

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

DAILY NOTICE PAPER

No. 73

TUESDAY, APRIL 9 2002, 3.30pm

ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, Notices of Questions, Notices of Motions for Disallowance, Notices of Motions to Introduce Bills, Notices of Motions, Questions on Notice, Questions without Notice, Urgency Motions, Motions Without Notice, Motions and Orders of the Day.

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MOTIONS

26. Select Committee into Aboriginal Health Services in Western Australia - Appointment
(Notice given December 18 2001)

Resumption of debate Minister for Housing and Works (mins 38) (Wednesday, March 27) on motion of Hon Derrick Tomlinson as follows -

That a Select Committee of three Members be appointed to enquire into and report on -

- (1) The funding, management and provision of primary health services by the following Aboriginal Health Services in Western Australia -
 - Bega Garnbirringu Health Service;
 - Carnarvon Aboriginal Medical Service;
 - Derbarl Yerrigan Health Service;
 - East Kimberley Aboriginal Medical Service;
 - Geraldton Regional Aboriginal Medical Service;
 - Kimberley Aboriginal Medical Service Council;
 - Mawarnkarra Health Service;
 - Ngaanyatjarra Health Service;

- Ngangganawili Aboriginal Health Service;
 - Nindilingarri Aboriginal Health Service;
 - Puntunkurnu Aboriginal Medical Service;
 - South West Aboriginal Medical Service; and
 - Wirraka Maya Aboriginal Health Service.
- (2) In particular, the Committee is to enquire into and report upon -
- (a) the organisational and contractual relationships between the Aboriginal Health Services and the Department of Health;
 - (b) the adequacy of core funding provided from Commonwealth and State sources for primary health services currently being delivered and required to meet future community needs;
 - (c) the effectiveness of the primary health services currently being delivered;
 - (d) whether there is duplication, overlap or unmet need in the delivery of primary health services;
 - (e) future directions for the delivery of primary health services to Aboriginal communities; and
 - (f) any further matters relating to Aboriginal Health Services arising from the inquiry.
- (3) The Committee have power to send for persons, papers and records and to travel from place to place.
- (4) The Committee report to the House not later than September 26 2002 and if the House do then stand adjourned, the Committee to deliver its report to the President who shall cause the same to be printed by authority of this Order.

***10. Standing Order 73 - Repeal and Substitution** (*Notice given June 12 2001*) *cf* SNP 902

Leader of the House: To move -

That -

1. Standing order 73 is repealed and the following is substituted –

“

73. Limits on speaking times and certain debates

- 1 In the Council, a member may speak –
 - (a) to an original question for not more than 45 minutes;
 - (b) on an amendment for not more than 15 minutes;
 - (c) to the question as amended for not more than 45 minutes if speaking for a first time;
 - (d) in reply for not more than 30 minutes;
 - (e) to the question for an adjournment of the House, excluding SO 72, for not more than 10 minutes,

and in relation to paragraph (a) the time specified may be extended, by leave, for not more than 15 minutes.
- 2 In a committee of the whole no member may speak for more than 10 minutes on each occasion.
- 3 Nothing in subclause 1(a)-(c) applies to –
 - (a) the Leader of the House;

- (b) the Leader of the Opposition;
- (c) the minister or member having charge of the business under consideration.

4 Nothing in this order affects a member's entitlement to speak.

5 Under SO 72 –

- (a) the mover may speak for not more than 15 minutes;
- (b) any other member may speak for not more than 10 minutes;
- (c) any reply is not to exceed 5 minutes.

6 At the expiration of the time stated for each of the following debates, either the question is to be put and determined or, where SO 72 applies, the motion lapses :

Question	Max time
Adjournment to end day's sitting	40 mins
Special adjournment under SO 61(d)(ii)	20 mins
SO's suspension without notice – SO 433	60 mins
SO 72 adjournment	60 mins
Motion on notice (but not when an order of the day)	120 mins

7 The Council, by ordinary resolution, may modify or exclude the application of this order in relation to a particular matter or for a specified period or both.

