

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

DAILY NOTICE PAPER

No. 41

WEDNESDAY, NOVEMBER 7 2001, 4.00pm

ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, 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.

Electronic version available on the Parliament's Internet site at www.parliament.wa.gov.au

MOTIONS

5. Impact of the GST on the State's Finances and Economy (*Notice given May 2 2001*)

Resumption of debate (Thursday, October 25 Hon Ed Dermer (mins 32)) on motion of Hon Ken Travers as follows -

That the House notes the impact of the GST on the State's finances and economy.

6. Repudiation of Nuclear Missile Reduction Treaties by the United States of America (*Notice given May 3 2001*)

Hon Giz Watson: To move -

That this House, noting -

- (a) President Bush's repudiation of longstanding nuclear missile reduction treaties to which the United States is a signatory;
- (b) the likely consequences of the President's decision will trigger a new nuclear arms race and increase Australia's being attacked because of the strategic importance of the joint facilities located in various parts of the country,

calls upon the Commonwealth Government to bar port visits by United States warships and discontinue the use of US-Australian joint facilities for the deployment of nuclear missiles.

***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 Standing order 73 is repealed and the following is substituted –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.”

13. Apology to Vietnam Veterans (*Notice given June 27 2001*)

Hon Frank Hough: To move -

That this House -

- (1) Records that Australia's military involvement in the Vietnam War is a matter of regret;
- (2) Supports the continuation of policies and programs that assist Vietnam Veterans and their families to recover from trauma associated with service in Vietnam and its aftermath;
- (3) Acknowledges their hurt resulting from the negative treatment they received, or still receive, from all those opposed to Australian involvement in Vietnam;
- (4) As part of the process of healing and rehabilitation, extends its apology to Vietnam Veterans for the loss and hurt they have suffered and may still suffer as a result of the Vietnam War. To say we are truly sorry.

21. Funding for Candidates to be Adequately Represented at the Court of Disputed Returns (*Notice given August 22 2001*)

Hon John Fischer: To move -

That in the interests of the principles of honesty, fairness and legitimacy which are the cornerstones of the operations of democratic elections, and in view of the anomalies contained in Schedule 1 of the *Electoral Act 1907*; the Government be requested to provide funding to enable parties to be adequately represented at a Court of Disputed Returns constituted to hear the Petition of Gregory David Smith, a candidate for the Legislative Council at the last general Election, and the respondent, Robin Howard Chapple, a candidate for the Legislative Council at the last general Election.

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

100. Fish Resources Management Amendment Regulations 2001 - Disallowance

Moved *pro forma* (SO 152 (b)) September 19 on motion of Hon Giz Watson (Days remaining 2 after today)

That the *Fish Resources Management Amendment Regulations 2001* published in the *Gazette* on June 29 2001 and tabled in the Legislative Council on July 31 2001 under the *Fish Resources Management Act 1994*, be and are hereby disallowed. (Tabled paper 452).

101. Health (Public Buildings) Amendment Regulations 2001 - Disallowance

Moved *pro forma* (SO 152 (b)) September 19 on motion of Hon Giz Watson (Days remaining 2 after today)

That the *Health (Public Buildings) Amendment Regulations 2001* published in the *Gazette* on August 3 2001 and tabled in the Legislative Council on August 7 2001 under the *Health Act 1911*, be and are hereby disallowed. (Tabled paper 545).

109. Shire of Bridgetown-Greenbushes - Extractive Industries Local Law - Disallowance

Moved *pro forma* (SO 152 (b)) November 6 on motion of Hon Simon O'Brien (Days remaining 9 after today)

That the *Shire of Bridgetown-Greenbushes - Extractive Industries Local Law* published in the *Gazette* on August 14 2001 and tabled in the Legislative Council on August 22 2001 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 573).

110. Town of Kwinana - Extractive Industries Local Law - Disallowance

Moved *pro forma* (SO 152 (b)) November 6 on motion of Hon Simon O'Brien (Days remaining 9 after today)

That the *Town of Kwinana - Extractive Industries Local Law* published in the *Gazette* on August 10 2001 and tabled in the Legislative Council on August 22 2001 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 572).

112. Shire of Derby/West Kimberley - Extractive Industries Local Law - Disallowance

Moved *pro forma* (SO 152 (b)) November 7 on motion of Hon Ray Halligan (Days remaining 10 after today)

That the *Shire of Derby/West Kimberley - Extractive Industries Local Law* published in the *Gazette* on August 28 2001 and tabled in the Legislative Council on September 13 2001 under the *Local Government Act 1995*, be and is hereby disallowed.. (Tabled paper 635).

