr Moss	Mr Whelan
Mr Face	Mr J. H. Murray	
Mr Ferguson	Mr Nagle	Tellers
Ms Fraser	Mr Newman	
Mr Gibson	Ms Nori	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1989

Noes 55

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

Pairs

Mr Causley	Mr Cleary
Mr D. L. Page	Mrs Crosio
Mr Rixon	Mr Knowles
Mr Singleton	Mr McManus
Mr Smiles	Mr Page

And so it passed in the negative.

6 QUESTIONS (continuation of entry No. 4)

7 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Greiner, That so much of the Standing Orders be suspended as would preclude the resumption of the adjourned debate on the—

Criminal Procedure (Fines) Amendment Bill
Trustee Companies (Further Amendment) Bill.

8 STATE BANK (CORPORATISATION) BILL

Mr Greiner moved, pursuant to notice, That leave be given to bring in a bill for an Act to establish a State owned corporation in relation to State banking and certain other matters; to provide for the transfer of assets, rights and liabilities of the State Bank; to amend the State Owned Corporations Act 1989 and certain other Acts; to repeal the State Bank Act 1981; 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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

9 PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) FURTHER
AMENDMENT BILL
UNIVERSITIES LEGISLATION (INVESTMENT) AMENDMENT BILL
TREASURY CORPORATION (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 Public Authorities (Financial Arrangements) Act 1987 in respect of the investment powers of public authorities.
- (ii) A bill for an Act to amend the Acts establishing Universities in respect of the investment of the funds of Universities.
- (iii) A bill for an Act to amend the Treasury Corporation Act 1983 in respect of the investment powers of the Treasury Corporation and the membership of the board of directors of that Corporation.

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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1989

10 FOOD BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to consolidate and amend the law relating to the preparation and sale of food; to repeal the Pure Food Act 1908 and consequently to amend certain other Acts; and for other purposes.

Question put and passed.

Bill presented and read a first time.

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

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

11 CATCHMENT MANAGEMENT BILL
SOIL CONSERVATION (AMENDMENT) BILL

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

- (i) A bill for an Act to establish the State Catchment Management Co-ordinating Committee and to provide for Catchment Management Committees and Catchment Management Trusts to implement total catchment management of natural resources; to repeal the Hunter Valley Conservation Trust Act 1950; to amend certain Acts; and for other purposes.
- (ii) A bill for an Act to amend the Soil Conservation Act 1938 to abolish the Catchment Areas Protection Board and to increase penalties for offences under that Act, and to make consequential amendments to certain other Acts.

Question put and passed.

Bills presented and read a first time.

Mr Armstrong 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.

12 STEWARDS' FOUNDATION OF CHRISTIAN BRETHERN BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to constitute the Stewards' Foundation of Christian Brethren and to specify its functions; and to provide for the vesting of certain property in the Foundation.

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 debate made an Order of the Day for a future day.

13 FIRE BRIGADES BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the protection of persons and property from fire and for that purpose to constitute New South Wales Fire Brigades as a Department of the Government and to provide for permanent and volunteer fire brigades; to amend certain Acts; 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 Anderson) and the resumption of the debate made an Order of the Day for a future day.

14 MOTOR VEHICLES TAXATION (AMENDMENT) BILL

Mr Baird 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 tax imposed on the registration of motor vehicles; and to require the tax to be paid into the Roads and Traffic Authority Fund.

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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1989

15 FRIENDLY SOCIETIES BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the registration, incorporation and administration of friendly societies; to confer and impose functions on friendly societies and associated persons and bodies; to repeal the Friendly Societies Act 1912; 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 debate made an Order of the Day for a future day.

16 TRADE MEASUREMENT BILL
TRADE MEASUREMENT ADMINISTRATION BILL

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

- (i) A bill for an Act relating to trade measurement in New South Wales as part of the scheme for uniform trade measurement legislation throughout Australia.
- (ii) A bill for an Act relating to the administration of the Trade Measurement Act 1989 and associated matters.

Question put and passed.

Bills presented and read a first time.

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

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

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 MINISTERIAL STATEMENT—PACIFIC RIM TRADE

Mr Greiner made a ministerial statement concerning matters of State development associated with South East Asia and the Pacific rim.

Dr Refshauge also addressed the House.

19 ENTERTAINMENT INDUSTRY BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the regulation of the entertainment industry; to amend and to repeal certain legislation; 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.

20 REAL PROPERTY (BOUNDARY DETERMINATIONS) 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 to make provision for the determination of boundaries between adjoining lands; to amend the Encroachment of Buildings Act 1922 and the Land and Environment Court Act 1979 in connection with boundary determinations; 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 debate made an Order of the Day for a future day.

21 FAIR TRADING (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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 November 1989

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 CREDIT (VALIDATION) 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.

The House divided.

Ayes 53

Mr Andrews	Mr Hartcher	Mr Schultz
Mr Armstrong	Mr Hay	Mr Singleton
Mr Baird	Mr Jeffery	Mr Small
Mr Berry	Mr Keegan	Mr Smiles
Mr Books	Mr Kerr	Mr Smith
Mr J. D. 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 West
Mrs Cohen	Mr Morris	Mr White
Mr Collins	Mr D. L. Page	Mr Yabsley
Mr Cruickshank	Mr Park	Mr Zammit
Mr Dowd	Mr Peacocke	
Mr Fahey	Mr Petch	
Mr Glachan	Mr Photios	Tellers
Mr Graham	Mr Rixon	
Mr Greiner	Mr Roberts	Mr Beck
Mr Griffiths	Mr Schipp	Mr Phillips

Noes 42

Ms Allan	Mr Irwin	Ms Nori
Mr Amery	Mr Knight	Mr Page
Mr Anderson	Mr Knowles	Mr Price
Mr Aquilina	Mr Langton	Mr Primrose
Mr A. S. Aquilina	Mr Lovelee	Ms Read
Mr Brereton	Mr McManus	Mr Rogan
Mr Davoren	Mr Markham	Mr Rumble
Mr Doyle	Mr Martin	Mr Shedden
Mr Face	Mr Mills	Mr Unsworth
Mr Ferguson	Mr H. F. Moore	Mr Whelan
Ms 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 Downey	Mr Carr
Mr Moore	Mr Cleary
Mr Murray	Mrs Crosio

Bill read a second time.

Mr Wotton, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Caterson, Acting Speaker, resumed the Chair, and the Chairman reported the bill without amendment.

On motion of Mr Peacocke, the Report was adopted.

And Mr Caterson, Acting Speaker, having consented to the third reading being taken forthwith—

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 and 16 November 1989 a.m.

23 WAREHOUSEMEN'S LIENS (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.

24 LOCAL GOVERNMENT (WORK ON PRIVATE) LAND AMENDMENT 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.

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 the Committee continuing to sit after midnight—

THURSDAY 16 NOVEMBER 1989 a.m.

Mr Speaker resumed the Chair, and Mr J. D. Booth, Temporary-Chairman, reported the bill without amendment.

Mr Hay moved, That the Report be adopted.

Question put.

The House divided.

Ayes 56

Mr Schultz

Mr Singleton

Mr Small

Mr Smiles

Mr Smith

Mr Sours

Mr Tink

Mr Turner

Mr Websier

Mr West

Mr White

Mr Worton

Mr Yabsley

Mr Zammitt

Tellers

Mr Beck

Mr Phillips

Mr Hay

Mr Jeffery

Mr Keegan

Mr Kerr

Mr Longley

Miss Machin

Mr Matheson

Mr Merton

Dr Metherell

Ms Moore

Mr Morris

Mr D. L. Page

Mr Park

Mr Peacocke

Mr Peich

Mr Photos

Mr Pickard

Ms Read

Mr Rixon

Mr Roberts

Mr Andrews

Mr Armstrong

Mr Baird

Mr Berry

Mr Books

Mr J. D. Booth

Mr Caterson

Mr Causley

Mr Chappell

Mr Cochran

Mrs Cohen

Mr Collins

Mr Cruickshank

Mr Dowd

Mr Fahey

Mr Giachan

Mr Graham

Mr Griffiths

Mr Harcher

Mr Hutton

Ms Allan

Mr Amery

Mr Anderson

Mr Aquilina

Mr A. S. Aquilina

Mr Davoren

Mr Face

Mr Ferguson

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 Moss

Mr J. H. Murray

Mr Nagle

Mr Newman

Ms Nori

Mr Page

Mr Price

Mr Primrose

Dr Reishauge

Mr Rogan

Mr Rumble

Mr Shedden

Mr Whelan

Tellers

Mr Beckroge

Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
15 and 16 November 1989 a.m.

Pairs

Mr Downey	Mr Brereton
Mr Greiner	Mr Carr
Mr Moore	Mr Cleary
Mr Murray	Mrs Crosio
Mr Schipp	Mr Doyle
Mr Yeomans	Mr H. F. Moore

And so it was resolved in the affirmative.

Report adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

25 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

15 November 1989

Murray Valley Citrus Marketing Bill
 Mine Subsidence Compensation (Amendment) Bill
 Public Trustee (Further Amendment) Bill
 Protected Estates (Amendment) Bill
 Strata Titles (Registration of Plans) Amendment Bill
 Strata Titles (Leasehold) (Registration of Plans) Amendment Bill
 Valuation of Land (Subdivision) Amendment Bill.

26 TOW TRUCK 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—

The House resumed the said adjourned debate.

Mr J. D. Booth 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.

27 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.27 a.m., until 10.30 a.m. this day.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 74

THURSDAY 16 NOVEMBER 1989

1 DISTINGUISHED VISITORS

Mr Speaker drew the attention of honourable members to the presence in the gallery of Mr Jezdimir Bogdanski, President of the Yugoslav Socialist Republic of Macedonia, and Mr Boris Rikalovski, Minister for Foreign Affairs of the Yugoslav Socialist Republic of Macedonia.

2 PETITIONS

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

Mr Kerr—from certain citizens opposing the proposed development on the Kingsway opposite North Cronulla beach.

Ms Moore—from certain citizens opposing any prohibition of certain parades and processions in the streets of Sydney.

Mr Graham—from certain citizens praying for the shortening of Christmas school holidays.

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

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 certain changes to public housing policy.

Mr Welsh—from certain citizens opposing the proposed changes to the Federation of New South Wales Police-Citizens Youth Clubs.

Mr Primrose—from certain citizens opposing the closure of Menangle Park railway station.

Mr Nagle—from certain citizens opposing the possible closure of the Shell service station at Regents Park.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the State Bank for the year ended 30 June 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 November 1989

(2) Mr Collins laid upon the Table—

Report of the Health Foundation for the year ended 30 June 1989.

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the Law Reform Commission—Informed Decisions about Medical Practitioners, dated June 1989.

Report of the Law Society for the year ended 30 June 1989.

Report of the Office of the Director of Public Prosecutions for the ended 30 June 1989.

Referred to the Printing Committee.

(4) Mr Schipp laid upon the Table—

Auctioneers and Agents Act 1941—

(a) Auctioneers and Agents Regulations—amendment of regulations 16, 48A, 71, schedules 1, 2. (Gazettes 93/1989, 102/1989(2).)

(b) Auctioneers and Agents (Remuneration) Regulation 1981—amendment of clause 2, schedule 1. (Gazettes 102/1989, 109/1989.)

Residential Tenancies Act 1987—Residential Tenancies Regulation 1989—clause 25A, substituted clause 23. (Gazette 109/1989.)

Referred to the Printing Committee.

(5) Mr Moore laid upon the Table—

Report of the Bicentennial Park Trust for the year ended 30 June 1989.

Referred to the Printing Committee.

(6) Mr Yabsley laid upon the Table—

Report of the Department of Corrective Services for the year ended 30 June 1989.

Referred to the Printing Committee.

5 QUESTIONS

6 COAL MINES (AMENDMENT) BILL

Mr Pickard moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Coal Mines Regulation Act 1982 with respect to the functions of owners, managers and others in relation to coal mines; to provide for the separate management of certain coal preparation plants; 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.

7 POLICE REGULATION (IMPOSITION OF CHARGES) AMENDMENT BILL

The Order of the Day having been read, Mr Dowd moved, That this bill be now read a second time.

And the question being again proposed—

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

8 ENVIRONMENTAL OFFENCES AND PENALTIES 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 Environmental Offences and Penalties Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 November 1989

9 COURTS LEGISLATION (PROCEDURE) 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.

10 LAW REFORM (VICARIOUS LIABILITY) AMENDMENT BILL

EMPLOYEE'S LIABILITY (INDEMNIFICATION OF EMPLOYER)
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 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.

11 EVIDENCE (RELIGIOUS CONFESSIONS) 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 further 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.

And Mr Speaker having consented to the third reading to being taken forthwith—

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

12 TRUSTEE COMPANIES (FURTHER 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.

13 CRIMINAL PROCEDURE (FINES) 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
16 November 1989

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.

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.

15 PRINTING COMMITTEE

Mr Small brought up Report No. 25 of the Printing Committee.

16 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.17 p.m., until Tuesday, 21 November 1989, at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 75

TUESDAY 21 NOVEMBER 1989

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

16 November 1989

Appropriation Bill

Public Authorities (Financial Arrangements) Amendment Bill

Community Service Orders (Amendment) Bill

Fair Trading (Amendment) Bill

Periodic Detention of Prisoners (Amendment) Bill

States and Northern Territory Grants (Rural Adjustment) Agreement Ratification Bill

Warehousemen's Liens (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 Local Government Act 1919 with respect to the carrying out of work on private land by councils" with the amendment indicated by the accompanying schedule, in which amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council
16 November 1989

JOHN JOHNSON
President

LOCAL GOVERNMENT (WORK ON PRIVATE LAND)
AMENDMENT BILL

Schedule of the amendment referred to in Message of 16 November 1989.

JOHN EVANS
Clerk of the Parliaments

Page 2, clause 3. Omit subsections (2) and (3) of proposed section 500, insert instead:

- (2) Except as provided by subsection (3), work may be carried out under this section only if the applicant pays or agrees to pay an amount equal to the actual cost to the council of carrying out the work.
- (3) Work may be carried out under this section by the council at an amount that is less than the actual cost to the council of carrying out the work and that is agreed on by the council and the applicant before the carrying out of the work if the work is carried out:
 - (a) on land that is vested in the New South Wales Aboriginal Land Council, a Regional Aboriginal Land Council or a Local Aboriginal Land Council constituted under the Aboriginal Land Rights Act 1983; or
 - (b) on land that is owned or occupied by:

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1989

- (i) a public benevolent institution; or
- (ii) a public charity; or
- (iii) a non-profit making organisation which uses the land for the benefit of the community; or

(c) on any land, where the work is carried out as a consequence of damage caused to the land by a natural disaster, such as flood, fire or earthquake.

(4) A decision to carry out work for an amount agreed on under subsection (3) must be made by a resolution:

- (a) passed at a meeting of the council open to the public; and
- (b) containing the reasons for the decision.

Examined
JOHN MATTHEWS
Temporary-Chairman of Committees

Ordered by Mr Speaker, That the amendment made by the Legislative Council in this bill 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 Knight—from certain citizens opposing the proposed closure of the Airds office of the Department of Housing.

Mr Causley—from certain citizens praying for the retention of the Clarence divisional headquarters of the State Emergency Services in Grafton.

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

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

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 certain changes to public housing policy.

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

Mr Armstrong and Mr Welsh—from certain citizens opposing the proposed changes to the Federation of New South Wales Police-Citizens Youth Clubs.

Mr Primrose—from certain citizens opposing the closure of Menangle Park railway station.

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

Mr Rixon—from certain citizens requesting support for a public inquiry into the proposed recommencement of sand mining on the North Coast.

Mr Mills—from certain citizens opposing the school closures in the Hunter region.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Ombudsman for the year ended 30 June 1989.

Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Mr Armstrong laid upon the Table—

Report of the Dairy Corporation for the year ended 30 June 1989.

Report of the Soil Conservation Service for the year ended 30 June 1989.

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1989

(3) Mr Dowd laid upon the Table—

Report of the Law Foundation for the year ended 30 June 1989.

Accounts of the Bush Fire Council for the year ended 30 June 1988.

Firearms and Dangerous Weapons Act 1973—

- (a) Firearms and Dangerous Weapons Regulation—clause 50A. (Gazette 98/1989.)
- (b) Firearms (Training Course Exemption) Regulation 1989—clauses 1 to 6. (Gazette 98/1989.)

Police Department (Transit Police) Act 1989—Police Department (Transit Police) Regulation 1989—clauses 1 to 4. (Gazette 98/1989.)

Referred to the Printing Committee.

(4) Mr Moore laid upon the Table—

Report of the Centennial Park Trust for the year ended 30 June 1989.

Report of the Zoological Parks Board for the year ended 30 June 1989.

Referred to the Printing Committee.

(5) Mr Peacocke laid upon the Table—

Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981—Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Regulations 1989—regulations 1 to 4. (Gazette 102/1989.)

Companies (Applications of Laws) Act 1981—Companies (Application of Laws) Regulations 1989—regulations 1 to 9. (Gazette 102/1989.)

Futures Industry (Application of Laws) Act 1986—Futures Industry (Application of Laws) Regulations 1989—regulations 1 to 8. (Gazette 102/1989.)

Securities Industry (Application of Laws) Act 1981—Securities Industry (Application of Laws) Regulations 1989—regulations 1 to 8. (Gazette 102/1989.)

Referred to the Printing Committee.

(6) Mr Fahey laid upon the Table—

Report of the Railway Service Superannuation Board for the year ended 30 June 1989.

Report of the Workers' Compensation (Dust Diseases) Board for the year ended 30 June 1989.

Building and Construction Industry Long Service Payments Act 1986—Building and Construction Industry Long Service Payments Regulation 1986—clause 5C, amendment of clause 4. (Gazette 48/1989.)

Construction Safety Act 1912—Construction Safety Regulations 1950—

(a) amendment of regulation 159A, substituted regulation 159B, omission of regulation 119. (Gazettes 44/1989, 78/1989.)

(b) erratum notices concerning regulations published in Gazettes 162/1988, 44/1989. (Gazettes 23/1989, 25/1989, 78/1989.)

Factories, Shops and Industries Act 1962—Timber Industry (Health and Safety) Regulation 1982—clause 10A, amendment of clauses 3, 8 to 10. (Gazettes 159/1989.)

Industrial Arbitration Act 1940—

(a) Industrial Arbitration (General) Regulations—regulations 18A to 18E, 125B to 125X, 126A to 126O, forms 13AA to 13AG, 13C, 58 to 69, amendment of regulations 2, 19C, 25, 36, 54, 57, 58, 64, 77, 91, 132A, 137, 144A, 156C, 156G, substituted regulations 4 to 18, 40 to 42, 48, 126, 127, forms 2 to 13, 55 to 57, omission of regulations 56, 67, 68, 72, 74, 75, 78, 79A, 80 to 86, 98, 106, 112, 116, 131A, 144, 152, 156E, 156F, 157, 159A, forms 14, 15A, 21, 29 to 31, 33, 41, 53. (Gazette 97/1989.)

(b) Industrial Arbitration (Reinstatement of Insured Employees) Regulation 1989—clauses 1 to 7, schedule 1. (Gazette 72/1989.)

Industrial and Commercial Training Act 1989—

(a) Industrial and Commercial Training (General) Regulation 1989—clauses 1 to 10, schedules 1, 2. (Gazette 81/1989.)

(b) Industrial and Commercial Training (Savings and Transitional) Regulation 1989—clauses 1 to 4. (Gazette 81/1989.)

Occupational Health and Safety Act 1983—Occupational Health and Safety (First-aid) Regulation 1989—clauses 1 to 11, schedule 1. (Gazette 78/1989.)

Trade Union Act 1881—Trade Union Regulation 1989—clauses 1 to 63, schedule 1. (Gazette 97/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1989

Workers Compensation Act 1987—Workers Compensation (General Rehabilitation Programmes) Regulation 1988—clause 26, amendment of clauses 3, 7, 11 to 18, 20 to 22, 24. (Gazette 81/1989.)

Referred to the Printing Committee.

(7) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—Gazette notices (3) setting forth the mode in which it is proposed to deal with certain lands under section 25 of the Act. (Gazettes 102/1989, 105/1989, 107/1989.)

Public Roads Act 1902—Abstracts (24) setting forth the mode in which it is proposed to deal with certain lands under section 8 of the Act, for road purposes. (Gazettes 94/1989(3), 97/1989(5), 98/1989(4), 99/1989, 100/1989(2), 102/1989(3), 105/1989(2), 107/1989(4).)

Public Works Act 1912—notification of acquisition, appropriation and/or resumption of land and/or easements under the Act, for public recreation purposes, at Bathurst. (Gazette 99/1989.)

Referred to the Printing Committee..

(8) Mr Hay laid upon the Table—

Report of the Animal Research Review Panel for the year ended 30 June 1989.

Referred to the Printing Committee.

5 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that the Honourable John Robert Arthur Dowd, LL.B., M.P., Attorney General, would represent the Honourable Michael Robert Yabsley, B.A., M.P., Minister for Corrective Services during Question Time.

6 QUESTIONS

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

7 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Landlord and Tenant (Rental Bonds) Amendment Bill
Pay-roll Tax (Amendment) Bill
Land Tax Management (Amendment) Bill
Stamp Duties (Further Amendment) Bill
Workers Compensation (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.

8 LANDLORD AND TENANT (RENTAL BONDS) AMENDMENT BILL

Mr Schipp moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Landlord and Tenant (Rental Bonds) Act 1977 so as to provide for the payment on rental bonds of an amount equivalent to interest.

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.

9 RURAL LANDS PROTECTION BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to provide for the protection of rural lands; to provide for the constitution and functions of rural lands protection boards; to make fresh provision for the establishment and management of travelling stock reserves and stock watering places; to regulate the identification of stock; to make provision with respect to animal health services; to provide for the suppression and destruction of noxious animals and noxious insects; to repeal the Pastures Protection Act 1934, the Registration of Stock Brands Act 1921 and the Noxious Insects Act 1934 and certain other enactments.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1989

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 debate made an Order of the Day for a future day.

10 COMMUNITY LAND DEVELOPMENT BILL
COMMUNITY LAND MANAGEMENT BILL
STRATA TITLES (COMMUNITY LAND) AMENDMENT BILL
MISCELLANEOUS ACTS (COMMUNITY LAND) 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 facilitate the subdivision and development of land with shared property; and for other purposes.
- (ii) A bill for an Act to provide for the management of community schemes, precinct schemes and neighbourhood schemes established by the subdivision of land under the Community Land Development Act 1989; and for other purposes.
- (iii) A bill for an Act to amend the Strata Titles Act 1973 as a consequence of the enactment of the Community Land Development Act 1989 and the Community Land Management Act 1989; and for other purposes.
- (iv) A bill for an Act to amend certain Acts as a consequence of the enactment of the Community Land Development Act 1989 and the Community Land Management Act 1989.

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 Moss) and the resumption of the debate made an Order of the Day for a future day.

11 CONVEYANCING (SALE OF LAND) AMENDMENT BILL
AUCTIONEERS AND AGENTS (SALE OF LAND) 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 Conveyancing Act 1919 in relation to the sale of residential property; to amend the Stamp Duties Act 1920 consequentially; and for other purposes.
- (ii) A bill for an Act to amend the Auctioneers and Agents Act 1941 in relation to the sale of residential property.

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 Moss) and the resumption of the debate made an Order of the Day for a future day.

12 PAY-ROLL TAX (AMENDMENT) BILL
LAND TAX MANAGEMENT (AMENDMENT) BILL
STAMP DUTIES (FURTHER 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 amend the Pay-roll Tax Act 1971 in order to tax fringe benefits; to make further provision with respect to objections and appeals; and for other purposes.
- (ii) A bill for an Act to amend the Land Tax Management Act 1956 with respect to the exemption from land tax of land used and occupied for boarding-houses for low-income persons and other purposes; to make further provision with respect to appeals; and for other purposes.
- (iii) A bill for an Act to amend the Stamp Duties Act 1920 to abolish stamp duty on certain instruments; with respect to the payment of financial institutions duty on certain large receipts; to make further provision with respect to appeals; and for other purposes.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1989

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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

13 WORKERS COMPENSATION (AMENDMENT) BILL

Mr Fahey moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Workers Compensation Act 1987 and certain other Acts in relation to journey claims, the liability of insurers 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 Nagle) and the resumption of the debate made an Order of the Day for a future day.

14 TRAFFIC (ROAD SAFETY) AMENDMENT BILL

Mr Baird moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Traffic Act 1909 with respect to offences and penalties; to provide for the monitoring of heavy motor vehicles and vehicles carrying dangerous goods; to amend the Motor Vehicles Taxation Act 1988; and for other purposes.

Question put and passed.

Bill 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.

15 TOW TRUCK 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—

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 TOW TRUCK BILL

Resumption of the interrupted debate, on the motion of Mr Baird, 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 Baird, read a third time.

18 CATCHMENT MANAGEMENT BILL
SOIL CONSERVATION (AMENDMENT) 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—

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1989

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.

19 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

21 November 1989

Courts Legislation (Procedure) Amendment Bill
Criminal Procedure (Fines) Amendment Bill
Law Reform (Vicarious Liability) Amendment Bill
Employee's Liability (Indemnification of Employer) Amendment Bill
Evidence (Religious Confessions) Amendment Bill
Trustee Companies (Further Amendment) Bill.

20 COMMUNITY WELFARE (AMENDMENT) BILL

Mr Caterson, 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 Community Welfare Act 1987 with respect to the employment and discipline of certain employees and offences relating to the administration and execution of the Act; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
21 November 1989

JOHN JOHNSON
President

Bill read a first time

Ordered by Mr Caterson, Acting Speaker, That the second reading stand an Order of the Day for tomorrow.

21 FISHERIES AND OYSTER FARMS (ADVISORY COUNCIL)
AMENDMENT 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.

Mr Caterson, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Caterson, Acting Speaker, resumed the Chair, and Mr J.D. Booth, Temporary Chairman, reported the bill without amendment.

On motion of Mr Armstrong, the Report was adopted.

And Mr Caterson, Acting Speaker, having consented to the third reading being taken forthwith—

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

22 STOCK DISEASES (OFFENCES) 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
21 November 1989

23 STOCK MEDICINES BILL
PESTICIDES AND ALLIED CHEMICALS (AMENDMENT) BILL
STOCK FOODS AND MEDICINES (AMENDMENT) BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Armstrong, 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 Armstrong, read a third time.

24 PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) FURTHER
AMENDMENT BILL
UNIVERSITIES LEGISLATION (INVESTMENT) BILL
TREASURY CORPORATION (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 Webster, on behalf of Greiner, read a third time.

25 STATE BANK (CORPORATISATION) 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.

Mr Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

And the Committee continuing to sit after midnight—

WEDNESDAY 22 NOVEMBER 1989 a.m.

Mr Speaker resumed the Chair, and the Chairman reported the bill without amendment.

On motion of Mr Webster, 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 Webster, read a third time.

26 ADJOURNMENT

Mr Webster moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.20 a.m., until 2.15 p.m. this day.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 76

WEDNESDAY 22 NOVEMBER 1989

1 PETITIONS

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

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

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

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

Ms Allan, Mr Aquilina and Mr Morris—from certain citizens requesting that measures be taken for the prevention of offensive parades in the streets of Sydney.

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 certain changes to public housing policy.

Mr Matheson and Mr Welsh—from certain citizens opposing the proposed changes to the Federation of New South Wales Police-Citizens Youth Clubs.

Mr Primrose—from certain citizens opposing the closure of Menangle Park railway station.

Mr Newman—from certain citizens opposing cuts to pensioner concessions.

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

Mr Hartcher—from certain citizens requesting that steps be taken to prevent the spread of Acquired Immune Deficiency Syndrome.

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

Ms Moore—from certain citizens opposing any prohibition of certain parades and processions in the streets of Sydney.

Ms Read—from certain citizens requesting the relocation of North Sydney Girls' High School at the site of the former Cremorne Girls' High School.

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

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

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Collins laid upon the Table—

Report of Archives Authority for the year ended 30 June 1989.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1989

Report of the Art Gallery for the year ended 30 June 1989.

Report of the Ministry of the Arts for the year ended 30 June 1989.

Report of the Australian Museum for the year ended 30 June 1989.

Report of the Film and Television Office for the year ended 30 June 1989.

Report of the Historic Houses Trust for the year ended 30 June 1989.

Report of the Museum of Applied Arts and Sciences for the year ended 30 June 1989.

Report of the Sydney Opera House Trust for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Report of the Royal Botanic Gardens and Domain Trust for the year ended 30 June 1989.

Referred to the Printing Committee.

(3) Dr Metherell laid upon the Table—

University and University Colleges Act 1900—amendments of, and additions to, the by-laws of the University of Sydney. (Gazette 100/1989.)

University of Newcastle Act 1989—amendments of, and additions to, the by-laws of the University of Newcastle. (Gazette 105/1989.)

Referred to the Printing Committee.

(4) Mr Baird laid upon the Table—

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulation 130A. (Gazette 109/1989.)

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—

Harden. (Gazette 107/1989.)
Marrickville. (Gazette 107/1989.)
Town Hall. (Gazette 107/1989.)

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Report of the Mine Subsidence Board for the year ended 30 June 1989.

Referred to the Printing Committee.

(6) Mr Fahey laid upon the Table—

Report of the Coal and Oil Shale Mine Workers' Superannuation Tribunal for the year ended 30 June 1989.

Report of the Long Service Payments Corporation for the year ended 30 June 1989.

Referred to the Printing Committee.

(7) Mr Hay laid upon the Table—

Report of the Heritage Council for the year ended 30 June 1989.

Referred to the Printing Committee.

4 QUESTIONS

5 SUSPENSION OF STANDING ORDERS

Mr Irwin moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of the following motion, That this House condemns the Minister for Administrative Services for failing in his responsibility, upon his closure of the Government Printing Office, to ensure the provision of essential parliamentary documents and papers to the people of New South Wales.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1989

Mr Irwin moved, That this House condemns the Minister for Administrative Services for failing in his responsibility, upon his closure of the Government Printing Office, to ensure the provision of essential parliamentary documents and papers to the people of New South Wales.

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put—"That the question be now put".

The House divided.

Ayes 55

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1989

Noes 47

Ms Allan	Mr Irwin	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
Mrs Crosio	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 Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Mr Beckroge
Mr Hunter	Mr Page	Mr Christie

Pairs

Mr Beck
Mr D. L. Page

Mr Amery
Mr Brereton

And so it was resolved in the affirmative.

Original question put.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1989

Ayes 47

Ms Allan
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Carr
Mr Cleary
Mrs Crosio
Mr Davoren
Mr Doyle
Mr Face
Mr Ferguson
Ms 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 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 56

Mr Andrews
Mr Armstrong
Mr Baird
Mr Berry
Mr Books
Mr J. D. Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Giachan
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 Park
Mr Peacocke
Mr Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts

Mr Schipp
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 Phillips
Mr Singleton

Pairs

Mr Beck
Mr D. L. Page

Mr Amery
Mr Brereton

And so it passed in the negative.

6 NOTICE OF MOTION

After time prescribed by Standing Orders—Mr Dowd.