2. Standing order 72 is amended by deleting the words "The whole debate" and ending "10 minutes."

27. Government's Pre-Election Claims on the Public Health System (*Notice given December 18 2001*)

Hon Simon O'Brien: To move -

That this House:

Recalls the Labor Party's pre-election claims that it "understood the public health system" and "would fix the health system" and calls on the Government to explain:

- (a) Why the States health system is under more pressure now than it was in February 2001, especially in relation to staffing;
- (b) Why it has cut back rural health services;
- (c) Why the Minister for Health will not support an MRI scanner for the Southern Metropolitan Area;
- (d) The failure to obtain a PET scanner;
- (e) Why it has halved funding for the Central Waitlist Bureau;
- (f) Why it has sacked country hospital boards;
- (g) The inadequacy of emergency services to outer suburban areas, and
- (h) The inadequacy of funding for health services generally.

28. Laws relating to Cannabis and other Illicit Drugs in other Jurisdictions (*Notice given December 19 2001*)

Hon Simon O'Brien: To move -

That this House notes the experience of other jurisdictions that have relaxed their laws relating to cannabis and other illicit drugs.

29. Select Committee on Advocate for Children - Appointment (*Notice given December 20 2001*)

Hon Barbara Scott: To move -

That a Select Committee of three Members be appointed to inquire into and report on -

- (1) The appointment of a Parliamentary Commissioner for Children or the establishment of an Office for Children as the most appropriate means of establishing an Advocate for Children to enable better Government for children and to ensure Government and Parliament are aware of the needs of children.
- (2) The responsibilities and duties of such a Commission or office. This investigation should include but need not be limited to an examination of -
 - Developing an appropriate Advocate for children in the heart of Government;
 - Legislative and policy impact statements for children;
 - An advocacy function for children.
 - Coordination across Government agencies affecting children;
 - Ensuring that child participation is basic to the functioning of the Commission/Office and to the development of public policy;
 - Developing and benchmarking a strategy for children;
 - Investigating complaints and reporting on maladministration of Government;
 - The physical and mental health of children, including the importance of sport and play in child development and litigious and industrial issues restricting these, the role of television, videos and computers, time spent in childcare, immunisation rates, services for disabled children;
 - Research relevant to children and its relevance to development public policy;
 - The impact of the justice system on children;
 - The transport system and its relevance to children's needs;
 - The staffing and budget for this Commission/Office; and
 - Any other matters that impact on the good growth and development of young children.
- (3) The Committee has power to send for persons, papers and records and to travel from place to place.
- (4) The Committee report to the house not later than June 30 2003 and if the House do then stand adjourned, the Committee to deliver its report to the President who shall cause the same to be printed by authority of this order.

30. State Water Supplies (*Notice given February 26 2002*)

Hon Norman Moore: To move -

That this House expresses its concern at the problems facing the State in respect of its water supplies.

MOTIONS FOR DISALLOWANCE

- 52. City of Fremantle Local Laws relating to Parking** (*Notice given March 27 2002 moves pro forma on April 10 2002*)

Hon Ray Halligan: To move -

That the *City of Fremantle Local Laws relating to Parking* published in the *Gazette* on December 17 2001 and tabled in the Legislative Council on February 20 2002 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 1181).

BILLS FOR INTRODUCTION

- 11. Local Government Amendment (Electoral Provisions) Bill 2001** (*June 28 2001*)

Hon Robin Chapple: To move -

That a Bill for “An Act to amend the electoral system under the *Local Government Act 1995*” be introduced and read a first time.

- 13. Criminal Code Amendment Bill (No. 2) 2001** (*September 27 2001*)

Hon Giz Watson: To move -

That a Bill for “An Act to amend *The Criminal Code*” be introduced and read a first time.

- 14. Electoral Amendment Bill (No. 2) 2001** (*September 27 2001*)

Hon Murray Criddle: To move -

That a Bill for “An Act to amend the *Electoral Act 1907*” be introduced and read a first time.

