



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

2002

THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT

**NOTICES OF MOTIONS
AND
ORDERS OF THE DAY**

No. 14

FRIDAY 12 APRIL 2002

BUSINESS WITH PRECEDENCE

ORDERS OF THE DAY

- 1 The Governor's Opening Speech: resumption of the adjourned debate on motion of Mr Collier, that the following Address in Reply to the Governor's Opening Speech be now adopted by this House

A To Her Excellency Professor MARIE BASHIR, 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 of the State of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's speech, and to express our loyalty to the Sovereign.

We 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.

We join Your Excellency in the hope that our labours may be so directed as to advance the best interest of all sections of the community.@

GOVERNMENT BUSINESS

NOTICES OF MOTION—

1 Mr DEBUS to move—

That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 and the Criminal Procedure Act 1986 with respect to causing bushfires.

(Crimes Amendment (Bushfires) Bill).

(Notice given 10 April 2002)

2 Mr WOODS to move—

That leave be given to bring in a bill for an Act to amend the Local Government Act 1993 in relation to the powers of local councils with respect to the removal of graffiti.

(Local Government Amendment (Graffiti) Bill).

(Notice given 10 April 2002)

ORDERS OF THE DAY—

1 Coastal Protection Amendment Bill; resumption of the adjourned debate, on the motion of Mr Aquilina, “That this bill be now read a second time” (from 20 March 2002—Mr D. L. Page).

2 AGL Corporate Conversion Bill; resumption of the adjourned debate, on the motion of Mr Yeadon, “That this bill be now read a second time” (from 9 April 2002—Mr R. H. L. Smith).

3 Legal Profession Amendment (National Competition Policy Review) Bill; resumption of the adjourned debate, on the motion of Mr Debus, “That this bill be now read a second time” (from 10 April 2002—Mr R. H. L. Smith).

4 Sessional Orders and Days and Hours of Meeting; resumption of the adjourned debate, on the motion of Mr Whelan—

That the House take note of the Sessional Orders and the resolution on Days and Hours of Sitting adopted on Tuesday 26 February 2002.

Upon which Mr Hartcher moved, That the motion be amended by addition of the following paragraph:

(2) That it is the opinion of this House that the following Sessional Orders should not have been adopted:

Closure, Restriction on;
Deputy Speaker and the Chairman of Committees;
Friday Sittings;
Parliamentary Secretaries;
Quorum and Division Bells.

(from 27 February 2002—Mr Thompson).

GENERAL BUSINESS

NOTICES OF MOTIONS (for Bills)—

1 **Mr HUMPHERSON to move—**

That leave be given to bring in a bill for an Act to preserve the Mona Vale Road Bushland Corridor; and for other purposes.

(Mona Vale Road Bushland Corridor Preservation Bill).

(Notice restored 12 March 2002)

2 **Mr HARTCHER to move—**

That leave be given to bring in a bill for an Act to amend the Crimes (Sentencing Procedure) Act 1999 in relation to plea bargaining and sentencing.

(Crimes (Sentencing Procedure) Amendment (Victims' Rights and Plea Bargaining) Bill).

(Notice restored 12 March 2002)

3 **Mr BARR to move—**

That leave be given to bring in a bill for an Act to amend the Local Government Act 1993 to make provision with respect to the valuation of certain land to be sold by local councils; and for other purposes.

(Local Government Amendment (Independent Valuation) Bill).

(Notice given 27 February 2002)

4 **Mr TINK to move—**

That leave be given to bring in a bill for an Act to amend the Listening Devices Act 1984 and the Telecommunications (Interception) (New South Wales) Act 1987 to confer powers on the Ombudsman with respect to the oversight of requirements relating to listening devices and with respect to reporting to Parliament; and for other purposes.

(Communications Interception Legislation Amendment (Ombudsman Oversight) Bill).

(Notice given 13 March 2002)

5 Mr BROGDEN to move—

That leave be given to bring in a bill for an Act to amend the Crimes Act 1900 to provide for compulsory life sentences to be imposed for the murder of police officers.