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 Ozone Protection 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 SUSPENSION OF STANDING ORDERS

Ordered, on the motion of Mr Dowd, That so much of the Standing Orders be suspended as would preclude the—

Parliamentary Contributory Superannuation (Amendment) Bill
Parliamentary Remuneration Bill,

being brought in and passed through all stages at this sitting.

9 OZONE PROTECTION BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to empower the regulation and prohibition of the manufacture, sale, distribution, use, emission, re-cycling, storage and disposal of stratospheric ozone depleting substances and articles which contain those substances; 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.

10 COMMUNITY WELFARE (AMENDMENT) BILL

The Order of the Day having been read, Mr Moore moved, That this bill be now read a second time.

And the question being again proposed—

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

11 DAIRY INDUSTRY (AMENDMENT) BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Dairy Industry Act 1979 to make further provision with respect to retail sales of milk from shops.

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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

12 REGISTRATION OF INTERESTS IN GOODS (AMENDMENT) BILL

Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Registration of Interests in Goods Act 1986 to make provision for participation by other jurisdictions in the Register of Interests in Goods; to make further provision in relation to the administration of the Register and the effect of registration of interests in goods; 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 debate made an Order of the Day for a future day.

13 FACTORIES, SHOPS AND INDUSTRIES (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 remove the requirements to register shops and to enable certain corporations to gain small shop status; to repeal the Factories, Shops and Industries (Further Amendment) Act 1985; 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 Beckroge) and the resumption of the debate made an Order of the Day for a future day.

14 LOCAL GOVERNMENT (RATING) FURTHER AMENDMENT BILL

Mr Hay moved, pursuant to notice, That leave be given to bring in a bill for an Act to validate the making of certain local government rates for 1989; to make provision with respect to the making of local government rates for 1990; to amend the Local Government Act 1919; 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.

15 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION
(AMENDMENT) BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Parliamentary Contributory Superannuation Act 1971 in relation to pensions payable under that Act.

Question put and passed.

Bill presented and read a first time.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1989

Debate ensued.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

16 PARLIAMENTARY REMUNERATION BILL

Mr West moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the remuneration to be paid to members of Parliament, Ministers of the Crown and the holders of certain offices in the Parliament; and to repeal the Parliamentary Remuneration Tribunal Act 1975 and the Parliamentary Remuneration Tribunal (Special Provisions) Act 1989 and to amend the Parliamentary Contributory Superannuation Act 1971.

Question put and passed.

Bill read a first time.

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

Debate ensued.

Question put and passed.

Bill read a second time.

Leave granted for the third reading to be moved forthwith.

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

17 TRADE MEASUREMENT BILL
TRADE MEASUREMENT ADMINISTRATION BILL

The Order of the Day having been read for the resumption of the adjourned debate, on the motion of Mr Peacocke, 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 Peacocke, read a third time.

18 FRIENDLY SOCIETIES 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.

Mr Irwin, speaking (by leave), moved, That this debate be now adjourned.

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.

19 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

20 PUBLIC HEALTH (PROCLAIMED DISEASES) 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 November 1989

Bill read a second time.

Mr Catterson, Acting Speaker, left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the bill.

Mr Catterson, Acting Speaker, resumed the Chair, and Mr J.D. Booth, Temporary Chairman, reported the bill without amendment.

On motion of Mr Collins, the Report was adopted.

And Mr Catterson, Acting Speaker, having consented to the third reading being taken forthwith—

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

21 FOOD 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 FRIENDLY SOCIETIES 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.

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 J.D. Booth, Temporary Chairman reported the bill without amendment.

On motion of Mr Collins, the Report was adopted.

And Madam Deputy-Speaker, having consented to the third reading being taken forthwith—

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

23 REAL PROPERTY (BOUNDARY DETERMINATIONS) 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 Causley, read a third time.

24 ENTERTAINMENT INDUSTRY 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.

And the House continuing to sit after midnight—

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 and 23 November 1989 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.

Mr Speaker, resumed the Chair, and the Chairman reported the bill without amendment.

On motion of Mr Fahey, the Report was adopted.

And Mr Speaker, having consented to the third reading being taken forthwith—

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

25 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

22 November 1989

Fisheries and Oyster Farms (Advisory Council) Amendment Bill
Stock Diseases (Offences) Amendment Bill
Stock Medicines Bill
Pesticides and Allied Chemicals (Amendment) Bill
Stock Foods and Medicines (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 provide for a licensing and certification scheme for tow truck operators and drivers and to regulate other matters relating to the tow-truck industry; to constitute the Tow Truck Industry Council; to repeal the Tow-truck Act 1967, the Tow Truck Industry Act 1987 and certain other Acts; to amend certain Acts; 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 November 1989

JOHN JOHNSON
President

TOW TRUCK BILL 1989

Schedule of the amendments referred to in Message of 22 November 1989.

JOHN EVANS
Clerk of the Parliaments

No 1. Page 18, clause 46. After clause 46 (1) (b), insert:

(c) that the holder of the licence has induced or otherwise knowingly caused a person employed by the holder to contravene a provision of this Act or the regulations;
or

No 2. Page 19, clause 46 (1) (m) (i). After "(b)", insert "or has induced or otherwise knowingly caused a person employed by the corporation to contravene a provision referred to in paragraph (c)".

No 3. Page 19, clause 46 (1) (m) (ii). Omit "(c)", insert instead "(d)".

No 4. Page 19, clause 46 (2). Omit "(k)", insert instead "(l)".

Examined
BERYL EVANS
Temporary-Chairman of Committees

Ordered by Mr Speaker, That the amendments made by the Legislative Council in this bill be taken into consideration tomorrow.

26 FEDERATION OF NEW SOUTH WALES POLICE-CITIZENS YOUTH CLUBS
(RECONSTITUTION) BILL

Mr Speaker reported the following message from the Legislative Council:

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 and 23 November 1989 a.m.

Mr SPEAKER

The Legislative Council has this day passed a Bill intituled "An Act to enable the reconstitution of the Federation of New South Wales Police-Citizens Youth Clubs" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
22 November 1989

JOHN JOHNSON
President

Bill 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 tomorrow.

27 JURISDICTION OF COURTS (FOREIGN LAND) BILL
FAMILY PROVISION (FOREIGN LAND) 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 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.

28 STEWARDS' FOUNDATION OF CHRISTIAN BRETHERN 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.

29 LOCAL GOVERNMENT (WORK ON PRIVATE LAND) 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 amendment made by the Legislative Council in the Local Government (Work on Private Land) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had disagreed with the Council amendment.

Report adopted.

Ordered, on the motion of Mr Hay, 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 16 November, 1989 requesting the concurrence of the Legislative Assembly with the amendment to the Local Government (Work on Private Land) Amendment Bill 1989 as set forth in the schedule to that Message, acquaints the Legislative Council as follows—

The Assembly disagrees to the proposed amendment because—

It is too restrictive in identifying those persons or groups who are eligible for assistance.

It is too inflexible in its restriction of the abilities given to Councils to perform works.

It does not resolve the existing interpretation difficulty in determining "actual cost" of works.

It conflicts with the policy of providing greater autonomy to Local Government subject to reasonable accountability measures.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 and 23 November 1989 a.m.

And the Assembly requests the concurrence of the Legislative Council in its disagreement from the Council amendment in the Bill.

Legislative Assembly
23 November 1989 a.m.

KEVIN ROZZOLI
Speaker

30 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

22 November 1989

Public Authorities (Financial Arrangements) Further Amendment Bill
Universities Legislation (Investment) Bill
Treasury Corporation (Amendment) Bill.
Soil Conservation (Amendment) Bill

23 November 1989 a.m.

Parliamentary Contributory Superannuation (Amendment) Bill
Parliamentary Remuneration 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 establish the State Catchment Management Co-ordinating Committee and to provide for Catchment Management Committees and Catchment Management Trusts to implement total catchment management of natural resources; to repeal the Hunter Valley Conservation Trust Act 1950; to amend certain Acts; 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 November 1989

JOHN JOHNSON
President

CATCHMENT MANAGEMENT BILL

Schedule of the amendments referred to in Message of 22 November 1989.

JOHN EVANS
Clerk of the Parliaments

No 1. Page 11, Clause 27 (1) (f). Omit sub-paragraph (f).

No 2. Page 15, Clause 40. After clause 40(2) insert:

- (3) The responsible Minister is to be satisfied that any rates levied by a Trust for the purpose of carrying out the functions contained in section 27 (1) (a) are to equitably reflect the degree of benefit likely to accrue to land within the trust area.

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 tomorrow.

31 COAL MINES REGULATION (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.

Debate adjourned (Mr Caterson) and the resumption of the debate made an Order of the Day for tomorrow.

32 ADJOURNMENT

Mr Pickard moved, That this House do now adjourn.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 and 23 November 1989 a.m.

Ayes 51

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

Noes 32

Mr Amery	Mr Knowles	Mr Rogan
Mr Anderson	Mr Langton	Mr Rumble
Mr Aquilina	Mr Lovelee	Mr Shedden
Mr A. S. Aquilina	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Markham	Mr Walsh
Mr Davoren	Mr Martin	Mr Whelan
Mr Doyle	Mr Mills	
Mr Face	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers
Mr Harrison	Ms Nori	
Mr Irwin	Mr Price	Mr Beckroge
Mr Knight	Mr Primrose	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
22 and 23 November 1989 a.m.

Pairs

Mr Baird
Mr Fahey
Mr Greiner
Mr Schultz
Mr Webster

Ms Allan
Mr Brereton
Mr Carr
Mr Cleary
Mr Hunter

And so it was resolved in the affirmative.

The House adjourned accordingly at 2.16 a.m., until 10.30 a.m. this day.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 77

THURSDAY 23 NOVEMBER 1989

1 PETITIONS

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

Ms Moore—from certain citizens opposing any prohibition of certain parades and processions in the streets of Sydney.

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

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

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 certain changes to public housing policy.

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

Mr Knight and Mr Welsh—from certain citizens opposing the proposed changes to the Federation of New South Wales Police-Citizens Youth Clubs.

Mr Primrose—from certain citizens opposing the proposed closure of Menangle Park railway station.

Mr Mills—from certain citizens opposing the closure of schools in the Hunter region.

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

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Cabinet Office for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Mr Moore laid upon the Table—

Report of the Hunter Water Board for the year ended 30 June 1989.

Report of the Water Board for the year ended 30 June 1989.

Referred to the Printing Committee.

(3) Mr Pickard laid upon the Table—

Report of the Department of Minerals and Energy for the year ended 30 June 1989.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 November 1989

Report of the Central West County Council for the year ended 30 June 1989.

Report of the Macquarie County Council for the year ended 30 June 1989.

Report of the Ophir County Council for the year ended 30 June 1989.

Report of the Southern Tablelands County Council for the year ended 30 June 1989.

Report of the Ulan County Council for the year ended 30 June 1989.

Referred to the Printing Committee.

(4) Mr West laid upon the Table—

Report of the Tourism Commission for the year ended 30 June 1989.

Referred to the Printing Committee.

4 QUESTIONS

5 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE COUNCIL OF MACQUARIE UNIVERSITY

Ordered, on the motion of Mr Dowd, on behalf of Dr Metherell, pursuant to notice, That Andrew Arnold Tink, member for Eastwood, be elected as the representative of the Legislative Assembly on the Council of Macquarie University to be constituted in accordance with the Macquarie University Act, 1989.

6 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE SENATE OF THE UNIVERSITY OF SYDNEY

Ordered, on the motion of Mr Dowd, on behalf of Dr Metherell, pursuant to notice, That John David Booth, member for Wakehurst, be elected as the representative of the Legislative Assembly on the Senate of the University of Sydney to be constituted in accordance with the University of Sydney Act, 1989.

7 REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE COUNCIL OF THE UNIVERSITY OF WOLLONGONG

Ordered, on the motion of Mr Dowd, on behalf of Dr Metherell, pursuant to notice, That Christopher John Downy, member for Sutherland, be elected as the representative of the Legislative Assembly on the Council of the University of Wollongong to be constituted in accordance with the University of Wollongong Act, 1989.

8 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 23 November 1989, returning the Food Bill without amendment.

9 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 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 J. D. Booth	Mr Matheson	Mr Turner
Mr Caterson	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 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	
Mr Glachan	Mr Pickard	Tellers
Mr Graham	Mr Rixon	
Mr Griffiths	Mr Roberts	Mr Phillips
Mr Hartcher	Mr Schipp	Mr Singleton

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 November 1989

Noes 47

Ms Allan	Mr Knight	Mr Primrose
Mr Anderson	Mr Knowles	Ms Read
Mr Aquilina	Mr Langton	Dr Refshauge
Mr Carr	Mr Lovelee	Mr Rogan
Mr Cleary	Mr McManus	Mr Rumble
Mrs Crosio	Mr Markham	Mr Shedden
Mr Davoren	Mr Martin	Mr Unsworth
Mr Doyle	Mr Mills	Mr Walsh
Mr Face	Mr H. F. Moore	Mr Welsh
Mr Ferguson	Ms Moore	Mr Whelan
Ms Fraser	Mr Moss	
Mr Gibson	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 Beck
Mr Greiner

Mr A. S. Aquilina
Mr Carr

And so it was resolved in the affirmative.

10 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Public Finance and Audit (Amendment) Bill
Pharmacy (Amendment) Bill
Health Administration (Quality Assurance Committees) Amendment Bill
Wheat Administration Bill
Statute Law (Miscellaneous Provisions) Bill (No.3)
Industrial Arbitration (Enterprise Bargaining) 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.

11 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 Local Government (Rating) Further Amendment Bill.

12 LOCAL GOVERNMENT (RATING) FURTHER AMENDMENT 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.

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.

13 HEALTH ADMINISTRATION (QUALITY ASSURANCE COMMITTEES)
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 to make provision for quality assurance committees; and for related 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 Nagle) and the resumption of the debate made an Order of the Day for a future day.

14 PHARMACY (AMENDMENT) BILL

Mr Collins moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Pharmacy Act 1964 so as to incorporate the Pharmacy Board and vary its composition; to make further provision about the discipline of pharmacists and the ownership of pharmacies; and for other purposes.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 November 1989

Question put and passed.

Bill read a first time.

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

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

15 WHEAT MARKETING BILL

Mr Armstrong moved, pursuant to notice, That leave be given to bring in a bill for an Act relating to the marketing of wheat and other grains; to repeal the Wheat Marketing Act 1984; 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 Nagle) and the resumption of the debate made an Order of the Day for a future day.

16 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No.3)

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 affecting statute law revision; and to make certain savings.

Question put and passed.

Bill 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 debate made an Order of the Day for a future day.

17 INDUSTRIAL ARBITRATION (ENTERPRISE BARGAINING)
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 so as to provide for the fixing of conditions of employment by enterprise bargaining; to amend certain other Acts consequentially; 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.

18 PUBLIC FINANCE AND AUDIT (AMENDMENT) BILL

Mr Fahey, on behalf of Mr Greiner, moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Public Finance and Audit Act 1983 to authorise transfers from the Treasury Fire Risks Account and to make further provision concerning appropriations.

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 Langton) and the resumption of the debate made an Order of the Day for a future day.

19 MOTOR VEHICLES TAXATION (AMENDMENT) 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—

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, read a third time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
23 November 1989

20 TOW TRUCK 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 consideration of the amendments made by the Legislative Council in the Tow Truck Bill.

Madam Deputy-Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

21 PRINTING COMMITTEE

Mr Small brought up Report No. 26 of the Printing Committee.

