

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 59

FRIDAY, MAY 9 2003

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### 1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

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

### 2. Papers

The following Papers were laid on the Table by -

#### **Parliamentary Secretary to the Minister for Planning and Infrastructure**

##### *Proposals -*

Land Administration Act 1997 - Submission No. 7/2003 - Amendment to Class 'A'  
Reserve 24522 ..... 1036

Land Administration Act 1997 - Submission No. 8/2003 - Rationalisation of the  
Government Domain, St. George's Terrace, Perth..... 1037

### 3. Local Government Amendment (Electoral Provisions) Bill 2003

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

That a Bill for "An Act to amend the *Local Government Act 1995*" be introduced and read a first time.

### 4. Tabling of Answers to Questions on Notice with Production of Documents

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

That not later than 3 sitting days of the day on which this order is passed, the Leader of the House, on behalf of the Government, table in this House answers to questions on notice 273, 274, 290, 323, 324, 325, 326, together with the documents whose production is sought by those questions.

**5. Acts Amendment (Equality of Status) Bill 2002**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 72

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Acts Amendment (Equality of Status) Bill 2002*.

Tony O’Gorman

Acting Speaker

Legislative Assembly Chamber

Perth, 8 May 2003

**6. Censorship Amendment Bill 2002**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 73

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendment made by the Legislative Council in the *Censorship Amendment Bill 2002*.

Tony O’Gorman

Acting Speaker

Legislative Assembly Chamber

Perth, 8 May 2003

**7. Racing and Gambling Legislation Amendment and Repeal Bill 2003**

The President reported the receipt of Message No. 69 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 and passed.

Bill read a first time.

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

Debate stands adjourned.

**8. Racing Restriction Bill 2003**

The President reported the receipt of Message No. 70 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 and passed.

Bill read a first time.

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

Debate stands adjourned.

**9. Racing and Wagering Western Australia Tax Bill 2003**

The President reported the receipt of Message No. 71 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 and passed.

Bill read a first time.

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

Debate stands adjourned.

# **10. Racing and Wagering Western Australia Bill 2003**

The President reported the receipt of Message No. 74 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 and passed.

Bill read a first time.

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

Debate stands adjourned.

# **11. Ministerial Statement - Business of the House**

The Leader of the House, by leave, made a Ministerial Statement with respect to the Business of the House.

# **12. Yallingup Foreshore Land Bill 2002**

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

Debate resumed.

*Interruption pursuant to Sessional Order.*

# **13. Consideration of Committee Reports and Ministerial Statements**

Pursuant to Sessional Orders for the consideration of Committee reports and Ministerial Statements.

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## **In Committee**

(Hon George Cash in the Chair)

### ***Standing Committee on Environment and Public Affairs - Sixth Report - Swimming Pool Fencing***

Debate resumed on the motion of Hon Christine Sharp, That the Report be noted.

Question - put and passed.

### ***Perth Urban Rail Development Project - Ministerial Statement***

Debate resumed on the motion of Hon Peter Foss, That the Ministerial Statement be noted.

Question - put and passed.

### ***Standing Committee on Procedure and Privileges - Fifth Report - Standing Order No 73 - Time Limits on Speeches***

Order of the Day having been called.

The Leader of the House moved, without notice, That progress be reported and leave asked to sit again.

Question - put and passed.

### ***Metropolitan Region Scheme Amendment No. 1040/33 Tapper Road Extension, Banjup - Ministerial Statement***

Order of the Day having been called.

### ***Joint Standing Committee on the Anti-Corruption Commission - Second Report - Integrity With the Public Sector - Review of the Anti-Corruption Commission***

Hon Sue Ellery moved, That the Report be noted.

Debate ensued.

Hon Sue Ellery moved, That progress be reported and leave asked to sit again.

Question - put and passed.

***Metropolitan Region Scheme Amendment No. 1041/33 South West Districts Omnibus (No. 5) - Ministerial Statement***

Order of the Day having been called.

***Joint Standing Committee on Delegated Legislation - Sixth Report - Sessional Report - June 28 2001 to August 9 2002.***

Hon Ray Halligan moved, That the Report be noted.

Debate ensued.

*Interruption pursuant to Sessional Order.*

The President resumed the Chair.

The Chairman of Committees reported that the Committee of the Whole House had considered the -

- (1) Standing Committee on Environment and Public Affairs - Sixth Report - Swimming Pool Fencing and had noted same.
- (2) Perth Urban Rail Development Project - Ministerial Statement and had noted same.
- (3) Standing Committee on Procedure and Privileges - Fifth Report - Standing Order No 73 - Time Limits on Speeches, made progress, and asked leave to sit again.
- (4) Joint Standing Committee on the Anti-Corruption Commission - Second Report - Integrity With the Public Sector - Review of the Anti-Corruption Commission, made progress, and asked leave to sit again.
- (5) Joint Standing Committee on Delegated Legislation - Sixth Report - Sessional Report - June 28 2001 to August 9 2002, made progress, and asked leave to sit again.

Report adopted.

#### **14. Questions Without Notice**

Questions without notice were taken.

The Minister for Racing and Gaming tabled documents in relation to a List of Ministry, Department or Agency under the Minister's Portfolio that have been either a plaintiff or defendant in any litigation or other court action for last 3 years in response to question on notice No. 598 asked by Hon George Cash. (Tabled paper 1038).

The Parliamentary Secretary representing the Minister for Planning and Infrastructure in accordance with Standing Order No 138(d), advised that the answer to question on notice No. 628 asked by Hon Jim Scott will be provided by 16 May 2003.

The Parliamentary Secretary to the Minister for Planning and Infrastructure tabled documents in relation to current members of the Western Australian Planning Commission and their term and basis for appointment in response to question on notice No. 626 asked by Hon Jim Scott. (Tabled paper 1039).

#### **15. Member's Statements**

Statements were taken.

#### **16. Adjournment**

Pursuant to Sessional Order 2(2) the House adjourned at 4.57pm until Tuesday, May 13 2003 at 3.00pm.

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

Attendance: Present all Members except Hon John Fischer and Hon Tom Stephens.

**L B MARQUET**

Clerk of the Legislative Council

**HON JOHN COWDELL**

President of the Legislative Council