(Crimes Amendment (Murder of Police Officers) Bill).

(Notice given 9 April 2002)

INTERRUPTED MOVER'S SECOND READING SPEECH—

1 Graffiti Control (Spray Paint Can Display) Bill (from 5 April 2001—Mr Richardson speaking).

2 Roads Amendment (Road Tunnel Pollution Filtration) Bill (from 11 April 2002—Mr J. H. Turner speaking).

ORDERS OF THE DAY (for Bills)—

1 Freedom of Information Amendment (Open and Accountable Government) Bill; resumption of the adjourned debate, on the motion of Mrs Chikarovski, “That this bill be now read a second time” (from 5 May 2000 am—Mr Yeadon).

2 Young Offenders Amendment Bill; resumption of the interrupted debate, on the motion of Mr Tink, “That this bill be now read a second time” (from 29 March 2001—Mr Gaudry).

3 Conveyancing Amendment (Mortgages) Bill; resumption of the adjourned debate, on the motion of Mr D. L. Page, “That this bill be now read a second time” (from 8 March 2001—Mr Moss).

4 Police Integrity Commission Amendment (Access to Documents) Bill; resumption of the adjourned debate, on the motion of Mr Tink, “That this bill be now read a second time” (from 8

5 Right to Self-defence Bill; resumption of the adjourned debate, on the motion of Mr Hartcher, “That this bill be now read a second time” (from 5 April 2001—Mr Yeadon).

6 Director of Public Prosecutions Amendment (Parliamentary Joint Committee) Bill; resumption of the adjourned debate, on the motion of Mr Hartcher, “That this bill be now read a second time” (from 5 April 2001—Mr Yeadon).

7 Local Government (Review of Legislative Proposals) Bill; resumption of the adjourned debate, on the motion of Mr Torbay, “That this bill be now read a second time” (from 6 September

8 Community Protection (Illegal Brothels) Bill; resumption of the adjourned debate, on the motion of Mr Brogden, “That this bill be now read a second time” (from 6 September 2001—Mr Yeadon).

9 Protection of the Environment Operations Amendment (Confiscation and Forfeiture of Vehicles) Bill; resumption of the adjourned debate, on the motion of Ms Seaton, “That this bill be now read a second time” (from 18 October 2001—Mr Yeadon).

- 10 Community Services (Complaints, Reviews and Monitoring) Amendment (Application) Bill; resumption of the adjourned debate, on the motion of Mr Hazzard, "That this bill be now read a second time" (from 15 November 2001—Mr Moss).
- 11 Local Communities (Brothels—Flexible Zoning) Bill; resumption of the adjourned debate, on the motion of Mr Torbay, "That this bill be now read a second time" (from 14 March 2002—Mr Yeadon).
- 12 Local Government Amendment (Ethics Review Panel) Bill; resumption of the adjourned debate, on the motion of Mr Barr, "That this bill be now read a second time" (from 21 March 2002—Mr Yeadon).
- 13 Young Offenders Amendment (Reform of Cautioning and Warning) Bill; resumption of the adjourned debate, on the motion of Mr Stoner, "That this bill be now read a second time" (from

ORDERS OF THE DAY (General Orders)—

- 1 North Head Quarantine Station; resumption of the adjourned debate, on the motion of Mr Barr—

That this House:

- (1) Notes that on 7 February 2002 H1, the oldest hospital building at North Head Quarantine Station was destroyed by fire, the second fire in four months.
- (2) Reminds the Minister for the Environment that the problems with security, maintenance, and electrical wiring were raised with him.
- (3) Calls upon the Government to immediately provide resources to maintain the Quarantine Station to an appropriate standard.