ORDERS OF THE DAY

- 161. Health (Poultry Manure) Amendment Regulations 2001 - Disallowance**

Moved *pro forma* (SO 152 (b)) March 12 on motion of Hon Ray Halligan (Days remaining 3 after today)

That the *Health (Poultry Manure) Amendment Regulations 2001* published in the *Gazette* on November 30 2001 and tabled in the Legislative Council on December 4 2001 under the *Health Act 1911*, be and are hereby disallowed. (Tabled paper 966).

- 163. Building Amendment Regulations (No 2) 2001 - Disallowance**

Moved *pro forma* (SO 152 (b)) March 19 on motion of Hon Frank Hough (Days remaining 5 after today)

That the *Building Amendment Regulations (No. 2) 2001* published in the *Gazette* on December 14 2001 and tabled in the Legislative Council on December 18 2001 under the *Local Government (Miscellaneous Provisions) Act 1960*, be and are hereby disallowed. (Tabled paper 1053).

164. City of Stirling General Local Laws – Part V - Disallowance

Moved *pro forma* (SO 152 (b)) March 20 on motion of Hon Ray Halligan (Days remaining 6 after today)

That the *City of Stirling General Local Laws – Part V* published in the *Gazette* on December 4 2001 and tabled in the Legislative Council on December 11 2001 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 1001).

165. Agriculture and Related Resources Protection (Declared Animals) Amendment Regulations 2001 - Disallowance

Moved *pro forma* (SO 152 (b)) March 20 on motion of Hon Ray Halligan (Days remaining 6 after today)

That the *Agriculture and Related Resources Protection (Declared Animals) Amendment Regulations 2001* published in the *Gazette* on December 7 2001 and tabled in the Legislative Council on December 11 2001 under the *Agriculture and Related Resources Protection Act 1976*, be and are hereby disallowed. (Tabled paper 993).

166. Electricity (Supply Standards and System Safety) Regulations 2001 - Disallowance

Moved *pro forma* (SO 152 (b)) March 21 on motion of Hon Ray Halligan (Days remaining 7 after today)

That the *Electricity (Supply Standards and System Safety) Regulations 2001* published in the *Gazette* on December 7 2001 and tabled in the Legislative Council on December 11 2001 under the *Electricity Act 1945*, be and are hereby disallowed. (Tabled paper 1003).

5. Standing Order 230 - Amendment (Notice given May 1 2001)

Resumption of debate, in committee, (Wednesday, May 30 2001, Hon Dee Margetts (mins 6)) on the question that paragraph (b) be agreed to, to the motion of Leader of the House -

That Standing Order 230 is amended -

- (a) in paragraph (a) by deleting the words “shall be adjourned” and substituting “stands adjourned without question put”;
- (b) by inserting after paragraph (c) the following paragraph;
 - (a) “
 - (ca) A bill that has a schedule containing the text of an agreement to which the State is a party that, upon its enactment, would ratify and give statutory effect to that agreement stands referred to the *Environment and Public Affairs Committee* when debate is adjourned under paragraph (a);
- (c) in paragraph (d) by deleting the words “*Constitutional Affairs Committee*” and substituting the words “*Legislation Committee*”.

8. Shortage of Public Housing - Ministerial Statement (May 23 2001)

Consideration

16. Introduction of GMO's into the Western Australian Farming System - Ministerial Statement (*May 29 2001*)

Consideration

27. Metropolitan Region Scheme (Fremantle Controlled Access Highways) Bill 2001 [*LC 9 - 1*] *Hon Jim Scott*

Second reading adjourned Hon Ed Dermer (Tuesday, June 12 2001).

28. Nuclear Activities (Prohibition) Bill 2001 [*LC 18-1*] *Hon Giz Watson*

Second reading adjourned Hon Ed Dermer (Tuesday, June 12 2001).