22 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

23 November 1989

Friendly Societies Bill
Jurisdiction of Courts (Foreign Land) Bill
Family Provision (Foreign Land) Amendment Bill
Real Property (Boundary Determinations) Amendment Bill
Local Government (Rating) Further Amendment Bill
Stewards' Foundation Of Christian Brethren Bill
Trade Measurement Bill
Trade Measurement Administration Bill

23 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.06 p.m., until Tuesday 28 November 1989 at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 78

TUESDAY 28 NOVEMBER 1989

1 DISTINGUISHED VISITOR

Mr Speaker drew the attention of honourable members to the presence in the gallery of Mr Volodymyr Yavorivsky, a Ukrainian member of the Soviet Congress of People's Deputies.

2 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 23 November 1989, returning the Entertainment Industry Bill without amendment.

3 PETITIONS

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

Ms Moore—from certain citizens opposing any prohibition on certain parades and processions in the streets of Sydney.

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

Mr Whelan—from certain citizens requesting that measures be taken to prevent offensive parades in the streets of Sydney.

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 certain parts of Moore Park.

Ms Moore—from certain citizens opposing certain changes to public housing policy.

Mr Face and Mr Welsh—from certain citizens opposing the proposed change to the Federation of New South Wales Police-Citizens Youth Clubs.

Mr Primrose—from certain citizens opposing the closure of Menangle Park railway station.

Mr H. F. Moore and Mr Zammit—from certain citizens requesting support for the closure of all brothels in New South Wales.

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

Mr H. F. Moore—from certain citizens requesting that steps be taken to prevent the spread of Acquired Immune Deficiency Syndrome.

Ms Read—from certain citizens requesting support for the relocation of North Sydney Girls' High School to the site of the former Cremorne Girls' High School.

Mr Arkell—from certain citizens opposing the proposed closure of the Warrawong office of the Department of Housing.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 November 1989

4 NOTICES OF MOTIONS

5 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Premier's Department for the year ended 30 June 1989.

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 Collins laid upon the Table—

Optometrists Act 1930—Optometrists Regulations 1965—substituted regulation 14, substituted schedule B. (Gazette 111/1989.)

Poisons Act 1966—Poisons Regulations—amendment of regulations 28, 43. (Gazette 111/1989.)

Private Health Establishments Act 1982—Private Health Establishments (Private Hospitals and Nursing Homes) Regulation 1988—form 16, amendment of schedule 1. (Gazette 102/1989.)

Pure Food Act 1908—

(a) Food Standards Code (Adoption) Regulation 1989—amendment of schedule 1. (Gazette 110/1989.)

(b) Pure Food Regulations 1937—amendment of regulations 19, 24A, 47B, 77. (Gazette 100/1989.)

Referred to the Printing Committee.

(3) Mr Dowd laid upon the Table—

Report of the Bush Fire Council for the year ended 30 June 1989.

Report of the Public Trustee for the year ended 30 June 1989.

Referred to the Printing Committee.

(4) Mr Moore laid upon the Table—

Children (Care and Protection) Act 1987—

- (a) Fostering Authorities Regulation 1989—clauses 1 to 18, schedule 1. (Gazette 97/1989.)
- (b) Private Fostering Agency Authorities Regulation 1989—clauses 1 to 27, schedule 1. (Gazette 97/1989.)
- (c) Residential Child Care Centres Regulation 1989—clauses 1 to 23, schedules 1 to 3. (Gazette 97/1989.)

Children (Detention Centres) Act 1987—Children (Detention Centres) Regulation 1988—clauses 38A, 40A, 49, 49A, amendment of clause 40, substituted schedule 1, omission of part 5. (Gazette 97/1989.)

Sentencing Act 1989—Sentencing (Children) Regulation 1989—clauses 1 to 18, schedule 1. (Gazette 98/1989.)

Referred to the Printing Committee.

(5) Mr West laid upon the Table—

Report of the Chief Secretary's Department for the year ended 30 June 1989.

Report of the Liquor Administration Board for the year ended 30 June 1989.

Report of the Peace Trust for the period 28 February 1989 to 28 June 1989.

Referred to the Printing Committee.

(6) Mr Baird laid upon the Table—

Report of the Maritime Services Board for the year ended 30 June 1989.

Report of the State Transit Authority for the year ended 30 June 1989.

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—

Lake Macquarie. (Gazette 111/1989.)

Mulwaree. (Gazette 111/1989.)

Newcastle. (Gazette 111/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 November 1989

Traffic 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—

Lake Macquarie. (Gazette 111/1989.)
Robertson. (Gazette 111/1989.)

Traffic Act 1909—Motor Traffic Regulations 1935—amendment of regulations 31, 34. (Gazette 111/1989.)

Referred to the Printing Committee.

(7) Mr Pickard laid upon the Table—

Report of the Illawarra County Council for the year ended 30 June 1989.

Report of the Murray River County Council for the year ended 30 June 1989.

Report of the Prospect County Council for the year ended 30 June 1989.

Report of the Shortland County Council for the year ended 30 June 1989.

Report of the Sydney County Council for the year ended 30 June 1989.

Report of the Tumut River County Council for the year ended 30 June 1989.

Electricity Act 1945—Electrical Articles Regulation 1985—substituted schedule 2. (Gazette 149/1988.)

Pipelines Act 1967—Pipelines Regulations 1968—substituted schedule 2. (Gazette 149/1989.)

Referred to the Printing Committee.

(8) Mr Causley laid upon the Table—

Report of the Cobar Water Board for 1988.

Report of the Valuer General for the year ended 30 June 1989.

Referred to the Printing Committee.

6 MINISTERIAL ARRANGEMENT

Mr Greiner informed the House that the Honourable Wallace Telford John Murray, M.P., Deputy Premier, Minister for State Development and Minister for Public Works, would represent the Honourable Ian Morton Armstrong, O.B.E., M.P., Minister for Agriculture and Minister for Rural Affairs during his absence from the State.

7 AUDITOR-GENERAL'S REPORT

Mr Speaker laid upon the Table—

Report of the Auditor-General's Office for the year ended 30 June 1989, Volume 3.

Ordered to be printed.

8 MINISTERIAL STATEMENT—ACQUITTAL OF MR ROGER ROGERSON

Mr Dowd made a ministerial statement concerning the trial and acquittal of Mr Roger Rogerson on a charge associated with the shooting of police officer Michael Drury.

Mr Carr also addressed the House.

9 QUESTIONS

10 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the Pipelines (Amendment) Bill being passed through all remaining stages at this sitting.

Question put and passed.

11 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Fine Enforcement Legislation (Amendment) Bill
Coroners (Amendment) Bill
Crimes (Amendment) Bill
Inclosed Lands (Protection) Amendment Bill,

notice of which was given this day for tomorrow, being brought in and proceeded with up to and including the Minister's second reading speech.

Question put and passed.

12. CHILDREN (DETENTION CENTRES) AMENDMENT BILL

Mr Moore moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Children (Detention Centres) Act 1987 with respect to the detention of children in places other than detention centres; 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 (Mr Aquilina) and the resumption of the debate made an Order of the Day for a future day.

13 PIPELINES (AMENDMENT) BILL

Mr Pickard moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Pipelines Act 1967 with respect to the lodgment and registration of plans for pipelines; to validate the lodgment and registration of a certain plan and the vesting of certain easements; 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 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 Pickard, read a third time.

14 PERMANENT BUILDING SOCIETIES (AMENDMENT) BILL

- (i) Ordered, on the motion of Mr Peacocke, That so much of the Standing Orders be suspended as would preclude the Permanent Building Societies (Amendment) Bill, notice of which was given this day for tomorrow, being brought in and passed through all stages in one day.

- (ii) Mr Peacocke moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Permanent Building Societies Act 1967 to make further provision with respect to shareholdings in permanent building societies.

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 debate made an Order of the Day for a later hour of the day.

15 CATCHMENT MANAGEMENT BILL
SOIL CONSERVATION (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 Catchment Management Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

16 FINE ENFORCEMENT LEGISLATION (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, the Community Service Orders Act 1979, the Children (Community Service Orders) Act 1987 and the Children (Criminal Proceedings) Act 1987 and other Acts with respect to the procedures for, and other aspects relating to, the enforcement of fines and other amounts.

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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 November 1989

17 CORONERS (MISCELLANEOUS AMENDMENTS) BILL

Mr Dowd moved, pursuant to notice, That leave be given to bring in a bill for an Act to amend the Coroners Act 1980 in relation to reports to a coroner and the continuation or termination of an inquest or inquiry; to make consequential amendments to the Registration of Births, Deaths and Marriages Act 1973; 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.

18 CRIMES (AMENDMENT) BILL
INCLOSED LANDS PROTECTION (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 Crimes Act 1900 in relation to sexual assault and monetary penalties; and for other purposes.
- (ii) A bill for an Act to amend the Inclosed Lands Protection Act 1901 in relation to penalties for offences against that Act.

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 Anderson) and the resumption of the adjourned debate made an Order of the Day for a future day.

19 FIRE BRIGADES 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.

20 MESSAGE FROM THE GOVERNOR

Mr Acting Speaker Wotton reported a message from His Excellency the Governor dated 27 November 1989, assenting to the Environmental Offences and Penalties Bill.

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

21 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

22 OZONE PROTECTION 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.

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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
28 November 1989

23 COMMUNITY WELFARE (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.

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.

24 TRAFFIC (ROAD SAFETY) AMENDMENT 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—

The House resumed the said adjourned debate.

Debate adjourned (Mr Phillips) and the resumption of the adjourned debate made an Order of the Day for tomorrow.

25 ADJOURNMENT

Mr Baird moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 11.49 p.m., until tomorrow at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 79

WEDNESDAY 29 NOVEMBER 1989

1 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

28 November 1989

Motor Vehicles Taxation (Amendment) Bill
Public Health (Proclaimed Diseases) Amendment Bill.

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

Mr SPEAKER

The Legislative Council having had under consideration the Legislative Assembly's Message dated 23 November 1989 a.m., in reference to the Local Government (Work on Private Land) Amendment Bill, acquaints the Legislative Assembly as follows:

The Council does not insist upon its proposed amendment disagreed to by the Assembly but proposes further amendments in the Bill as follows:

No. 1 Page 2, clause 3. After proposed section 500 (2), insert:

(3) The council must cause a notice containing brief details of any proposal to carry out work for an amount estimated by the council to be lower than the actual cost and agreed on under subsection (2) (b) to be published at least 14 days before the meeting at which the proposal is to be considered in a newspaper circulating in the council's area.

(4) Before a decision on a proposal to carry out work for an amount estimated by the council to be lower than the actual cost and agreed on under subsection (2) (b) is made by the council, the council must consider any written submissions received in relation to the proposal.

No. 2 Page 2, clause 3. After proposed section 500 (3), insert:

(6) The council need not comply with subsections (3), (4) and (5) in a case of emergency if:

(a) the mayor, president or chairman of the council makes a written report detailing the reasons for not complying with those subsections; and

(b) the report is laid on the table by the council at the next ordinary meeting of the council after the carrying out of the work or at a special meeting of the council called to consider the matter, whichever occurs first.

(7) The council must include a brief description of each resolution to carry out work for an amount agreed under subsection (2) (b) in the next annual report under section 654A after the meeting at which the resolution was passed.

in which further amendments the Legislative Council requests the concurrence of the Legislative Assembly.

Legislative Council
29 November 1989 a.m.

JOHN JOHNSON
President

Ordered by Mr Speaker, That the Legislative Council message be taken into consideration at a later hour of the day.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

2 PETITIONS

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

Ms Moore—from certain citizens opposing any prohibition on certain parades and processions in the streets of Sydney.

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

Mrs Cohen and Mr Harrison—from certain citizens requesting that measures be taken to prevent offensive parades in the streets of Sydney.

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 certain changes to public housing policy.

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

Mr Face and Mr Welsh—from certain citizens opposing the proposed changes to the Federation of New South Wales Police-Citizens Youth Clubs.

Mr Primrose—from certain citizens opposing the closure of Menangle Park railway station.

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

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

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

Ms Read—from certain citizens requesting support for the relocation of North Sydney Girls' High School to the site of the former Cremorne Girls' High School.

Mr Arkell—from certain citizens opposing the proposed closure of the Warrawong office of the Department of Housing.

Mr J. H. Murray and Mr Welsh—from certain citizens requesting support for legislation to implement citizen-initiated referendums.

Mr Page—from certain citizens opposing rental increases by the Department of Housing that exceed the Consumer Price Index.

3 NOTICES OF MOTIONS

4 PAPERS

(1) Mr Greiner laid upon the Table—

Report of the Office of State Revenue for the year ended 30 June 1989.

Report of the Treasury for the year ended 30 June 1989.

Freedom of Information Act 1989—Freedom of Information (General) Regulation 1989—amendment of schedule 5. (Gazette 105/1989.)

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Report of the Department of Housing for the year ended 30 June 1989.

Referred to the Printing Committee.

(3) Mr Moore laid upon the Table—

Lord Howe Island Act 1953—

(a) notice of transfer of leases (5), pursuant to the provisions of the Act. (Gazette 88/1989.)

(b) notice of extension of special leases pursuant to the provisions of the Act. (Gazette 88/1989.)

(c) notice of granting of lease in perpetuity pursuant to the provisions of the Act. (Gazette 88/1989.)

(d) notice of permissive occupancy of Crown land pursuant to the provisions of the Act. (Gazette 88/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

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

Boatharbour Nature Reserve. (Gazette 87/1989.)
Burrundong State Recreation Area. (Gazette 107/1989.)
Goorooyarroo Nature Reserve. (Gazette 89/1989.)
Hartley Historic Site. (Gazette 107/1989.)
Myall Lakes National Park. (Gazette 102/1989.)
Oxley Wild Rivers National Park. (Gazettes 94/1989, 105/1989.)
Sea Acres Nature Reserve. (Gazette 107/1989.)

Referred to the Printing Committee.

(4) Mr Baird laid upon the Table—

Report of the State Rail Authority for the year ended 30 June 1989.

Report of the Roads and Traffic Authority for the year ended 30 June 1989.

Report of the Ministry of Transport for the year ended 30 June 1989.

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Report of the Murrumbidgee County Council for the year ended 30 June 1989.

Report of the North West County Council for the year ended 30 June 1989.

Referred to the Printing Committee.

(6) Mr Fahey laid upon the Table—

Report of the Joint Committee administering the Broken Hill Mines (Pneumoconiosis-Tuberculosis) Compensation Scheme for the year ended 30 June 1989.

Report of the State Compensation Board for the year ended 30 June 1989.

Report of the Insurance Premiums Committee for the year ended 30 June 1989.

Report of the Sporting Injuries Committee for the year ended 30 June 1989.

Report of the State Superannuation Office for the year ended 30 June 1989.

Report of the Workers Compensation and Rehabilitation Authority for year ended 30 June 1989.

Referred to the Printing Committee.

(7) Mr Hay laid upon the Table—

Report of the Department of Local Government for the year ended 30 June 1989.

Report of the Department of Planning for the year ended 30 June 1989.

Referred to the Printing Committee.

(8) Mr Webster laid upon the Table—

Report of the Public Servant Housing Authority for the year ended 30 June 1989.

Statement of Corporate Intent for New South Wales Grain Corporation Limited in compliance with sections 21 and 22 of the State Owned Corporations Act 1989 dated 28 November 1989.

Referred to the Printing Committee.

5 QUESTIONS

6 STATE EMERGENCY AND RESCUE MANAGEMENT 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 relating to the management of State emergencies and rescues" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
28 November 1989

JOHN JOHNSON
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.

7 STATE EMERGENCY SERVICE BILL

Mr Speaker reported the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council having this day passed a Bill intituled "An Act to establish the State Emergency Service and define its functions; to make provision for the handling of certain emergencies; to repeal the State Emergency Services and Civil Defence Act 1972; to amend certain other Acts; and for other purposes" presents the same to the Legislative Assembly for its concurrence.

Legislative Council
28 November 1989

JOHN JOHNSON
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.

8 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 third 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 Whelan) and the resumption of the debate made an Order of the Day for a future day.