(from 11 April 2002—Mr Stewart)

NOTICES OF MOTIONS (General Notices)—

- 1 Mr WEBB to move—

That this House calls on the Government to immediately place the Queanbeyan District Hospital as the State's No. 1 priority for upgrading, as:

- (1) the Hospital currently has underutilised facilities.
- (2) the ability to offer medium risk procedures and other general surgery would reverse the outflow of NSW patients to ACT health services; and
- (3) the current run down condition of the hospital does not attract patients and staff to use the facility.

(Notice given 27 February 2002)

2 Mr HARTCHER to move—

That this House:

- (1) Commemorates the passing of Spike Milligan, a great Australian and a fine son of the Central Coast.
- (2) Requests the State Government and Gosford City Council to acknowledge Spike Milligan's connection to the Woy Woy peninsula by naming the Peninsula Community Centre being constructed at Woy Woy in his honour.

(Notice given 28 February 2002)

3 Mr STONER to move—

That this House:

- (1) Welcomes the \$10,000 grant and establishment of the bushfire appeal, now over \$7 million, for the victims of the Christmas 2001 bushfires.
- (2) Recalls the bushfires on 30 October 2001 at Tom's Gully near Kempsey.
- (3) Calls on the Government to give the victims of that fire the same access to assistance as the victims of the Christmas bushfires.

(Notice given 28 February 2002)

4 Mr TORBAY to move—

That this House calls on the Government and the Opposition to consider the implementation of a comprehensive no-fault scheme of compensation for personal injuries in New South Wales.

(Notice given 28 February 2002)

5 Mrs SKINNER to move—

That this House:

- (1) Condemns the Minister for Health for his dismissal of the more than 13,000 people who in December waited longer than the required time for treatment in NSW hospital emergency departments.
- (2) Calls on the Minister for Health to start acting on the recommendations of numerous reports on the problem of access block.

(Notice given 28 February 2002)

6 Mr WEBB to move—

That this House:

- (1) Congratulates the Victorian and New South Wales Wild Dog Control Coordinating Committee for convening the successful National Wild Dog Summit in Wodonga.
- (2) Notes the important role dogmen play in wild dog control and the formation of the National Association of Dogmen at the Summit.
- (3) Calls on the NSW Government to:
 - (a) support the Summit recommendations, particularly the continued use of 1080, the reintroduction of aerial baiting and enforcement of all public land managers to control wild dogs and vermin.
 - (b) work with relevant bodies towards uniform national legislation for pest species control.
 - (c) provide additional funding for the development of Regional Wild Dog Control Plans.

(Notice given 28 February 2002)

7 Mrs SKINNER to move—

That this House:

- (1) Calls on the Minister for Health to explain why he has allowed the number of people waiting more than 12 months for elective surgery in NSW hospitals to blow out to more than 8,200 compared to 1,656 when he was appointed Minister for Health in 1999.
- (2) Calls on the Minister for Health to immediately address these long waits for treatment in our hospitals.

(Notice given 28 February 2002)

8 Mr MAGUIRE to move—

That this House calls on the Premier and the Minister for Regional Development to assist Kendell Airlines under administration by:

- (1) Securing ticketing, interline and terminal networking agreements with suggested host Virgin;
- (2) Ensuring NSW public servants have access to Kendell flights by promoting interline agreements; and
- (3) Exercising all options available to assist the Kendell network, thereby saving jobs and air services for regional NSW.

(Notice given 12 March 2002)

9 Mr MARTIN to move—

That this House:

- (1) Congratulates Bathurst professional golfers, Peter O'Malley and Gavin Coles, on their outstanding success on the international golf scene recently, with Peter O'Malley defeating world number one golfer, Tiger Woods, in the World Matchplay Championship and Gavin Coles winning the South Australian Open Championship; and
- (2) Recognises the benefits this national and international exposure brings to Bathurst.

(Notice given 12 March 2002)

10 Mr TORBAY to move—

That this House calls on the Government to immediately implement a review into the formula that determines the staffing levels at country schools.