37. Statutes (Repeal and Minor Amendments) Bill 2001 [*LC 31-1*] *Minister for Agriculture*

Second reading adjourned Hon Bruce Donaldson (Thursday, June 28 2001) *cf SNP 31 Issue 1. see Legislation Report #11*

38. President's Statement - Community Drug Summit (*June 28 2001*)

Consideration

39. Home Buyers Assistance Fund - Ministerial Statement (*June 28 2001*)

Consideration

40. Powers of the Department of Environmental Protection - Ministerial Statement (*July 31 2001*)

Consideration

43. Perth Water Supplies - Ministerial Statement (*July 31 2001*)

Consideration

44. Procurement Processes in Government - Ministerial Statement (*August 1 2001*)

Consideration

64. Metropolitan Region Scheme Amendment No 1015/33 Eastern Districts Omnibus No 4 - Ministerial Statement (*August 7 2001*)

Consideration

65. Metropolitan Region Scheme Amendment No 1022/33 Eastern Districts Omnibus No 5 - Ministerial Statement (*August 7 2001*)

Consideration

106. Request for Proposals for the Sale of Jarrah and Karri Sawlogs - Ministerial Statement (*October 24 2001*)

Consideration

107. Metropolitan Region Scheme Amendment No 1023/33 Hollywood and Swanbourne High Schools and Shenton College Sites, in Western Districts - Ministerial Statement (*October 24 2001*)

Consideration

66. Offshore Minerals Bill 2001 [LA 35-1] Parliamentary Secretary to the Minister for State Development

Second reading adjourned Hon Bruce Donaldson (Wednesday, August 8 2001) (SO 230 (c) and (d) applies until May 11 2002). *see Legislation Committee Report #14*

67. Offshore Minerals (Registration Fees) Bill 2001 [LA 36-1] Parliamentary Secretary to the Minister for State Development

Second reading adjourned Hon Bruce Donaldson (Wednesday, August 8 2001) (SO 230 (c) and (d) applies until May 11 2002). *see Legislation Committee Report #14*

68. Offshore Minerals (Consequential Amendments) Bill 2001 [LA 37-1] Parliamentary Secretary to the Minister for State Development

Second reading adjourned Hon Bruce Donaldson (Wednesday, August 8 2001) (SO 230 (c) and (d) applies until May 11 2002). *see Legislation Committee Report #14*

117. *Liquor Licensing Amendment Bill (No. 2) 2001 [LC 70-1B] Minister for Racing and Gaming

Committee - *Bill 27-2 was divided and this Bill contains Clauses 4, 5(2), 8 and 9*

78. Standing Orders 433 and 434 - Suspension of Standing Orders - Repeal and Substitution (Notice given August 7 2001)

Leader of the House: To move -

That Standing Orders 433 and 434 be repealed and the following substituted -

“

433. Motion for suspension

Any member may move to suspend standing orders with or without notice but not so as to interrupt a member who is speaking.

”.

79. Standing Orders 356 and 418 - Summoning of Witnesses - Repeal and Substitution (Notice given August 7 2001)

Leader of the House: To move -

That -

(a) Standing Orders 356 and 418 be repealed;

(b) the following Standing Order substituted -

“

418. Witnesses to be summonsed

(1) This order does not apply to a member of the Council.

(2) A summons issued to a person to attend as a witness or to produce documents is to be signed:

(a) by the President if the order is made by the Council;

(b) by the Clerk on the authorization of the chairman if the order is made by a committee.

”.

80. Standing Orders 205 and 206 - Voting by Deputy or Acting President - Repeal and Substitution (*Notice given August 7 2001*)

Leader of the House: To move -

That Standing Orders 205 and 206 be repealed and the following substituted -

“

205. Voting by Deputy or Acting President

- (1) The Deputy President, or any member temporarily occupying the Chair in the Council, is entitled to vote on any question then arising.
- (2) In a case of an equality of votes where subclause (1) applies, the question is resolved in the negative.

”.

81. Standing Order 153(c) - Disallowance on Prorogation - Repeal and Substitution (*Notice given August 7 2001*)

Leader of the House: To move -

That Standing Order 153(c) be repealed and the following substituted -

“

- (c) Where the question on a motion for disallowance remains unresolved -
 - (i) at the expiration of 10 sitting days after the day on which the motion was moved; or
 - (ii) when Parliament is prorogued,

then:

 - (1) in relation to paragraph (i) the question must be resolved at the next sitting;
 - (2) in relation to paragraph (ii), upon prorogation the question is deemed to be resolved in the affirmative.

