

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 74**

**TUESDAY, APRIL 9 2002**

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**1. Meeting of Council**

The Council assembled at 3.30pm pursuant to order.

The President, Hon John Cowdell, took the Chair and read prayers.

**2. Statement by President - Death of Her Majesty Queen Elizabeth, the Queen Mother**

The President made the following Statement -

Members would be aware that the funeral service of Her Majesty Queen Elizabeth, the Queen Mother, is to be held today and it is appropriate that the Chamber notes the passing of the former queen consort with a minute's silence.

Members standing in their places.

**3. Papers**

The following Papers were laid on the Table by -

**Leader of the House**

*Reports -*

Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and Officers on Official Business for the three months ended 30 September 2000 .... 1323

Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and Officers on Official Business for the three months ended 31 December 2000 ..... 1324

Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and Officers on Official Business from 1 January to 16 February 2001..... 1325

Western Power - Statement of Corporate Intent 2001-2002 ..... 1326

**Minister for Racing and Gaming**

*Annual Reports - 2000-2001 -*

Criminal Injuries Compensation (Year ending 31 December 2001)  
(Date received 4/4/2002) ..... 1327

Painters' Registration Board (Date received 4/4/2002)..... 1328

### **Parliamentary Secretary to the Minister for Health**

#### *Annual Reports - 2000-2001 -*

Council of Official Visitors (Date received 28/3/2002).....	1329
Radiological Council of Western Australia (Year ending 31 December 2001) (Date Received 4/4/2002) .....	1330

#### *Annual Reports - Hospitals - 2000-2001 -*

Metropolitan Health Services (Date Received 28/3/2002).....	1331
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### **Parliamentary Secretary to the Minister for Planning and Infrastructure**

#### *Ministerial Approvals -*

Subiaco Redevelopment Act 1994 - Disposal of Lot 1404 Railway Road and Agnew Way, Subiaco .....	1332
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#### *Proposals -*

Land Administration Act 1997 - Submission No. 2/2002 - Excision of Portion of Class 'A' Reserve 30200 .....	1333
Land Administration Act 1997 - Submission No. 3/2002 - Change of Purpose of Class 'A' Reserve 21054 .....	1334
Land Administration Act 1997 - Submission No. 4/2002 - Amendment to Class 'A' Reserve 29860 .....	1335
Land Administration Act 1997 - Submission No. 5/2002 - Declassification of Class 'A' Reserve 1884 .....	1336
Land Administration Act 1997 - Submission No. 6/2002 - Cancellation of Class 'A' Reserve 13289 and Amendment to Class 'A' Reserve 35428 .....	1337
Land Administration Act 1997 - Submission No. 7/2002 - Amendment to Class 'A' Reserve 17705 .....	1338

#### **4. Dangerous Goods (Transport) (Dangerous Goods in Ports) Regulations 2001 - Disallowance**

Hon Ray Halligan: To move on the next day of sitting -

That the *Dangerous Goods (Transport) (Dangerous Goods in Ports) Regulations 2001* published in the *Gazette* on January 22 2002 and tabled in the Legislative Council on February 20 2002 under the *Dangerous Goods (Transport) Act 1998*, be and are hereby disallowed.

#### **5. Supreme Court (Fees) Regulations 2002 - Disallowance**

Hon Ray Halligan: To move on the next day of sitting -

That the *Supreme Court (Fees) Regulations 2002* published in the *Gazette* on December 27 2001 and tabled in the Legislative Council on February 20 2002 under the *Supreme Court Act 1935*, be and are hereby disallowed.

#### **6. Electricity Distribution Amendment Regulations (No. 2) 2001 - Disallowance**

Hon Robin Chapple: To move on the next day of sitting -

That the *Electricity Distribution Amendment Regulations (No. 2) 2001* published in the *Gazette* on December 28 2001 and tabled in the Legislative Council on February 20 2002 under the *Electricity Corporation Act 1994*, be and are hereby disallowed.

## 7. Electricity Transmission Amendment Regulations (No. 2) 2001 - Disallowance

Hon Robin Chapple: To move on the next day of sitting -

That the *Electricity Transmission Amendment Regulations (No. 2) 2001* published in the *Gazette* on December 28 2001 and tabled in the Legislative Council on February 20 2002 under the *Electricity Corporation Act 1994*, be and are hereby disallowed.

## 8. Matter of Urgency - Air Conditioning Rebates for Seniors in the Geraldton District

The President read the following letter -

Dear Mr President

At today's sitting it is my intention to move under SO 72 that the House, at its rising, adjourn until 9.00am on December 25 2002 for the purpose of discussing Western Power's refusal to pay rebates on air-conditioning costs to seniors in the Geraldton District, after Geraldton District was listed on the rebate application form and outlined in the Government's "Live it up" discount directory.

Yours sincerely

Hon Frank Hough  
Member for Agricultural Region

Four members having risen in support.