9 SUPERANNUATION ADMINISTRATION (AMENDMENT) BILL
PUBLIC SECTOR EXECUTIVES SUPERANNUATION (AMENDMENT) BILL
MISCELLANEOUS ACTS (PUBLIC SECTOR EXECUTIVES
SUPERANNUATION) FURTHER 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 amend the Superannuation Administration Act 1987 for the purpose of making further provision concerning the liability of contributors to superannuation schemes managed by the State Authorities Superannuation Board and the employers of those contributors to meet the costs incurred by the Board in managing those schemes and for other purposes.
- (ii) A bill for an Act to amend the Public Sector Executives Superannuation Act 1989 so as to redefine the expression "salary" for the purposes of that Act and to remove restrictions on coverage for additional benefits and for other purposes.
- (iii) A bill for an Act to amend the Local Government and Other Authorities (Superannuation) Act 1927, the State Authorities Non-contributory Superannuation Act 1987, the State Authorities Superannuation Act 1987 and the Superannuation Act 1916 in consequence of the enactment of the Public Sector Executives Superannuation (Amendment) Act 1989 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 Page) and the resumption of the adjourned debate made an Order of the Day for a future day.

10 PAY-ROLL TAX (AMENDMENT) BILL
LAND TAX MANAGEMENT (AMENDMENT) BILL
STAMP DUTIES (FURTHER AMENDMENT) 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.

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, read a third time.

11 WHEAT MARKETING 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 Murray, on behalf of Mr Armstrong, read a third time.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

12 HEALTH ADMINISTRATION (QUALITY ASSURANCE COMMITTEES)
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.

13 PHARMACY (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.

14 DAIRY INDUSTRY (AMENDMENT) 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 Peacocke, on behalf of Mr Armstrong, read a third time.

15 PERMANENT BUILDING SOCIETIES (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.

16 REGISTRATION OF INTERESTS IN GOODS 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.

17 STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 3)

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 COMMUNITY LAND DEVELOPMENT BILL
COMMUNITY LAND MANAGEMENT BILL
STRATA TITLES (COMMUNITY LAND) AMENDMENT BILL
MISCELLANEOUS ACTS (COMMUNITY LAND) 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—

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.

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 INDUSTRIAL ARBITRATION (ENTERPRISE BARGAINING)
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—

Mr Unsworth moved, That the question be amended by leaving out the word "now" with a view to adding the words "this day six months".

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

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put—That the question be now put.

The House divided.

Ayes 55

Mr Andrews
Mr Baird
Mr Berry
Mr Books
Mr J. D. Booth
Mr Careson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Dowd
Mr Downy
Mr Fahey
Mr Gachan
Mr Graham
Mr Greiner
Mr Griffiths
Mr Harther
Mr Jeffrey
Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Methcull
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Peich
Mr Photos
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 Zammitt
Tellers
Mr Beck
Mr Phillips

Noes 46

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkell
Mr Breton
Mrs Crosio
Mr Davoren
Mr Doyle
Mr Face
Mr Ferguson
Ms 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
Mr Moss
Mr J. H. Murray
Mr Nagle
Mr Newman
Ms Nori
Mr Price
Mr Primrose
Ms Read
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Shedden
Mr Unsworth
Mr Walsh
Mr Welsh
Mr Whehan
Tellers
Mr Beckroge
Mr Christie

Pairs

Mr Armstrong
Mr Hay
Mr Moore

Mr Carr
Mr Cleary
Mr Page

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

And so it was resolved in the affirmative.

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

The House divided.

Ayes 55

Mr Andrews	Mr Jeffery	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr J. D. Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Morris	Mr West
Mr Cochran	Mr Murray	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	
Mr Glachan	Mr Rixon	
Mr Graham	Mr Roberts	Tellers
Mr Greiner	Mr Schipp	
Mr Griffiths	Mr Schultz	Mr Beck
Mr Hartcher	Mr Singleton	Mr Phillips

Noes 46

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 Langton	Mr Rumble
Mr Arkell	Mr Lovelee	Mr Shedden
Mr Brereton	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Markham	Mr Walsh
Mr Davoren	Mr Martin	Mr Welsh
Mr Doyle	Mr Mills	Mr Whelan
Mr Face	Mr H. F. Moore	
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

Pairs

Mr Armstrong	Mr Carr
Mr Hay	Mr Cleary
Mr Moore	Mr Page

And so it was resolved in the affirmative.

Original question again proposed.

Debate continued.

Mr Phillips moved, That the question be now put.

Question put—That the question be now put.

The House divided.

Ayes 55

Mr Andrews	Mr Jeffery	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr J. D. Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Morris	Mr West
Mr Cochran	Mr Murray	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	
Mr Glachan	Mr Rixon	
Mr Graham	Mr Roberts	Tellers
Mr Greiner	Mr Schipp	
Mr Griffiths	Mr Schultz	Mr Beck
Mr Hartcher	Mr Singleton	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

Noes 46

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 Langton	Mr Rumble
Mr Arkell	Mr Lovelee	Mr Shedden
Mr Brereton	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Markham	Mr Walsh
Mr Davoren	Mr Martin	Mr Welsh
Mr Doyle	Mr Mills	Mr Whelan
Mr Face	Mr H. F. Moore	
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	Tellers
Mr Harrison	Mr Newman	
Mr Hatton	Ms Nori	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

Pairs

Mr Armstrong	Mr Carr
Mr Hay	Mr Cleary
Mr Moore	Mr Page

And so it was resolved in the affirmative.

And the House continuing to sit after midnight—

THURSDAY 30 NOVEMBER 1989 a.m.

Question put—That this bill be now read a second time.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

Ayes 55

Mr Andrews	Mr Keegan	Mr Small
Mr Bajrd	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr J. D. Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Morris	Mr West
Mr Cochran	Mr Murray	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	
Mr Glachan	Mr Rixon	
Mr Graham	Mr Roberts	Tellers
Mr Griffiths	Mr Schipp	
Mr Hartcher	Mr Schultz	Mr Beck
Mr Jeffery	Mr Singleton	Mr Phillips

Noes 46

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Knowles	Ms Read
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mr Lovelee	Mr Rogan
Mr A. S. Aquilina	Mr McManus	Mr Rumble
Mr Arkell	Mr Markham	Mr Shedden
Mrs Crosio	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 Ferguson	Mr Moss	
Ms 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 Armstrong	Mr Brereton
Mr Greiner	Mr Carr
Mr Hay	Mr Cleary

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

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 progress and sought leave to sit again tomorrow.

Question put—That leave be given.

The House divided.

Ayes 57

Mr Andrews	Mr Keegan	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr J. D. Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Morris	Mr West
Mr Cochran	Mr Murray	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	
Mr Glachan	Ms Read	
Mr Graham	Mr Rixon	
Mr Griffiths	Mr Roberts	Tellers
Mr Hartcher	Mr Schipp	
Mr Hatton	Mr Schultz	Mr Beck
Mr Jeffery	Mr Singleton	Mr Phillips

Noes 44

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 Arkell	Mr Markham	Mr Shedden
Mrs Crosio	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 Ferguson	Mr Moss	
Ms Fraser	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

Pairs

Mr Armstrong	Mr Brereton
Mr Greiner	Mr Carr
Mr Hay	Mr Cleary

And so it was resolved in the affirmative.

21 TRAFFIC (ROAD SAFETY) AMENDMENT 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—

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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

On motion of Mr Baird, 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.

22 STATE EMERGENCY SERVICE BILL

The Order of the Day having been read, Mr Dowd moved, That this bill be now read a second time.

And the question being proposed—

Debate adjourned (Mr Whelan) and the resumption of the debate made an Order of the Day for tomorrow.

23 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

29 November 1989

Health Administration (Quality Assurance Committees) Amendment Bill
Ozone Protection Bill
Pay-roll Tax (Amendment) Bill
Land Tax Management (Amendment) Bill
Stamp Duties (Further Amendment) Bill
Pharmacy (Amendment) Bill
Pipelines (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 provide for the protection of persons and property from fire and for that purpose to constitute New South Wales Fire Brigades as a Department of the Government and to provide for permanent and volunteer fire brigades; to amend certain Acts; 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
29 November 1989

JOHN JOHNSON
President

FIRE BRIGADES BILL

Schedule of the amendments referred to in Message of 29 November 1989.

JOHN EVANS
Clerk of the Parliaments

No 1. Page 10, clause 29. In clause 29 (2), before "building", insert "land or".

No 2. Page 30, clause 75. Omit clause 75 (2) (c) and (d), insert instead:

(c) a person appointed by the Minister to represent insurance companies in New South Wales, being a person selected by the Minister from a panel of 3 persons nominated by the Insurance Council of Australia Limited;

(d) a person appointed by the Minister to represent local government in New South Wales, being a person selected by the Minister from a panel of 3 persons nominated jointly by the Local Government Association of New South Wales and the Shires Association of New South Wales;

No 3. Page 30, clause 75. After clause 75 (3), insert:

(4) If a body fails to nominate a panel of persons for the purposes of an appointment under subsection (2) (c) or (d) within a reasonable time after being requested to do so by the Minister, the Minister may appoint a person of the Minister's own choice.

Examined
BERYL EVANS
Temporary-Chairman of Committees

Ordered by Mr Speaker, That the amendment made by the Legislative Council in this bill be taken into consideration forthwith.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
29 November 1989

24 FIRE BRIGADES 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 Fire Brigades Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the Council amendments.

Report adopted.

25 CLOSURE—ALLOCATION OF TIME FOR DISCUSSION

Mr Dowd, on behalf of the Premier, gave notice of business to be dealt with on 30 November 1989—

Industrial Arbitration (Enterprise Bargaining) Amendment Bill.

26 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 2.14 a.m., until 10.30 a.m. this day.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 80

THURSDAY 30 NOVEMBER 1989

1 PETITIONS

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

Ms Moore—from certain citizens opposing any prohibition on certain parades and processions in the streets of Sydney.

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

Mr J. H. Murray and Mr Turner—from certain citizens requesting that measures be taken to prevent offensive parades in the streets of Sydney.

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 certain parts of Moore Park.

Ms Moore—from certain citizens opposing certain changes to public housing policy.

Mr Arkell—from certain citizens opposing the proposed closure of the Warrawong office of the Department of Housing.

Mr Unsworth—from certain citizens opposing the proposed closure of Kyeemagh Infant's School.

Mr Hatton—from certain citizens requesting that existing abortion services not be restricted.

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

Mr Langton—from certain citizens requesting the implementation of a feasibility study into future transport options in the Eastern Suburbs.

Ms Read—from certain citizens requesting support for the relocation of North Sydney Girls' High School to the site of the former Cremorne Girls' High School.

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

2 NOTICES OF MOTIONS

3 PAPERS

(1) Mr Greiner laid upon the Table—

Public Authorities (Financial Arrangements) Act 1987—

Public Authorities (Financial Arrangements) (Building Services Corporation) Regulation 1989—clauses 1 to 3. (Gazette 111/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November 1989

Public Authorities (Financial Arrangements) (Public Sector Executives Superannuation Board) Regulation 1989—clauses 1 to 5. (Gazette 113/1989.)

Public Authorities (Financial Arrangements) (State Authorities Superannuation Board) Regulation 1989—clauses 1 to 4. (Gazette 111/1989.)

Referred to the Printing Committee.

(2) Mr Collins laid upon the Table—

Report of the Department of Health for the year ended 30 June 1989.

Referred to the Printing Committee.

(3) Mr Baird laid upon the Table—

Report by the Office of Public Management entitled Sydney Harbour Tunnel Assessment of Roads and Traffic Authority Tendering and Contracting Procedures for the Engagement of Pak Poy and Kneebone Pty Ltd as a consultant.

Referred to the Printing Committee.

(4) Mr Moore laid upon the Table—

Report of the Office of the Minister for the Environment for the year ended 30 June 1989.

Report of the State Pollution Control Commission for the year ended 30 June 1989.

State Pollution Control Commission Act 1970—State Pollution Control Commission Regulation 1985—clause 13, amendment of clauses 3, 6. (Gazettes 97/1989, 102/1989.)

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 1989.

Referred to the Printing Committee.

(6) Mr Pickard laid upon the Table—

Report of the Electricity Commission for the year ended 30 June 1989.

Referred to the Printing Committee.

(7) Mr Causley laid upon the Table—

Crown Lands Consolidation Act 1913—schedule of crown lands intended to be dedicated, or added to existing dedications, for public purposes in accordance with section 24 of the Act.

(8) Mr Hay laid upon the Table—

Local Government Act 1919—amendment of ordinance 5. (Gazette 114/1989.)

Referred to the Printing Committee.

4 QUESTIONS

5 MINISTERIAL STATEMENT

Dr Metherell made a ministerial statement concerning the draft Education Reform Bill.

Paper: Dr Metherell laid upon the Table Exposure draft of the Education Reform Bill, together with a statement.

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 1989.

Ordered to be printed.

7 SPECIAL ADJOURNMENT

Mr Dowd moved, pursuant to notice (as amended by leave), That the House at its rising this day do adjourn until Wednesday 6 December 1989 at 10.30 a.m.

Debate ensued.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November 1989

Ayes 54

Mr Andrews	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smiles
Mr J. D. 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	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 Peitch	Mr Zammit
Mr Glachan	Mr Photios	
Mr Graham	Mr Rixon	Tellers
Mr Griffiths	Mr Roberts	
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Noes 47

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

Pairs

Mr Armstrong
Mr Books
Mr Greiner

Mr Carr
Mr Ferguson
Mr H. F. Moore

And so it was resolved in the affirmative.

8 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing and Sessional Orders be suspended so as to preclude the taking of private members' statements at this sitting.

Debate ensued.

Question put.

The House divided.

Ayes 54

Mr Andrews
Mr Berry
Mr J. D. 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 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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November 1989

Noes 47

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

Pairs

Mr Armstrong	Mr Carr
Mr Books	Mr Ferguson
Mr Greiner	Mr H. F. Moore

And so it was resolved in the affirmative.

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 Children (Detention Centres) Amendment Bill.

Debate ensued.

Question put.

The House divided.

Ayes 54

Mr Andrews
Mr Berry
Mr J. D. 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 Hay
Mr Jeffery

Mr Kerr
Mr Longley
Miss Machin
Mr Matheson
Mr Merton
Dr Methereil
Mr Moore
Mr Morris
Mr Murray
Mr D. L. Page
Mr Park
Mr Peacocke
Mr Peich
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

Noes 46

Ms Allan
Mr Amery
Mr Anderson
Mr Aquilina
Mr A. S. Aquilina
Mr Arkeil
Mr Breerton
Mr Cleary
Mrs Crosio
Mr Davoren
Mr Doyle
Mr Face
Ms 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
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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November 1989

Pairs

Mr Armstrong
Mr Books
Mr Greiner

Mr Carr
Mr Ferguson
Mr H. F. Moore

And so it was resolved in the affirmative.

10 LOCAL GOVERNMENT (WORK ON PRIVATE LAND) 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 message of the Legislative Council of 29 November, 1989, a.m., in reference to proposed further amendments in the Local Government (Work on Private Land) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had agreed to the further amendments proposed by the Council.

Report adopted.

11 INDUSTRIAL ARBITRATION (ENTERPRISE BARGAINING)
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 bill.

Mr Speaker resumed the Chair, and the Chairman reported the bill 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 put—That the Report be now adopted.

The House divided.