”.

82. Standing Orders 276 and 277 - Special Majorities - Repeal and Substitution (*Notice given August 7 2001*)

Leader of the House: To move -

That Standing Orders 276 and 277 be repealed and the following substituted -

“

276. Bills required to pass with absolute majorities

Where a written law requires that a bill must pass the second and third readings with the votes of an absolute majority of the whole number of members, the Council is to divide on each of those questions.

”.

83. Standing Order 170 - Amended (*Notice given August 7 2001*)

Leader of the House: To move -

That Standing Order 170 is amended by deleting the following words -

“

This standing order shall not be suspended.

”.

- *85. Planning Appeals Amendment Bill 2001 [LA 23-2] Parliamentary Secretary to the Minister for Planning and Infrastructure**

Committee see *Public Administration and Finance Committee Report # 1 - cf SNP 23 Issue 2.*

- 89. Animal Welfare Bill 2001 [LA 41-1] Minister for Housing and Works**

Second reading adjourned Hon Bruce Donaldson (Tuesday, September 18 2001).

- 93. Gambling Conference held in Canberra - Ministerial Statement (Given September 25 2001)**

Consideration

- 118. Merger of the Grain Pool of Western Australia and Cooperative Bulk Handling - Ministerial Statement (Given November 13 2001)**

Consideration

- 136. Storm Damage to Crops in the South West Region – Ministerial Statement (Given December 5 2001)**

Consideration

- 137. Metropolitan Region Scheme Amendment No. 1031/33 Regional Roads (Part 5) - Ministerial Statement (Given December 5 2001)**

Consideration

- 119. Recommendations of the Perth Convention and Exhibition Centre Taskforce - Ministerial Statement (Given November 13 2001)**

Consideration

- 129. Buy Local Policy - Ministerial Statement (Given November 15 2001)**

Consideration

- 130. Water Shortage - Ministerial Statement (Given November 15 2001)**

Consideration

- 162. Farmers Exceptional Circumstance Program - Ministerial Statement (Given March 13 2002)**

Consideration

- 152. Opportunity for Public Comment on the potential Role of Genetic Modification-Free Zones in the Western Australian Farming System - Ministerial Statement (Given November 15 2001)**

Consideration

- 158. Aqwest-Bunbury and Busselton Water Boards - Ministerial Statement (Given February 20 2002)**

Consideration

- 168. Forest Products Commission Data in Response to Question 216 - Ministerial Statement (Given March 21 2002)**

Consideration

169. Public Liability Insurance - Ministerial Statement *(Given March 21 2002)*

Consideration

103. Electronic Transactions Bill 2001 [LA 38-1] *Minister for Racing and Gaming*

Second reading adjourned Hon Bruce Donaldson (Tuesday, October 23 2001) (SO 230 (c) and (d) no longer applies) *see Legislation Committee Report # 7.*

114. Child Welfare Amendment Bill 2001 [LA 49-1B] *Parliamentary Secretary to the Minister for Community Development, Women's Interests, Seniors and Youth*

Second reading adjourned Hon Bruce Donaldson (Tuesday, November 6 2001) (SO 230 (c) and (d) no longer applies) *see Legislation Committee Report #10.*

120. Family Court Amendment Bill 2001 [LA 46-2] *Minister for Racing and Gaming*

Second reading adjourned Hon Bruce Donaldson (Tuesday, November 13 2001) *cf SNP 46 Issue 1.*

122. Corporations (Consequential Amendments) Bill (No. 2) 2001 [LA 53-1] *Minister for Racing and Gaming*

Second reading adjourned Hon Bruce Donaldson (Tuesday, November 13 2001) (SO 230 A no longer applies) *see Legislation Committee Report #12.*

123. Child Support (Adoption of Laws) Amendment Bill 2001 [LA 47-2] *Minister for Racing and Gaming*

Second reading adjourned Hon Bruce Donaldson (Wednesday, November 14 2001) (SO 230 A no longer applies) *see Legislation Committee Report # 9.*

124. Regional Investment Fund Bill 2001 [LA 54-1] *Minister for Local Government and Regional Development*

Committee progress clause 5 *cf SNP 54 Issue 4.*

125. Mining Amendment Bill 2001 [LA 56-1] *Parliamentary Secretary to the Minister for State Development*

Second reading adjourned Hon Bruce Donaldson (Wednesday, November 14 2001).