(Notice given 12 March 2002)

11 Mrs CHIKAROVSKI to move—

That this House directs the Premier to immediately establish a Royal Commission into the political assassination of John Newman, the surrounding circumstances and subsequent events including, but not limited to:

- the killing of John Newman, the late Labor MP for Cabramatta
- the role of Phuong Ngo and associates of Phuong Ngo
- the political activities of Phuong Ngo, including his attempts to secure control of branches of the Australian Labor Party in the electorate of Cabramatta
- allegations that Phuong Ngo was involved in other criminal activities involving drug trafficking and extortion
- the role of the criminal group known as the 5T Gang and other criminal gangs in the Fairfield area
- the alleged influence exercised by Phuong Ngo over Fairfield City Council prior to and following his conviction for the murder of John Newman, and
- allegations of partial treatment of Phuong Ngo while in the custody of the Department of Corrective Services.

(Notice given 13 March 2002)

12 Mr HARTCHER to move—

That this House:

- (1) Notes the disturbing incidence of petrol bomb attacks on women and girls causing horrific injuries to the victims and virtual ruination for life.
- (2) Requests the Attorney General to ensure all persons charged with this offence are brought before the courts.
- (3) Considers that imprisonment is the appropriate sentence for offences of this nature.

(Notice given 13 March 2002)

13 Mr WEBB to move—

That this House:

- (1) Notes that oyster leases at Wonboyn Lake have suffered losses of between 80-90 per cent over recent weeks, and that the oysters are still dying.
- (2) Notes that four years of production stocks worth over \$1 million have been wiped out, along with the loss of some 40 years of oyster genetic material.
- (3) Notes that the Wonboyn Lake Oyster crisis following changes in the forest industry, the closure of the tuna cannery and ongoing changes in the fishing industry have devastated this area on the Far South Coast.
- (4) Calls on the Government to work with the Commonwealth Government to have oyster farming and aquaculture enterprises included in the eligibility criteria for natural disaster relief arrangements.
- (5) Calls on the Government to provide urgent help through the Rural Assistance Authority to waive lease payments and other management fees and charges.

(Notice given 14 March 2002)

14 Mrs SKINNER to move—

That this House:

- (1) Notes that 17 year old Danielle Evans has been forced to wait for treatment on a massive growth on the brain because the angiogram equipment necessary for her treatment has been out of action at Prince of Wales Hospital since late last year.
- (2) Notes that Danielle's doctor has advised that a delay to her treatment increases the risk to her life.
- (3) Notes that contrary to claims in a press release issued by the Minister, Danielle could not have had treatment at St George Hospital at any time during the past six weeks.
- (4) Calls on the Minister for Health to immediately ensure equipment is upgraded to allow Danielle's doctor to treat her without further delay.

(Notice given 20 March 2002)

15 Mr SOURIS to move—

That this House:

- (1) Notes the sad passing of Her Majesty Queen Elizabeth, The Queen Mother, on March 30, at the age of 101.
- (2) Notes that she will be fondly remembered by Australians for among other things her visits to this nation and the morale boosting role she played when warfare erupted in Europe.
- (3) Passes on its sincere condolences to the family of Her Majesty Queen Elizabeth, The Queen Mother.

(Notice given 9 April 2002)

16 Mr SLACK-SMITH to move—

That this House:

- (1) Recognises the economic and social value of regional airlines and the contribution they make towards decentralisation and development.
- (2) Notes that Hazelton and Kendell airlines are presently supported by an arrangement with the Federal Government using taxpayer funds, an agreed arrangement which will terminate in three weeks time.
- (3) Views with concern the difficulty the administrators are experiencing in obtaining purchasers for the two airlines and calls on the Government to urgently co-operate with the administrators in an effort to secure the future of the airlines and their associated staff.

(Notice given 9 April 2002)

17 Mr GEORGE to move—

That this House:

- (1) Congratulates Councillor John Irvine, the Mayor's Drug Advisory Committee and Inverell Shire Council on its inaugural Blue Ribbon Week and the launch of its kNOW Drugs strategy.
- (2) Supports Mayor Johnston's comments that a united community can make a difference in the lives of children, in leading by example.
- (3) Calls on the Government to have the Community Drug Action Teams immediately adopt the kNOW program and its objectives throughout NSW.
- (4) Encourages other Councils within NSW to seriously consider implementing such a strategy.