Ayes 55

Mr Andrews	Mr Keegan	Mr Small
Mr Baird	Mr Kerr	Mr Smiles
Mr Berry	Mr Longley	Mr Smith
Mr Books	Miss Machin	Mr Souris
Mr J. D. Booth	Mr Matheson	Mr Tink
Mr Caterson	Mr Merton	Mr Turner
Mr Causley	Dr Metherell	Mr Webster
Mr Chappell	Mr Morris	Mr West
Mr Cochran	Mr Murray	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	
Mr Glachan	Mr Rixon	
Mr Graham	Mr Roberts	Tellers
Mr Griffiths	Mr Schipp	
Mr Hartcher	Mr Schultz	Mr Beck
Mr Jeffery	Mr Singleton	Mr Phillips

Noes 46

Ms Allan	Mr Knight	Mr Primrose
Mr Amery	Mr Knowles	Ms Read
Mr Anderson	Mr Langton	Dr Refshauge
Mr Aquilina	Mr Lovelee	Mr Rogan
Mr A. S. Aquilina	Mr McManus	Mr Rumble
Mr Arkell	Mr Markham	Mr Shedden
Mrs Crosio	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 Ferguson	Mr Moss	
Ms 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 Armstrong	Mr Carr
Mr Greiner	Mr Brereton
Mr Hay	Mr Cleary

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November 1989

And so it was resolved in the affirmative.

Question put—That this bill be now read a third time.

The House divided.

Ayes 52

Mr Andrews	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smiles
Mr J. D. 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 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 Griffiths	Mr Roberts	
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November 1989

Noes 42

Mr Amery	Mr Keegan	Ms Read
Mr Anderson	Mr Knight	Dr Refshauge
Mr A. S. Aquilina	Mr Knowles	Mr Rogan
Mr Arkell	Mr Langton	Mr Shedden
Mr Brereton	Mr Lovelee	Mr Unsworth
Mr Cleary	Mr Markham	Mr Walsh
Mrs Crosio	Mr Martin	Mr Welsh
Mr Davoren	Mr Mills	Mr Whelan
Mr Doyle	Ms Moore	
Mr Face	Mr Moss	
Ms Fraser	Mr J. H. Murray	
Mr Gibson	Mr Nagle	
Mr Harrison	Mr Newman	Tellers
Mr Hatton	Ms Nori	
Mr Hunter	Mr Price	Mr Beckroge
Mr Irwin	Mr Primrose	Mr Christie

Pairs

Mr Armstrong	Ms Allan
Mr Books	Mr Aquilina
Mr Dowd	Mr Carr
Mr Greiner	Mr Ferguson
Mr West	Mr H. F. Moore

And so it was resolved in the affirmative.

Bill read a third time.

12 PUBLIC FINANCE AND AUDIT (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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November 1989

13 POLICE REGULATION (IMPOSITION OF CHARGES) 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.

The House divided.

Ayes 50

Mr Andrews	Mr Jeffery	Mr Singleton
Mr Baird	Mr Kerr	Mr Small
Mr Berry	Mr Longley	Mr Smiles
Mr Books	Mr Matheson	Mr Smith
Mr J. D. Booth	Mr Merton	Mr Souris
Mr Caterson	Dr Metherell	Mr Tink
Mr Causley	Mr Moore	Mr Turner
Mr Chappell	Mr Morris	Mr White
Mr Cochran	Mr Murray	Mr Wotton
Mr Collins	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 Pickard	
Mr Graham	Mr Rixon	Tellers
Mr Griffiths	Mr Roberts	
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Noes 42

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 Brereton	Mr Markham	Mr Rumble
Mr Cleary	Mr Martin	Mr Shedden
Mrs Crosio	Mr Mills	Mr Unsworth
Mr Davoren	Ms Moore	Mr Walsh
Mr Face	Mr Moss	Mr Welsh
Ms Fraser	Mr J. H. Murray	Mr Whelan
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 Armstrong	Ms Allan
Mrs Cohen	Mr Carr
Mr Cruickshank	Mr Doyle
Mr Greiner	Mr Ferguson
Mr Webster	Mr Knight
Mr West	Mr H. F. Moore

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.

14 PRINTING COMMITTEE

Mr Small brought up Report No. 27 of the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
30 November 1989

15 STATE EMERGENCY AND RESCUE MANAGEMENT BILL

The Order of the Day having been read, Mr Dowd moved, That this bill be now read a second time.

And the question being proposed—

Debate adjourned (Mr Unsworth) and the resumption of the debate made an Order of the Day for tomorrow.

16 SUSPENSION OF STANDING ORDERS

Mr Dowd moved, That so much of the Standing Orders be suspended as would preclude the—

Crimes (Life Sentences) Amendment Bill
Prisons (Serious Offenders Review Board) Amendment Bill
Sentencing (Life Sentences) 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 CRIMES (LIFE SENTENCES) AMENDMENT BILL
PRISONS (SERIOUS OFFENDERS REVIEW BOARD) AMENDMENT BILL
SENTENCING (LIFE SENTENCES) 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 Crimes Act 1900 and the Drug Misuse and Trafficking Act 1985 in relation to the imposition of life sentences; and for other purposes.
- (ii) A bill for an Act to amend the Prisons Act 1952 to constitute the Serious Offenders Review Board and to provide for its functions; to amend the Defamation Act 1974 and the Crimes Act 1900; and for other purposes.
- (iii) A bill for an Act to amend the Sentencing Act 1989 in relation to convicted prisoners serving life sentences; and for other purposes.

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 Unsworth) and the resumption of the adjourned debate made an Order of the Day for a future day.

18 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

30 November 1989

Wheat Marketing Bill
Community Land Development Bill
Community Land Management Bill
Miscellaneous Acts (Community Land) Amendment Bill
Strata Titles (Community Land) Amendment Bill.

19 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 4.49 p.m., until Wednesday, 6 December 1989, at 10.30 a.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 81

WEDNESDAY 6 DECEMBER 1989

1 MESSAGES FROM THE GOVERNOR

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

30 November 1989

Appropriation Bill
Public Authorities (Financial Arrangements) Amendment Bill.

2 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

30 November 1989

Traffic (Road Safety) Amendment Bill.

5 December 1989

Dairy Industry (Amendment) Bill

Permanent Building Societies (Amendment) Bill

Public Finance and Audit (Amendment) Bill

Statute Law (Miscellaneous Provisions) Bill (No. 3).

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 establish a State owned corporation in relation to State banking and certain other matters; to provide for the transfer of assets, rights and liabilities for the State Bank; to amend the State Owned Corporations Act 1989 and certain other Acts; to repeal the State Bank Act 1981; 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
5 December 1989

JOHN JOHNSON
President

STATE BANK (CORPORATISATION) BILL

Schedule of the amendment referred to in Message of 5 December 1989.

JOHN EVANS
Clerk of the Parliaments

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 December 1989

Page 10. After clause 23, insert:

Elected director

24. Part 2 of Schedule 2 to the State Owned Corporations Act 1989 is, as regards the Corporation, to be taken to be altered by inserting after clause 1 (6) the following subclause:

(6A) One of the directors is to be an employee of the corporation holding a senior management position and elected by employees of the corporation. Procedures for identifying senior management positions and for the conduct of elections are to be as determined by the voting shareholders.

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 at a later hour of the day.

3 PETITIONS

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

Ms Moore—from certain citizens opposing any prohibition on certain parades and processions in the streets of Sydney.

Mr Moore—from certain citizens requesting an interim conservation order on the Gordon Public School sandstone building.

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.

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 to public housing policy.

Ms Nori—from certain citizens opposing the closure of Department of Housing local offices.

Mr Beckroge—from certain citizens requesting a public inquiry into inadequate railway crossings in the Broken Hill region.

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

Ms Nori—from certain citizens requesting that existing abortion services not be restricted.

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

Ms Nori—from certain citizens opposing the tax on video poker machines.

Ms Read—from certain citizens requesting support for the relocation of North Sydney Girls' High School to the site of the former Cremorne Girls' High School.

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

Mr Dowd—from certain citizens opposing the proposed closure of the North Coast Motor Rail.

Mr Primrose—from certain citizens opposing the closure of Menangle Park railway station.

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

Mr Beck—from certain citizens opposing the proposed acquisition Department of Education by the St. Camillus, at Bilambil.

4 PAPERS

(1) Mr Dowd laid upon the Table—

Report of the Police Board for the year ended 30 June 1989.

Children (Equality of Status) Act 1976—Children (Equality of Status) Blood Tests Regulation 1979—omission of clause 13. (Gazette 114/1989.)

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 December 1989

Compensation Court Act 1984—rule 17J, 49G, appendix G, amendment of rules 47, 64, appendix A, substituted rules 49C, 49E. (Gazette 105/1989.)

Justices Act 1902—Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986—amendment of schedule 1. (Gazette 107/1989.)

Legal Profession Act 1987—Barristers and Solicitors Admission Rules 1989—clauses 1 to 126, schedules 1 to 4. (Gazette 111/1989.)

Supreme Court Act 1970—amendment No. 232. (Gazette 111/1989.)

Referred to the Printing Committee.

(2) Mr Schipp laid upon the Table—

Building Services Corporation Act 1989—Building Services Corporation (Savings and Transitional) Regulation 1989—clauses 1 to 5. (Gazette 114/1989.)

Referred to the Printing Committee.

(3) Mr Moore laid upon the Table—

Report of the Home Care Service for the year ended 30 June 1989.

Report of the National Parks and Wildlife Service for the year ended 30 June 1989.

Referred to the Printing Committee.

(4) Mr Peacocke laid upon the Table—

Weights and Measures Act 1915—Weights and Measures Regulations 1917—amendment of regulations 114A, 114B, 120, substituted table 11. (Gazette 111/1989.)

Referred to the Printing Committee.

(5) Mr Pickard laid upon the Table—

Report of the Monaro County Council for the year ended 30 June 1989.

Report of the New England County Council for the year ended 30 June 1989.

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

Mines Rescue Act 1925—Mines Rescue Regulations 1925—omission of regulations 54L to 54DD, schedules 4 to 8. (Gazette 98/1989.)

Referred to the Printing Committee.

(6) Mr Fahey laid upon the Table—

Report of the Department of Industrial Relations and Employment for the year ended 30 June 1989.

Report of the Duties and Fiduciary Obligations of Officials of Industrial Unions of Employers and Employees, dated 28 July 1989.

Report for the Minister for Education and Youth Affairs on a Review of Adult Literacy Services in New South Wales by R. E. Parry, dated 8 November 1989.

MINISTERIAL STATEMENT—ADULT LITERARY SERVICES

Mr Fahey made a ministerial statement concerning the Parry Report reviewing Adult Literacy Services in New South Wales.

Mr Carr also addressed the House.

Coal and Oil Shale Mine Workers (Superannuation) Act 1941—Coal and Oil Shale Mine Workers (Superannuation) Regulation 1983—clause 27A. (Gazette 81/1989.)

Public Authorities Superannuation Act 1985—Public Authorities Superannuation (Transitional Provisions) Regulation 1985—amendment of clause 13. (Gazette 72/1989.)

State Authorities Non-contributory Superannuation Act 1987—State Authorities Non-contributory Superannuation Regulation 1988—clauses 11 to 14, amendments of clauses 1, 3. (Gazette 81/1989.)

State Authorities Superannuation Act 1987—

(a) State Authorities Superannuation Regulation 1988—clauses 6 to 14, amendment of clauses 1, 4. (Gazette 72/1989, 81/1989.)

(b) State Authorities Superannuation (State Public Service Superannuation Scheme Transfer) Regulation 1989—clauses 1 to 11. (Gazette 81/1989.)

Superannuation Act 1916—Superannuation Regulations—regulations 25 to 38, amendment of regulations 1, 2. (Gazette 81/1989.)

Referred to the Printing Committee.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 December 1989

(7) Mr Causley laid upon the Table—

Report of the Geographical Names Board for the year ended 30 June 1989.

Referred to the Printing Committee.

(8) Mr Hay laid upon the Table—

Local Government Act 1919—amendment of ordinance 51. (Gazette 117/1989.)

Referred to the Printing Committee.

(9) Mr Yabsley laid upon the Table—

Report of the Release on Licence Board for the year ended 30 June 1989.

Referred to the Printing Committee.

5 REPORT RECEIVED BY CLERK

The Clerk, pursuant to the Annual Reports (Departments) Act 1985, announced receipt of the Report of the Department of Sport, Recreation and Racing for the year ended 30 June 1989.

6 PUBLIC ACCOUNTS COMMITTEE

The Clerk, pursuant to the Public Finance and Audit Act 1983, announced receipt of the Report of the Public Accounts Committee on the Challenge of Accountability, dated November 1989.

7 MINISTERIAL ARRANGEMENTS

Mr Greiner informed the House that he would represent the Honourable Wallace Telford John Murray, M.P., Deputy Premier, Minister for State Development and Minister for Public Works during his absence.

Mr Greiner also informed the House of the appointment of the Honourable Ian Raymond Caustey, M.P., Minister for Natural Resources, as Acting Minister for Agriculture and Minister for Rural affairs, during the absence from the State of the Honourable Ian Morton Armstrong, O.B.E., M.P., Minister for Agriculture and Minister for Rural affairs.

Mr Greiner also informed the House of the appointment of the Honourable Robert Baron Rowland Smith, M.L.C., Minister for Sport and Recreation and Minister for Racing and Assistant Minister for Transport, as Acting Chief Secretary and Acting Minister for Tourism, during the absence from the State of the Honourable Garry Bruce West M.P., Chief Secretary and Minister for Tourism.

Mr Greiner also informed the House that the Acting Chief Secretary and Minister for Tourism would be represented in the House by the Minister for Administrative Services and Assistant Minister for Transport.

Mr Greiner further informed the House of the appointment of the Honourable John Joseph Fahey, M.P., Minister for Industrial Relations and Employment and Minister Assisting the Premier, as Acting Minister for Education and Youth Affairs, during the absence from the State of the Honourable Dr Terry Alan Metherell, M.P., Minister for Education and Youth Affairs.

8 QUESTIONS

9 MINISTERIAL STATEMENT—MENTAL HEALTH BILL

Mr Collins made a ministerial statement concerning the draft Mental Health Bill; the draft Criminal Procedure (Mental Health) Amendment Bill and the Miscellaneous Acts (Mental Health) Repeal and Amendment Bill.

Papers: Mr Collins laid upon the Table—

Exposure draft of the Mental Health Bill.

Exposure draft of the Criminal Procedure (Mental Health) Amendment Bill.

Exposure draft of the Miscellaneous Acts (Mental Health) Repeal and Amendment Bill.

Referred to the Printing Committee.

Mr Carr also addressed the House.

10 CHILDREN (DETENTION) CENTRES 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 December 1989

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.

11 LANDLORD AND TENANT (RENTAL BONDS) 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—

And the question being again proposed—

The House resumed the said adjourned debate.

Mr Merton moved, That this debate be now adjourned.

Question put and passed.

Ordered, That the resumption of the debate made an Order of the Day for a later hour of the day.

12 STATE BANK (CORPORATISATION) BILL

The Order of the Day having been read, Mr Wotton, 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 State Bank (Corporatisation) Bill.

Mr Wotton, Acting Speaker, resumed the Chair, and Mr J. D. Booth, Temporary-Chairman, reported that the Committee had agreed to the amendment by the Council.

Report adopted.

13 PARLIAMENTARY COMMITTEES ENABLING 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.

14 LANDLORD AND TENANT (RENTAL BONDS) 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—

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.

15 RURAL LANDS PROTECTION 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 Causley, on behalf of Mr Armstrong, read a third time.

16 WORKERS COMPENSATION (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—

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 December 1989

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 TELECOMMUNICATIONS (INTERCEPTION) (NEW SOUTH WALES)
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.

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

18 PRIVATE MEMBERS' STATEMENTS

Question proposed—That private members' statements be noted.

Debate ensued.

Question put and passed.

19 TELECOMMUNICATIONS (INTERCEPTION) (NEW SOUTH WALES)
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.

20 VICTIMS COMPENSATION (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.

21 CORONERS (MISCELLANEOUS AMENDMENTS) 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.

22 FINE ENFORCEMENT 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—

The House resumed the said adjourned debate.