Hon Frank Hough then moved, That the House at its rising adjourn until 9.00am on December 25 2002.

Debate ensued.

The Minister for Local Government and Regional Development, by leave, tabled documents in relation to Relative Strain Index (RSI) Mean Annual Number of Discomfort Days with regard to the air conditioning rebates for seniors in the Geraldton District.

Debate continued.

Motion lapsed.

## 9. Order of Business

Ordered - That Orders of the Day be taken forthwith. (Leader of the House).

## 10. Labour Relations Reform Bill 2002

The President reported the receipt of Message No. 79 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Racing and Gaming moved, That the Bill be now read a first time.

Question - put.

The House divided.

### Ayes (14)

Hon Kim Chance  
Hon Robin Chapple  
Hon Kate Doust  
Hon Adele Farina  
Hon Jon Ford  
Hon Nick Griffiths  
Hon Dee Margetts

Hon Ljiljanna Ravlich  
Hon Jim Scott  
Hon Christine Sharp  
Hon Tom Stephens  
Hon Ken Travers  
Hon Giz Watson  
Hon Ed Dermer (*Teller*)

**Noes (13)**

Hon Alan Cadby  
 Hon George Cash  
 Hon Murray Criddle  
 Hon Paddy Embry  
 Hon John Fischer  
 Hon Peter Foss  
 Hon Ray Halligan

Hon Frank Hough  
 Hon Barry House  
 Hon N F Moore  
 Hon W N Stretch  
 Hon Derrick Tomlinson  
 Hon Bruce Donaldson (*Teller*)

Question thus passed.

Bill read a first time.

The Minister for Racing and Gaming moved, That the Bill be now read a second time.

**11. Questions Without Notice**

Questions without notice were asked by Hon Norman Moore, Hon Barry House, Hon Murray Criddle, Hon Dee Margetts, Hon John Fischer, Hon Barbara Scott, Hon Bruce Donaldson, Hon Giz Watson, Hon Christine Sharp, Hon George Cash, Hon Derrick Tomlinson, Hon Paddy Embry, Hon Jim Scott, Hon Ray Halligan and Hon Alan Cadby.

The Leader of the House on behalf of the Minister for Housing and Works, tabled documents in relation to the URS Report into the Contamination at the Waste Control Site in Bellevue in response to question on notice No. 445 asked by Hon Jim Scott. (Tabled paper 1340).

The Leader of the House on behalf of the Minister for Housing and Works, tabled documents in relation to a submission to the Keating Committee on the Review of the Project Development Approvals System by the Acting Director, Strategies and Legislation in response to question on notice No. 472 asked by Hon Jim Scott. (Tabled paper 1341).

**12. Labour Relations Reform Bill 2002**

The Minister for Racing and Gaming continued with his second reading speech (cf item 10 above).

On the motion of Hon Bruce Donaldson the debate was adjourned to the next sitting.

**13. Criminal Investigation (Identifying People) Bill 2001**

The Order of the Day having been read for the adjourned debate on the second reading of this Bill.

Debate resumed.

*Want of Quorum*

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

Question - put and passed.

Bill read a second time.

The Deputy President left the Chair.

**In Committee**

(Hon Jon Ford in the Chair)

Clause 1 agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3.

Debate ensued.

Clause agreed to.

Clause 4 agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clauses 7 and 8 agreed to.

Clause 9.

Debate ensued.

Clause agreed to.

Clauses 10 to 14 agreed to.

Clause 15.

Debate ensued.

Clause agreed to.

Clause 16 agreed to.

Clause 17.

Hon Derrick Tomlinson moved -

Page 18, line 5 - To insert after "Part" -

“

**“identifying information”**, in relation to a person, means —

- (a) any identifying particular obtained as a result of doing any identifying procedure on the person;
- (b) anything used in obtaining the identifying particular such as an impression, negative, sample or swab; or
- (c) the personal details of the person obtained when the identifying particular was obtained,

and, for the purposes of this definition, it does not matter in what form the information is kept.

”.

Debate ensued.

Amendment - put and passed.

Clause, as amended, agreed to.

*Interruption of Debate* [SO 61(c)].

#### **14. Law Reform (Contributory Negligence and Tortfeasors' Contribution) Amendment Bill 2001**

The President reported the receipt of Message No. 80 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House moved, That the Bill be now read a second time.

On the motion of Hon Bruce Donaldson the debate was adjourned to the next sitting.

**15. Adjournment**

The Leader of the House moved, That the House do now adjourn.

Debate ensued.

Question - put and passed.

The House adjourned at 10.21pm until Wednesday, April 10 2002 at 4.00pm.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Graham Giffard and Hon Simon O'Brien.

**L B MARQUET**  
Clerk of the Legislative Council

**HON JOHN COWDELL**  
President of the Legislative Council