126. Coroners Amendment Bill 2001 [LA 60-1] *Minister for Racing and Gaming*

Second reading adjourned Hon Bruce Donaldson (Wednesday, November 14 2001).

127. Boxing Control Amendment Bill 2001 [LA 45-1] *Parliamentary Secretary to the Minister for Planning and Infrastructure*

Second reading adjourned Hon Bruce Donaldson (Wednesday, November 14 2001).

134. Mines Safety and Inspection Amendment Bill 2001 [LA 57-1] *Parliamentary Secretary to the Minister for State Development*

Second reading adjourned Hon Bruce Donaldson (Wednesday, November 28 2001).

135. Transfer of Land Amendment Bill 2001 [LA 58-2] *Parliamentary Secretary to the Minister for Planning and Infrastructure*

Second reading adjourned Hon Bruce Donaldson (Tuesday, December 4 2001).

***138. Criminal Investigation (Identifying People) Bill 2001 [LA 64-2] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Wednesday, March 27 2001) *cf SNP 64 Issue 2*.

***140. Criminal Investigation (Exceptional Powers) and Fortification Removal Bill 2001 [LA 65 -2] Minister for Racing and Gaming**

Second reading adjourned Hon Ed Dermer (Wednesday, December 19 2001) *cf SNP 65 Issue 1 Referred to the Legislation Committee until April 18 2002* - Ed Dermer is substitute for Adele Farina and Ken Travers is substitute for Kate Doust.

141. Motor Vehicle Dealers Amendment Bill 2001 [LA 72-1] Minister for Racing and Gaming

Second reading adjourned Hon Bruce Donaldson (Tuesday, December 11 2001).

145. Machinery of Government (Planning and Infrastructure) Amendment Bill 2001 [LA 76-1] Parliamentary Secretary to the Minister for Planning and Infrastructure

Second reading adjourned Parliamentary Secretary to the Minister for Planning and Infrastructure (Thursday, March 21 2002).

146. Workers' Rights Reinstatement and Protection Bill 2001 [LC 91-1] Hon Dee Margetts

Second reading adjourned Minister for Housing and Works (Thursday, December 13 2001).

147. Road Safety Council Bill 2001 [LA 77-1] Minister for Racing and Gaming

Second reading adjourned Hon Bruce Donaldson (Thursday, December 13 2001).

149. Corporations (Consequential Amendments) Bill (No. 3) 2001 [LA 78-1] Minister for Racing and Gaming

Second reading adjourned Hon Bruce Donaldson (Thursday, December 13 2001) (SO 230A no longer applies) see Legislation Committee Report # 13.

150. Government Business and Sitting of the House - Ministerial Statement

Consideration

155. Environmental Protection (Land Clearance) Amendment Bill 2001 [LC 97-1] Hon Christine Sharp

Second reading adjourned Hon Ed Dermer (Wednesday, December 19 2001).

167. Draft Code of Conduct - Referral

Resumption of debate Hon Bruce Donaldson (Wednesday, March 20 2002) on motion of the Leader of the House as follows -

That the Government's proposed Code of Conduct for members of the Legislative Council be referred to the *Procedure and Privileges Committee* for consideration and report.

84. Consideration of Committee Reports

(1) Standing Committee on Environment and Public Affairs - Report No. 1 - Overview of Petitions and Inquiries August 2001 – December 2001. (*Tabled March 14 2002*)

(2) Standing Committee on Procedure and Privileges Committee - Report No. 3 - To alter the membership and functions of the Legislation Committee and establish a new Standing Committee as a consequence; To repeal SO 72 and substitute a new SO 72. (*Tabled March 21 2002*)

* For amendments see Supplementary Notice Paper #

For full text see Supplementary Notice Paper for other business before the House.

L B MARQUET

Clerk of the Legislative Council