Question put.

The House divided.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 December 1989

Ayes 53

Mr Andrews	Mr Jeffery	Mr Singleton
Mr Baird	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Catterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
Mr Cochran	Mr Morris	Mr White
Mrs Cohen	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	Mr Rixon	Tellers
Mr Griffiths	Mr Roberts	
Mr Hartcher	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Noes 44

Ms Allan	Mr Hunter	Mr Price
Mr Amery	Mr Irwin	Mr Primrose
Mr Anderson	Mr Knight	Ms Read
Mr Aquilina	Mr Knowles	Dr Refshauge
Mr A. S. Aquilina	Mr Langton	Mr Rogan
Mr Arkell	Mr Lovelee	Mr Rumble
Mr Brereton	Mr McManus	Mr Unsworth
Mrs Crosio	Mr Markham	Mr Walsh
Mr Davoren	Mr Martin	Mr Welsh
Mr Doyle	Mr Mills	Mr Whelan
Mr Face	Ms Moore	
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	Tellers
Mr Gibson	Mr Nagle	
Mr Harrison	Ms Nori	Mr Beckroge
Mr Hatton	Mr Page	Mr Christie

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 and 7 December 1989 a.m.

Pairs

Mr Armstrong
Mr Greiner
Dr Metherell
Mr Murray
Mr West

Mr Carr
Mr Cleary
Mr H. F. Moore
Mr Newman
Mr Shedden

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.

23 CRIMES (AMENDMENT) BILL
INCLOSED LANDS PROTECTION (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.

And the House continuing to sit after midnight—

THURSDAY 7 DECEMBER 1989 a.m.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 and 7 December 1989 a.m.

Question put.

The House divided.

Ayes 59

Mr Andrews	Mr Hay	Mr Schultz
Mr Arkell	Mr Jeffery	Mr Singleton
Mr Baird	Mr Keegan	Mr Small
Mr Berry	Mr Kerr	Mr Smiles
Mr Books	Mr Longley	Mr Smith
Mr J. D. Booth	Miss Machin	Mr Souris
Mr Caterson	Mr Matheson	Mr Tink
Mr Causley	Mr Merton	Mr Turner
Mr Chappell	Mr Moore	Mr Webster
Mr Cochran	Ms Moore	Mr Welsh
Mrs Cohen	Mr Morris	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
Ms Fraser	Mr Photios	
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

Noes 38

Ms Allan	Mr Hunter	Ms Nori
Mr Amery	Mr Irwin	Mr Page
Mr Anderson	Mr Knight	Mr Price
Mr Aquilina	Mr Knowles	Mr Primrose
Mr A. S. Aquilina	Mr Langton	Dr Refshauge
Mr Brereton	Mr Lovelee	Mr RoganMr Rumble
Mrs Crosio	Mr McManus	Mr Unsworth
Mr Davoren	Mr Markham	Mr Walsh
Mr Doyle	Mr Martin	Mr Whelan
Mr Face	Mr Mills	Tellers
Mr Ferguson	Mr Moss	
Mr Gibson	Mr J. H. Murray	Mr Beckroge
Mr Harrison	Mr Nagle	Mr Christie

Pairs

Mr Armstrong
Mr Greiner
Dr Metherell
Mr Murray
Mr West

Mr Carr
Mr Cleary
Mr H. F. Moore
Mr Newman
Mr Shedden

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 CRIMES (LIFE SENTENCES) AMENDMENT BILL
PRISONS (SERIOUS OFFENDERS REVIEW BOARD) AMENDMENT BILL
SENTENCING (LIFE SENTENCES) 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 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.

25 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

6 December 1989

Landlord and Tenant (Rental Bonds) Amendment Bill
Parliamentary Committees Enabling Bill
Registration of Interests in Goods (Amendment) Bill
Workers Compensation (Amendment) Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
6 and 7 December 1989 a.m.

26 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 1.00 a.m., until 10.30 a.m., this day.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

1988-89

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

VOTES
AND
PROCEEDINGS

No. 82

THURSDAY 7 DECEMBER 1989

1 PETITIONS

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

Mr Arkell—from certain citizens opposing the proposed closure of the Warrawong office of the Department of Housing.

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

Mr Price—from certain citizens requesting exemptions from fees for disadvantaged TAFE students.

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

Mr Jeffery—from certain citizens requesting legislation to preserve Adult and Community Education.

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

Ms Fraser—from certain citizens requesting the restoration of police numbers in Leichhardt.

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

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

Mr Smith—from certain citizens opposing the construction of a marina complex at Bermagui.

Ms Nori—from certain citizens opposing the tax on video poker machines.

Ms Read—from certain citizens requesting support for the relocation of North Sydney Girls' High School to the site of the former Cremorne Girls' High School.

Dr Refshauge—from certain citizens opposing the proposed abolition of school dental services.

Ms Fraser—from certain citizens requesting the retention of open space land in the vicinity of Rozelle Hospital.

Mr Primrose—from certain citizens opposing the closure of Menangle Park railway station.

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

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

2 MESSAGE FROM THE LEGISLATIVE COUNCIL

Mr Speaker reported a message from the Legislative Council, dated 7 December 1989 a.m., returning the Telecommunications (Interception) (New South Wales) Amendment Bill, without amendment.

3 PAPERS

(1) Mr Dowd laid upon the Table—

Report of the Police Service for the year ended 30 June 1989.

Report of the State Emergency Services for the year ended 30 June 1989.

Referred to the Printing Committee.

(2) Mr Baird laid upon the Table—

Electricity Act 1945—Electricity Development (Registration and Licensing) Regulation 1984—substituted schedule 2. (Gazette 149/1988.)

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 Robertson. (Gazette 111/1989.)

Referred to the Printing Committee.

(3) Mr Fahey laid upon the Table—

Report of the Teacher Housing Authority for the year ended 30 June 1989.

Macquarie University Act 1964—amendments of, and additions to, the by-laws of Macquarie University. (Gazette 102/1989.)

University and University Colleges Act 1900—amendments of, and additions to, the by-laws of the University of Sydney. (Gazette 102/1989.)

University of Wollongong Act 1972—amendments of, and additions to, the by-laws of the University of Wollongong. (Gazette 102/1989.)

Referred to the Printing Committee.

4 QUESTIONS

5 SUPERANNUATION ADMINISTRATION (AMENDMENT) BILL
PUBLIC SECTOR EXECUTIVES SUPERANNUATION (AMENDMENT) BILL
MISCELLANEOUS ACTS (PUBLIC SECTOR EXECUTIVES
SUPERANNUATION) FURTHER AMENDMENT 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.

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, read a third time.

6 FACTORIES, SHOPS AND INDUSTRIES (AMENDMENT) 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.

7 COAL MINES REGULATION (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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

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.

8 CONVEYANCING (SALE OF LAND) AMENDMENT BILL
AUCTIONEERS AND AGENTS (SALE OF LAND) 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—

Mr Whelan moved, That the question be amended by leaving out the word "now" with a view to adding the words "this day four months".

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

Debate ensued.

Mr Phillips moved, That the question be now put.

Question put—That the question be now put.

The House divided.

Ayes 53

Mr Andrews	Mr Jeffery	Mr Singleton
Mr Berry	Mr Keegan	Mr Small
Mr Books	Mr Kerr	Mr Smiles
Mr J. D. Booth	Mr Longley	Mr Smith
Mr Catterson	Miss Machin	Mr Souris
Mr Causley	Mr Matheson	Mr Tink
Mr Chappell	Mr Merton	Mr Turner
Mr Cochran	Mr Moore	Mr Webster
Mr Collins	Mr Morris	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
Mr Glachan	Mr Photios	
Mr Graham	Mr Pickard	
Mr Griffiths	Mr Rixon	Tellers
Mr Hartcher	Mr Roberts	
Mr Hatton	Mr Schipp	Mr Beck
Mr Hay	Mr Schultz	Mr Phillips

Noes 41

Mr Anderson	Mr Irwin	Mr Primrose
Mr Aquilina	Mr Knight	Ms Read
Mr A. S. Aquilina	Mr Knowles	Dr Refshauge
Mr Breton	Mr Langton	Mr Rogan
Mr Carr	Mr Lovelee	Mr Rumble
Mr Cleary	Mr McManus	Mr Shedden
Mrs Crosio	Mr Markham	Mr Unsworth
Mr Davoren	Mr Martin	Mr Walsh
Mr Doyle	Mr Mills	Mr Whehan
Mr Face	Ms Moore	
Mr Ferguson	Mr Moss	
Ms Fraser	Mr J. H. Murray	Tellers
Mr Gibson	Ms Nori	
Mr Harrison	Mr Page	Mr Beckroge
Mr Hunter	Mr Price	Mr Christie

Pairs

Mr Armstrong	Ms Allan
Mr Greiner	Mr Amery
Dr Metherell	Mr H. F. Moore
Mr Murray	Mr Nagle
Mr West	Mr Newman

And so it was resolved in the affirmative.

Original question put and passed.

Bills 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 bills.

Mr Speaker resumed the Chair, and the Chairman reported the Conveyancing (Sale of Land) Amendment Bill with an amendment and the Auctioneers and Agents (Sale of Land) Amendment Bill with amendments.

On motion of Mr Causley, 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.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

9 FEDERATION OF NEW SOUTH WALES POLICE-CITIZENS YOUTH CLUBS (RECONSTITUTION) 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.

It being 4.15 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 FEDERATION OF NEW SOUTH WALES POLICE-CITIZENS YOUTH CLUBS (RECONSTITUTION) BILL

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

Debate adjourned (Mr Hartcher) and the resumption of the debate made an Order of the Day for a later hour of the day.

12 CONVEYANCING (SALE OF LAND) AMENDMENT BILL
AUCTIONEERS AND AGENTS (SALE OF LAND) AMENDMENT BILL

The Order of the Day having been read—

Bills, on motion of Mr Dowd, on behalf of Mr Causley, read a third time:

13 PRINTING COMMITTEE

Mr Chappell, on behalf of the Chairman, brought up Report No. 28 of the Printing Committee.

14 STATE EMERGENCY AND RESCUE MANAGEMENT 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.

15 STATE EMERGENCY SERVICES 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.

16 SPECIAL ADJOURNMENT

Mr Dowd moved, That the House at its rising this day do adjourn until Wednesday 21 February 1990, at 2.15 p.m.

Debate ensued.

Question put and passed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

17 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 amend the Children (Detention Centres) Act 1987 with respect to the detention of children in places other than detention centres; 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
7 December 1989

JOHN JOHNSON
President

CHILDREN (DETENTION CENTRES) AMENDMENT BILL

Schedule of the amendments referred to in Message of 7 December 1989.

JOHN EVANS
Clerk of the Parliaments

- No. 1. Page 3, clause 4 (5). Omit the subclause.
- No. 2. Page 3, clause 4 (6). Omit the subclause.
- No. 3. Page 3, clause 4 (7). Omit the subclause.
- No. 4. Page 3, Schedule 1 (1), proposed section 9 (3). After "Despite subsection (1)", insert "and only if it is impracticable for the person to be detained in a detention centre or, in the case of a person who would otherwise be detained in a prison, in a prison during that period".
- No. 5. Page 3, Schedule 1 (1), proposed section 9 (3) (a). After "station", insert "or in such other place as the Director-General approves".
- No. 6. Page 4, Schedule 1 (1), proposed section 9 (3) (a) (ii). After "court", insert ", if the court hearing the application so directs, but only for a period of not more than 24 hours before or after the person is required to appear before the court or, in the case of an appearance on a Friday to be followed by an appearance on Monday where there is no detention centre or prison, as the case requires, in reasonable proximity to the court, for an aggregate period of not more than 72 hours".

- No. 7. Page 4, Schedule 1 (1), proposed section 9 (3) (a) (iii). After "section 28F", insert ", if the court which made the order so directs, but only for a period of not more than 24 hours after the order is made".
- No. 8. Page 4, Schedule 1 (1), proposed section 9 (3) (a) (v). After "directs", insert ", but only for a period of not more than 24 hours before or after the person is required to appear before the court or, in the case of an appearance on a Friday to be followed by an appearance on Monday where there is no detention centre or prison, as the case requires, in reasonable proximity to the court, for an aggregate period of not more than 72 hours".
- No. 9. Page 4, Schedule 1 (1), proposed section 9 (3) (b). Omit the paragraph.
- No. 10. Page 4, Schedule 1 (1), proposed section 9 (3) (c). Omit the paragraph, insert instead:
- (c) a person subject to control may be detained:
 - (i) in a police station for not more than 24 hours after becoming a person subject to control or, if the person is not already in custody at that time, for not more than 24 hours after the person is apprehended; or
 - (ii) in such other place as the Director-General approves, for not more than 72 hours after becoming a person subject to control or, if the person is not already in custody at that time, for not more than 72 hours after the person is apprehended; and
- No. 11. Page 5, Schedule 1 (1), proposed section 9 (3) (d). Omit ", but only if it is impracticable for the person to be detained in a detention centre or, in the case of a person who would otherwise be detained in a prison, in a prison during that period".
- No. 12. Pages 5 and 6, Schedule 1 (2) (a), proposed section 28A (2) and (3). Omit the subsections, insert instead:
- (2) An application may be made in relation to a child to whom this section applies for a general remand order:
 - (a) in any criminal proceedings, by the person by whom the proceedings were commenced; or
 - (b) at any time, by the Director-General.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

(3) Subject to section 28G, on an application under subsection (2) a court may make a general remand order in relation to the child, but only if:

(a) the court is satisfied that it is very highly probable that the child is not suitable for detention in a detention centre; and

(b) the court is satisfied that it is very highly probable that the child is suitable for detention in a prison.

No. 13. Page 6, Schedule 1 (2) (b). After proposed section 28A (7), insert:

(8) A general remand order in relation to a child, unless sooner revoked under section 28D, ceases to be in force:

(a) at the expiration of a period specified by the court making the order or, if that period is varied under section 28D, at the expiration of the period as so varied; or

(b) if no period is specified by the court making or varying the order, at the conclusion of the criminal proceedings concerned.

No. 14. Page 6, Schedule 1 (3) (a). Omit the item, insert instead:

(a) Omit section 28D (1), insert instead:

(1) A general remand order under section 28A or an order under section 28B must be reviewed at least once a month by the Minister administering the Prisons Act 1952, taking into account any representations made by or on behalf of, or about, the person to whom the order relates and any other relevant matters, to determine whether the person should be transferred to a detention centre.

No. 15. Page 6, Schedule 1 (3) (b). Before "a general remand order", insert "an order under section 28,".

No. 16. Page 6, Schedule 1 (3) (c). Omit proposed section 28D (5), insert instead:

(5) The Children's Court may vary or revoke such an order on application made by the person to whom the order relates if it is satisfied that the matters which were taken into account in making the order have sufficiently changed, or that other reasons exist to warrant varying or revoking the order.

No. 17. Pages 6 and 7, Schedule 1 (4). Omit proposed section 28E (3), insert instead:

(3) In dealing with an application under section 28D for the variation or revocation of a general remand order, the Children's Court is not required to reconsider every matter that was taken into account in making the order, unless it appears to the Court that the matter has, or any associated matters have, sufficiently changed.

(4) If an application has been made to a court for a general remand order under section 28A or an order under section 28B in relation to a person and the court has refused the application, the court must not consider another such application unless it is satisfied that the matters which were taken into account in refusing the first application have sufficiently changed, or that other special reasons exist to warrant consideration of the application.

(5) This section does not prevent a court from having regard to the objects of this Act.

(6) For the purpose of subsection (1) (e), "accommodation" includes the conditions of, and the programs, treatment and other facilities available within, such accommodation.

