

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

NOTICE PAPER

No. 19

WEDNESDAY, OCTOBER 18 2000, 4.00pm

ORDER OF BUSINESS

Petitions, 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.

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MOTIONS

1. Interests of Rural and Regional Western Australia - Failure of State Government (*Notice given Tuesday, August 8 2000*)

Resumption of debate (Thursday, October 12 2000, continuation of remarks Hon Greg Smith (mins 25)) on motion of Hon Tom Stephens as follows -

That this House -

- (1) Condemns the State Government for its failure to safeguard and improve the interests of rural and regional Western Australia and its misplaced priorities.
- (2) Calls on the Government to amend its policies and give priority to the delivery of core government services to all West Australians, especially in the areas of health, education, community safety and public transport.

2. Native Title Legislation - Western Australian Senators' Support (*Notice given Tuesday, August 8 2000*)

Hon Ray Halligan: To move -

This House calls on all Senators representing the State of Western Australia to support amendments to the Native Title legislation that will end the impasse with the current unworkable Act.

3. Transperth Bus Fleet - (Notice given Tuesday, August 8 2000)

Hon Jim Scott: *To seek leave to amend motion as read by substituting the following -*

That in relation to a recently published peer review of a study by an Expert Reference Group (Euro 2 and Beyond) commissioned by former Transport Minister Eric Charlton to determine the future fuel needs of Transperth's bus fleet -

- (1) *This House notes the findings of the peer review of the ERG Report.*
- (2) *Calls on the Minister for Transport to -*
 - (a) *explain why flawed and inaccurate data was used to justify the purchase of the Transperth bus fleet;*
 - (b) *describe the current contractual arrangements between Transperth and Mercedes Benz;*
 - (c) *identify the number of diesel powered buses Transperth is bound to purchase;*
 - (d) *confirm whether Mercedes is able to provide, as an alternative, sufficient numbers of high performance gas powered buses to meet Transperth's needs; and*
 - (e) *state if he is prepared to re-examine the ERG recommendations and reassess the purchase of further diesel powered buses.*

4. Drug Treatment Services - Appointment of Select Committee (Notice given Tuesday, August 8 2000)

Hon Norm Kelly: *To move -*

That -

- (1) *A select committee is appointed.*
- (2) *The select committee inquire into and report to the House not later than November 22 2000 on -*
 - (a) *the establishment of drug Courts in the State and their actual or projected effects on the provision of, and demand for, drug treatment services;*
 - (b) *the feasibility of, and need for, a trial of safe injecting facilities;*
 - (c) *the feasibility of, and need for, the supply to adult, long-term addicts of heroin under prescription;*
 - (d) *the relationship (if any) between the provision of safe injecting facilities and medically-prescribed heroin and the numbers of dependent drug users making use of treatment programs; and*
 - (e) *any matter relating to or arising from any of the matters described in paragraphs (a) to (d).*
- (3) *The select committee have power to send for persons, papers and records.*

5. Minister for Labour Relations - Recommendation to abolish the Building and Construction Industry Task Force (Notice given Tuesday, August 8 2000)

Hon Ljiljana Ravlich: *To move -*

That -

- (1) *The Minister for Labour Relations endorse the recommendations of "A review of the Western Australian Labour Relations Portfolio" that the Building and Construction Industry Task Force be abolished.*
- (2) *This House calls on the Minister to review her decision given that the Building and Construction Industry Task Force is not cost effective and no more than a political vehicle used to discriminate against the State's building and construction unions.*

6. Police Corruption - Appointment of Royal Commission (*Notice given Tuesday, August 8 2000*)

Hon Nick Griffiths: To move -

That this House calls on the State Government to establish a royal commission, staffed by personnel other than serving or former Western Australian police, to inquire into the operations of the Western Australia Police Force, with particular reference to -

- (1) Corruption and other serious misconduct within the Force.
- (2) The activities of the Force in dealing with any problems of corruption and other serious misconduct and internal investigations generally.
- (3) Impartiality of the Force and other agencies in investigating and pursuing prosecutions.
- (4) Any other matter appertaining to the aforesaid matters concerning possible criminal activity, neglect or violation of duty, the inquiry into which is deemed to be in the public interest.

7. Censure of Labor Opposition on Federal Tax Reform (*Notice given Tuesday, August 8 2000*)

Hon Ray Halligan: To move -

That this House censures the Labor Opposition because of its failure to truly represent to the people of Western Australia the recent major Federal tax reforms.

8. Management of Public Sector Leave Liability - Referral to Standing Committee on Estimates and Financial Operations (*Notice given Tuesday, August 8 2000*)

Hon Ljiljanna Ravlich: To move -

That the House direct the Standing Committee on Estimates and Financial Operations to inquire into and report on the Government's management of public sector leave liability, including the effectiveness or otherwise of its strategies to deal with this issue, and any other matter related to leave management.

9. Mandatory Sentencing - Support For (*Notice given Wednesday, August 9 2000*)

Hon Greg Smith: To move -

That the Legislative Council of Western Australia supports mandatory sentencing in the State as it exists and furthermore request that it be extended to include crimes of violence against the elderly.

10. Road Traffic Code 2000 - Regulation No. 201 - Amendment (*Notice given Wednesday, August 16 2000*)

Hon Tom Stephens: To move -

That the *Road Traffic Code 2000* regulations be amended by inserting in Regulation No. 201 the following -

- “ (2) A person using a shared path shall keep as close a practicable to the left boundary of the path. ”.