113. Shire of Wyndham-East Kimberley - Consolidated Local Government Laws - Disallowance

Moved *pro forma* (SO 152 (b)) November 7 on motion of Hon Ray Halligan (Days remaining 10 after today)

That the *Shire of Wyndham-East Kimberley - Consolidated Local Government Laws* published in the *Gazette* on August 9 2001 and tabled in the Legislative Council on August 22 2001 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 572).

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;
 - “(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

***13. Co-operative Schemes (Administrative Actions) Bill 2001** [*LC 13-1*] *Minister for Racing and Gaming*

Second reading adjourned Hon Bruce Donaldson (Tuesday, May 29 2001). SO 230 (c) and (d) no longer apply *see Legislation Committee Report #2 and amendments incorporated as appendix ‘B’ of SNP 13 Issue 1*

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*

Referred to the Legislation Committee on August 1 2001 and to report by November 15 2001 - Second reading adjourned Hon Bruce Donaldson (Thursday, June 28 2001) *cf SNP 31 Issue 1*.

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

45. Road Traffic Amendment Bill 2001 [LA 28-2] Minister for Racing and Gaming

Second reading adjourned Hon Alan Cadby (Thursday, August 2 2001). (SO 230 (c) and (d) no longer applies) *see Legislation Report # 3*

46. Road Traffic Amendment (Vehicle Licensing) Bill 2001 [LA 29-1] Minister for Racing and Gaming

Second reading adjourned Hon Alan Cadby (Thursday, August 2 2001) (SO 230 (c) and (d) no longer applies) *see Legislation Report # 3*.

47. Road Traffic Amendment (Vehicle Licensing) (Taxing) Bill 2001 [LA 30-1] Minister for Racing and Gaming

Second reading adjourned Hon Alan Cadby (Thursday, August 2 2001).

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 second sitting day of calendar 2002).

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 second sitting day of calendar 2002).

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 second sitting day of calender 2002).

69. Salaries and Allowances Amendment Bill 2001 [LA 24-1] Leader of the House

Second reading adjourned Hon Bruce Donaldson (Wednesday, August 8 2001).

111. *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*

***75. Criminal Law Amendment Bill 2001 [LA 25-1] Minister for Racing and Gaming**

Second reading continuation of remarks Hon Peter Foss (Thursday, September 13 2001) *cf SNP 25 Issue 1.*

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**

Second reading continuation of remarks Hon Jim Scott (mins 40) (Tuesday, November 6 2001) *cf SNP 23 Issue 1.*

88. Budget Papers 2001-2002 and related Papers - Minister for Racing and Gaming

Resumption of debate Hon Bruce Donaldson (Tuesday, November 6 2001)

That the Council take note of Tabled Paper 657. (*Note: Discharged on November 8 2001*)

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

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

91. Acts Amendment (Federal Courts and Tribunals) Bill 2001 [LA 32-1] Minister for Racing and Gaming

Second reading adjourned Hon Bruce Donaldson (Tuesday, September 18 2001) (*SO 230 (c) and (d) no longer apply*) *see Legislation Report No 4.*

92. Consumer Credit (Western Australia) Amendment Bill 2001 [LC 52-1] Minister for Racing and Gaming

Second reading adjourned Hon Bruce Donaldson (Thursday, September 20 2001). (*SO 230 (c) and (d) no longer apply*) *see Legislation Report No 5.*

93. Gambling Conference held in Canberra - Ministerial Statement (Notice given September 25 2001)

Consideration

102. Zoological Parks Authority Bill 2001 [LA 17-2] Minister for Housing and Works

Second reading adjourned Hon Bruce Donaldson (Tuesday, October 23 2001).

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) applies until December 19 2001*).

104. Appropriation (Consolidated Fund) Bill (No. 1) 2001 [LA 50-1] Minister for Racing and Gaming

Second reading adjourned Hon Bruce Donaldson (Thursday, October 25 2001).

105. Appropriation (Consolidated Fund) Bill (No. 2) 2001 [LA 51-1] Minister for Racing and Gaming

Second reading adjourned Hon Bruce Donaldson (Thursday, October 25 2001).

***111. Agricultural and Veterinary Chemicals (Western Australia) Amendment Bill 2001 [LC 14-1] Leader of the House**

Consideration in committee of Legislative Assembly Message 45.

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) applies until December 6 2001) .

* 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