No. 18. Page 7, Schedule 1 (6). Omit proposed section 28G, insert instead:

Provisions regarding making of general remand orders etc.

28G. (1) An application cannot be made for a general remand order under section 28A or an order under section 28B except with the consent of the Minister.

(2) The Minister may not consent to such an application unless the Minister has received and considered a written report made by, or on behalf of, the Director-General as to the circumstances of the application and in particular detailing:

- (a) the history of the person to whom the application relates; and
- (b) the needs of the person; and
- (c) any relevant problems and factors; and
- (d) management strategies which have been attempted to address those needs and to resolve those problems; and

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

- (e) other placement, program or treatment arrangements for the person that have been tried or considered and found unsatisfactory, and the reasons why they were found unsatisfactory; and
 - (f) any other matters relating to the person's physical, emotional and social development and health.
- (3) A copy of the report is to be provided as soon as practicable to a barrister, solicitor or agent representing the person to whom the report relates.
- (4) In proceedings on an application for a general remand order under section 28A or an order under 28B, the court hearing the proceedings:
- (a) must consider a report prepared by or on behalf of the Director-General in accordance with subsection (2) and tendered by the person making the application; and
 - (b) may order a report as to any matter that the court thinks fit and may adjourn the proceedings to enable the report to be prepared; and
 - (c) may consider such other evidence as it thinks appropriate in the circumstances of the case.
- (5) A person making an application under section 28A or 28B must call evidence or tender a written report from a person who has personal knowledge of the circumstances in which the person to whom the application relates would be accommodated in prison if the order was made.
- (6) A court, when making, varying or revoking an order or refusing an application under section 28A, 28B or 28D may make recommendations, taking into account the wishes of the person to whom the order or application relates, as to the appropriate accommodation, programs and treatment that should be made available for the person.
- (7) In any proceedings before a court on an application for the making, variation or revocation of an order under section 28A, 28B or 28D, the person to whom the application relates is entitled:
- (a) to appear in the proceedings and to be heard and make submissions; and
 - (b) to be represented by a barrister or solicitor, or with the leave of the court, by an agent; and
 - (c) to call evidence; and

- (d) to tender reports or other material; and
- (e) to cross-examine the author of any report tendered in support of the application; and
- (f) without subjecting himself or herself to cross-examination, to make a written or an oral statement in relation to any evidence called or any report or other material tendered in relation to the application.

(8) Any matter which is heard by a court for the purpose of determining whether or not to make, vary or revoke such an order is not admissible as evidence in the criminal proceedings concerned unless the matter would otherwise be admissible as evidence in those criminal proceedings.

Person to be informed of a decision to seek a transfer to prison

28H. A person in relation to whom it is proposed to make an order under section 28, or an application for the making, variation or revocation of an order under section 28A, 28B or 28D (2) (b) must be informed immediately by the superintendent of the detention centre in which the person is detained of:

- (a) the decision to seek such an order or make such an application; and
- (b) the person's rights:
 - (i) to oppose the order or application; and
 - (ii) to inform a friend or relative; and
 - (iii) to obtain advice from a solicitor or barrister; and
 - (iv) if a general remand order is made under section 28A or an order is made under section 28B, to seek a variation or revocation of the order under section 28D; and
 - (v) to be represented at any proceedings, and must be given reasonable opportunities to exercise those rights.

Recording of reasons for transfer orders

28L (1) The Minister or the court, as the case may be, must record the reasons for making, varying or revoking an order under section 28, 28A, 28B or 28D or for rejecting an application under section 28D.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

(2) A copy of the record of those reasons is to be provided to the person who is the subject of the order as soon as practicable.

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.

18 CHILDREN (DETENTION CENTRES) 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 Children (Detention Centres) Amendment Bill.

Mr Speaker resumed the Chair, and the Chairman reported that the Committee had disagreed to the Council amendments.

Mr Moore moved, That the report be adopted.

Question put.

The House divided.

Ayes 49

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

Noes 35

Ms Allan	Mr Lovelee	Dr Refshauge
Mr Anderson	Mr McManus	Mr Rogan
Mr Aquilina	Mr Markham	Mr Rumble
Mr A. S. Aquilina	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Face	Ms Moore	Mr Walsh
Mr Gibson	Mr Moss	Mr Whelan
Mr Harrison	Mr J. H. Murray	
Mr Hunter	Mr Nagle	
Mr Irwin	Ms Nori	Tellers
Mr Knight	Mr Price	
Mr Knowles	Mr Primrose	Mr Beckroge
Mr Langton	Ms Read	Mr Christie

Pairs

Mr Armstrong	Mr Amery
Mr Greiner	Mr Carr
Dr Metherell	Mrs Crosio
Mr Murray	Mr H. F. Moore
Mr West	Mr Newman

And so it was resolved in the affirmative.

Report adopted.

Mr Moore 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 7 December, 1989 requesting the concurrence of the Legislative Assembly with the amendments to the Children (Detention Centres) Amendment Bill 1989 as set forth in the schedule to that Message, acquaints the Legislative Council as follows—

Amendments Nos 1 to 3: The Assembly disagrees with the proposed amendments because—

The Government provision was inserted on legal advice. The effect of the proposed amendments would be to leave the Government and probably individual police officers exposed to possible claims for damages for false imprisonment.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

Amendment No 4: The Assembly disagrees with the proposed amendment because—

The proposed amendment fails to take account of the protection already provided in Section 9(2) of the Act. This provision provides that consideration must be given to the appropriateness of a particular class of detention centre for a particular detainee.

Amendment No 5: The Assembly disagrees with the proposed amendment because—

The proposal to provide a capacity for the Director-General to remand a detainee "to another place" could at some future time under a different administration be detrimental to juveniles.

Amendment Nos 6 to 8: The Assembly disagrees with the proposed amendments because—

The proposed amendments which limit the holding of a juvenile in police cells for a maximum of 24 hours do not take account of the practical realities of court proceedings, which frequently take more than 24 hours.

Amendment Nos 9 and 10: The Assembly disagrees with the proposed amendments because—

Restriction on the use of a police station pending a Section 28B application would encourage pre-emptive use of Section 28A applications.

Amendment No 11: The Assembly disagrees with the proposed amendment because—

This is a consequent amendment flowing from the proposed amendment no. 4.

Amendment No 12: The Assembly disagrees with the proposed amendment because—

The proposed test of "very highly probable" would create an uncertainty of interpretation.

Amendment No 13: The Assembly disagrees with the proposed amendment because—

This proposal would encourage a constant reconvening of a Section 28A Order. Ample opportunity is provided under the Bill in Section 28D for approaches to the Court.

Amendment No 14: The Assembly disagrees with the proposed amendment because—

The Minister for Corrective Services would follow the procedures proposed as a matter of administrative procedure.

Amendment No 15: The Assembly disagrees with the proposed amendment because—

This amendment would provide a disincentive to the Minister for Family and Community Services to accept a person into the detention centre system on an administrative transfer whom a court had directed to a prison.

Amendment No 16: The Assembly disagrees with the proposed amendment because—

This amendment places emphasis on varying Orders under 28A or 28B rather than the Government emphasis which is that an Order is non-variable unless there are significantly changed circumstances.

Amendment No 17: The Assembly disagrees with the proposed amendment because—

The Subclause 3 amendment proposes a new test of sufficiently changed circumstances. This is rejected as too uncertain. Subclause 4 is inappropriate for the same reasons discussed in relation to amendment 16. Subclause 5 is unnecessary as the court is not prevented at the present time from taking into account the objects of the Act and Subclause 6 would oblige the court to undertake an unnecessarily wide consideration of extraneous issues in relation to the prison system.

Amendment No 18: The Assembly disagrees with the proposed amendment because—

This proposed amendment is already covered in a protocol issued by the Minister for Family and Community Services and it is not considered appropriate to entrench the issues to be considered in legislation. The proposed Clause 28H contains items better covered by regulations and similarly the items in Clause 28I would also be better covered by regulations if they were considered necessary at all.

And the Assembly requests the concurrence of the Legislative Council in its disagreement from the Council amendments in the Bill.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

Question put.

The House divided.

Ayes 49

Mr Andrews
Mr Baird
Mr Berry
Mr Books
Mr J. D. Booth
Mr Caterson
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 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 Schipp

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

Tellers

Mr Beck
Mr Phillips

Noes 35

Ms Allan	Mr Lovelee	Dr Refshauge
Mr Anderson	Mr McManus	Mr Rogan
Mr Aquilina	Mr Markham	Mr Rumble
Mr A. S. Aquilina	Mr Martin	Mr Shedden
Mr Davoren	Mr Mills	Mr Unsworth
Mr Face	Ms Moore	Mr Walsh
Mr Gibson	Mr Moss	Mr Whelan
Mr Harrison	Mr J. H. Murray	
Mr Hunter	Mr Nagle	Tellers
Mr Irwin	Ms Nori	
Mr Knight	Mr Price	
Mr Knowles	Mr Primrose	Mr Beckroge
Mr Langton	Ms Read	Mr Christie

Pairs

Mr Armstrong	Mr Amery
Mr Greiner	Mr Carr
Dr Metherell	Mrs Crosio
Mr Murray	Mr H. F. Moore
Mr West	Mr Newman

And so it was resolved in the affirmative.

19 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 amend the Justices Act 1902, the Community Service Orders Act 1979, the Children (Community Service Orders) Act 1987 and the Children (Criminal Proceedings) Act 1987 and other Acts with respect to procedures for, and other aspects relating to, the enforcement of fines and other amounts" with the amendments indicated by the accompanying schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council
7 December 1989

JOHN JOHNSON
President

FINE ENFORCEMENT LEGISLATION (AMENDMENT) BILL

Schedule of the amendments referred to in Message of 7 December 1989.

JOHN EVANS
Clerk of the Parliaments

- No. 1. Page 3, Schedule 1, proposed section 87 (5). Omit "is, at the time it is issued, under the age of 18 years or subject to an order under section 33 (1) (g) of the Children (Criminal Proceedings) Act 1987", insert instead "was at the time of the conviction or order to which the warrant relates under the age of 18 years and who is not at the time it is issued of or above the age of 21 years, or who is at the time the warrant is issued subject to an order under section 33 (1) (g) of the Children (Criminal Proceedings) Act 1987,".
- No. 2. Page 3, Schedule 1, proposed section 87 (6). Omit "under the age of 18 years and who is".
- No. 3. Page 3, Schedule 1, proposed section 87 (8). Omit "18", insert instead "21".
- No. 4. Page 4, Schedule 1, proposed section 89B (5). Omit "is, at the time of being given notice under this section, of or above the age of 18 years", insert instead "was, at the time of the conviction or order to which the application relates, of or above the age of 18 years".
- No. 5. Pages 5 and 6, Schedule 1. Omit proposed section 89D.
- No. 6. Page 10, Schedule 1, proposed clause 11 of Second Schedule. Omit "89E" wherever occurring, insert instead "89D".
- No. 7. Page 11, Schedule 1, proposed clause 12 (a) of Second Schedule. Omit "18", insert instead "21".
- No. 8. Page 20, Schedule 3, proposed section 26A (6) (a). Omit "a child", insert instead "under the age of 21 years".

- No. 9. Page 21, Schedule 3, proposed section 26A (6) (b). Omit "not a child", insert instead "of or above the age of 21 years".

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.

20 FINE ENFORCEMENT LEGISLATION (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 Fine Enforcement Legislation (Amendment) Bill.

Mr Speaker resumed the Chair, and Mr J. D. Booth, Temporary Chairman reported that the Committee had agreed to the Council amendments.

Mr Moore moved, That the report be adopted.

Question put.

The House divided.

Ayes 49

Mr Andrews	Mr Kerr	Mr Schultz
Mr Baird	Mr Longley	Mr Smiles
Mr Berry	Miss Machin	Mr Smith
Mr Books	Mr Matheson	Mr Souris
Mr J. D. Booth	Mr Merton	Mr Tink
Mr Caterson	Mr Moore	Mr Turner
Mr Causley	Ms Moore	Mr Webster
Mr Chappell	Mr Morris	Mr White
Mr Cochran	Mr D. L. Page	Mr Yabsley
Mrs Cohen	Mr Park	Mr Yeomans
Mr Cruickshank	Mr Peacocke	Mr Zammit
Mr Dowd	Mr Petch	
Mr Downy	Mr Photios	
Mr Graham	Mr Pickard	
Mr Griffiths	Ms Read	Tellers
Mr Hartcher	Mr Rixon	
Mr Hay	Mr Roberts	Mr Beck
Mr Jeffery	Mr Schipp	Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 December 1989

Noes 33

Ms Allan	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 Davoren	Mr Martin	Mr Unsworth
Mr Face	Mr Mills	Mr Walsh
Mr Gibson	Mr Moss	Mr Whelan
Mr Harrison	Mr J. H. Murray	
Mr Hunter	Mr Nagle	Tellers
Mr Irwin	Ms Nori	
Mr Knight	Mr Price	Mr Beckroge
Mr Knowles	Mr Primrose	Mr Christie

Pairs

Mr Armstrong	Mr Amery
Mr Greiner	Mr Carr
Dr Metherell	Mrs Crosio
Mr Murray	Mr H. F. Moore
Mr West	Mr Newman

And so it was resolved in the affirmative.

Report adopted.

21 FEDERATION OF NEW SOUTH WALES POLICE-CITIZENS YOUTH
CLUBS (RECONSTITUTION) 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—

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.

And the House continuing to sit after midnight—

THURSDAY 7 DECEMBER 1989 a.m.

The House divided.

Ayes 44

Mr Andrews
Mr Baird
Mr Berry
Mr Books
Mr J. D. Booth
Mr Caterson
Mr Causley
Mr Chappell
Mr Cochran
Mrs Cohen
Mr Cruickshank
Mr Downy
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 Petch
Mr Photios
Mr Pickard
Mr Rixon
Mr Roberts
Mr Schipp
Mr Schultz
Mr Smiles

Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr White
Mr Yabsley
Mr Yeomans
Mr Zammit

Tellers

Mr Beck
Mr Phillips

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
7 and 8 December 1989 a.m.

Noes 36

Ms Allan	Mr Lovelee	Mr Rogan
Mr Anderson	Mr McManus	Mr Rumble
Mr Aquilina	Mr Markham	Mr Shedden
Mr A. S. Aquilina	Mr Martin	Mr Unsworth
Mr Davoren	Mr Mills	Mr Walsh
Mr Doyle	Ms Moore	Mr Whelan
Mr Face	Mr Moss	
Mr Gibson	Mr J. H. Murray	
Mr Harrison	Mr Nagle	
Mr Hunter	Ms Nori	
Mr Irwin	Mr Price	Tellers
Mr Knight	Mr Primrose	
Mr Knowles	Ms Read	Mr Beckroge
Mr Langton	Dr Refshauge	Mr Christie

Pairs

Mr Armstrong	Mr Amery
Mr Greiner	Mr Carr
Dr Metherell	Mrs Crosio
Mr Murray	Mr H. F. Moore
Mr West	Mr Newman

And so it was resolved in the affirmative.

Report adopted.

And Mr Speaker having consented to the third reading being taken forthwith—

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

22 MESSAGES FROM THE LEGISLATIVE COUNCIL

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

7 December 1989

Coal Mines Regulation (Amendment) Bill
Coroners (Miscellaneous Amendments) Bill
Rural Lands Protection Bill
Victims Compensation (Amendment) Bill.

23 ADJOURNMENT

Mr Dowd moved, That this House do now adjourn.

Question put and passed.

The House adjourned accordingly at 12.07 a.m., until Wednesday 21 February 1990 at 2.15 p.m.

BY AUTHORITY

G J Costelloe (Acting Government Printer)



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, 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 o'clock at 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!