(Notice given 9 April 2002)

18 Mr ARMSTRONG to move—

That this House notes and calls for action concerning the loss of teaching time at June High School due to the unavailability of casual teachers for classes on February 11 (7 classes) and February 14 (7 classes), March 5 (21 classes), March 12 (14 classes), March 15 (7 classes), March 18 (7 classes) and March 22 (7 classes).

(Notice given 11 April 2002)

19 Ms HODGKINSON to move—

That this House:

- (1) Notes with concern reported comments by NSW Agriculture Ovine Johnes Disease Policy Coordinator, Marilyn Evers, indicating it may be up to two years before the Gudair vaccine is available for common usage.
- (2) Notes that the Minister for Agriculture in this place declined to address the question making no commitment as to when the vaccine will be available and whether those sheep vaccinated would be able to be traded.
- (3) Notes that the Minister for Agriculture stated that he was unable to approve wider use of the vaccine outside the approval process, which conflicts with reported statements by Commonwealth Serum Laboratory.
- (4) Notes that the position of many sheep owners caught in the Ovine Johnes Disease net is parlous.
- (5) Calls on the Government to recognise the urgent need for wide, unrestricted use of the Gudair vaccine by sheep producers.

(Notice given 11 April 2002)

20 Mrs SKINNER to move—

That this House

- (1) Notes that Nowra specialist Dr Patrick McSwiney has today advised that five child patients have had their surgery cancelled at Shoalhaven Hospital because of a lack of beds.
- (2) Notes the recovery ward is being used as a general ward, the day surgery ward is being used for long stay patients, the casualty department is being used as a ward and ICU on three occasions this week has had more than its quota of patients.
- (3) Calls on the Premier to listen to the concern of local doctors regarding the acute shortage of health services at Shoalhaven Hospital when he visits the Shoalhaven.

(Notice given 11 April 2002)

21 Mr HARTCHER to move—

That this House:

- (1) Notes the report from the NSW Local Government Boundaries Commission on the proposed boundary changes affecting the Sydney City, Leichhardt and South Sydney Local Government Areas.
- (2) Notes that the report from the Boundaries Commission contains two conflicting boundary proposals, including one proposal which detours to place key development sites within the boundaries of Sydney City.
- (3) Calls on the Minister for Local Government to refer the boundaries proposals to the Independent Commission Against Corruption to examine the process leading to the final determination of the boundaries proposal.

(Notice given 11 April 2002)

22 Mr ARMSTRONG to move—

That this House calls on the Premier:

- (1) To introduce appropriate legislation and regulations to exclude charitable organisations turning over less than \$300,000 per annum and volunteer workers assisting those organisations from public liability prosecution.
- (2) To bring in appropriate legislation and regulation to establish \$36,000 as the threshold figure wherein personal injury assessed below that figure be at the risk of the complainant.
- (3) To acknowledge that hundreds of community organisations are at risk of being forced to either postpone or cancel community events across the State because of spiralling public liability insurance costs.

(Notice given 11 April 2002)

ORDERS OF THE DAY (Committee Reports)—

- 1 Report of the Committee on the Health Care Complaints Commission entitled “Seeking Closure: improving conciliation of health care complaints in New South Wales”, dated April 2002; “That the House take note of the Report”.
- 2 Report of the Committee on Children and Young People entitled “Amendments to the Child Protection (Prohibited Employment) Act 1998 Regarding Convictions for Serious Sexual Offences, and Other Matters” dated March 2002; “That the House take note of the Report”.

NOTICE

Supplementary Papers containing Notices of Motions (General Notices) reinstated from the previous Session can be found at the Parliamentary web site (www.parliament.nsw.gov.au).

RUSSELL D. GROVE PSM
Clerk of the Legislative Assembly