11. Standing Order 143 - Amendment (*Notice given Thursday, August 17 2000*)

Hon Norm Kelly: To move -

Standing Order 143 is amended by adding the words “whether or not the statutory instrument has legislative effect.”.

12. Standing Orders 159, 165 and 285 - Repeal - Standing Order 138 - Amendment (*Notice given Thursday, September 21 2000*)

Hon John Cowdell: To move -

- (1) That Standing Orders 159, 165 and 285 are repealed and, in so doing, this House records that the repeals do not affect those proceedings of a ceremonial nature where it is customary that a motion be seconded;
- (2) That Standing Order 138 is amended by adding the following paragraph-
 - “(d) If a question on the Notice Paper remains unanswered after 9 sitting days, the minister or member to whom the question is directed is to state at the conclusion of the period of oral questions on the next sitting day whether an answer will be provided and when that will occur.”

13. Minister for Planning to Terminate Agreement with Fleuris Pty Ltd (*Notice given Tuesday, October 10 2000*)

Hon Jim Scott: To move -

That this House requests the Minister for Planning to terminate the agreement with Fleuris Pty Ltd under clause 24 (1) (b) of Schedule 1 of the *Port Kennedy Development Agreement Act 1992*.

14. Mining Industry Shift Rostering and Working Hours - Establishment of Committee (*Notice given Tuesday, October 10 2000*)

Hon Tom Helm: To move -

That this House requests the Minister for Mines to establish a committee to inquire into and report on -

- (1) The effect of long working hours on the health, safety and well-being of employees, their families and their communities.
- (2) The effect of long working hours on the productivity and efficiency of the mining industry.
- (3) The desirability and form of regulation necessary to establish minimum standards in relation to long working hours.

CONTINGENT MOTIONS

1. Standing Committee on Legislation - Disclosure of Evidence (*Notice given Tuesday, October 17 2000*)

Hon Bruce Donaldson: To move -

Upon the presentation of a report of the Standing Committee on Legislation in relation to the *Sentencing Matrix Bill 1999*.

That pursuant to SO 324, it is ordered that the evidence taken in private by the Standing Committee on Legislation from the Hon Peter Foss QC MLC, Attorney General, on July 28 1999 and September 13 2000 (including documents Tabled during such private evidence) in relation to the *Sentencing Matrix Bill 1999* not be disclosed or published in any form or to any person without further order.

MOTIONS FOR DISALLOWANCE

- 1. Fish Resources Management Esperance Rock Lobster Fishery Management Plan Amendment 2000** (*Notice given October 12 2000 moves pro forma on October 19 2000*)

Hon Giz Watson: To move -

That the *Fish Resources Management Esperance Rock Lobster Fishery Management Plan Amendment 2000* published in the *Gazette* on September 27 2000 and tabled in the Legislative Council on October 10 2000 under the *Fish Resources Management Act 1994*, be and is hereby disallowed. (Tabled paper 301).

BILLS FOR INTRODUCTION

- 1. Human Reproductive Technology Amendment (No 2) Bill 2000** (*Notice given August 9 2000*)

Hon Giz Watson: To move -

That a Bill for “An Act to amend the *Human Reproductive Technology Act 1991*” be introduced and read a first time.

- 2. Voluntary Euthanasia Bill 2000** (*Notice given August 9 2000*)

Hon Norm Kelly: To move -

That a Bill for “An Act to provide for the administration of Voluntary Euthanasia” be introduced and read a first time.

- 3. Nuclear Activities (Prohibition) Bill 2000** (*Notice given September 14 2000*)

Hon Giz Watson: To move -

That a Bill for “An Act to prohibit in Western Australia certain activities associated with the nuclear fuel chain, and for related purposes” be introduced and read a first time.

ORDERS OF THE DAY

1. City of Geraldton - Parking & Parking Facilities Local Law - Disallowance

Moved *pro forma* (SO 152 (b)) September 12 2000 on motion of Hon Tom Helm (Days remaining 7 after today).

That the *City of Geraldton - Parking & Parking Facilities Local Law* published in the *Gazette* on June 23 2000 and tabled in the Legislative Council on August 9 2000 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 56).

2. Gas Standards (Gas Supply and System Safety) Regulations 2000 - Disallowance

Moved *pro forma* (SO 152 (b)) October 10 2000 on motion of Hon Tom Helm (Days remaining 8 after today).

That the *Gas Standards (Gas Supply and System Safety) Regulations 2000* published in the *Gazette* on July 4 2000 and tabled in the Legislative Council on August 9 2000 under the *Gas Standards Act 1972*, be and are hereby disallowed. (Tabled paper 36).

3. Perth Market Amendment By-laws 2000 - Disallowance

Moved *pro forma* (SO 152 (b)) October 10 2000 on motion of Hon Tom Helm (Days remaining 8 after today).

That the *Perth Market Amendment By-laws 2000* published in the *Gazette* on July 28 2000 and tabled in the Legislative Council on August 9 2000 under the *Perth Market Act 1926*, be and are hereby disallowed. (Tabled paper 51).

4. Spent Convictions (Act Amendment) Regulations (No 2) 2000 - Disallowance

Moved *pro forma* (SO 152 (b)) October 10 2000 on motion of Hon Tom Helm (Days remaining 8 after today).

That the *Spent Convictions (Act Amendment) Regulations (No 2) 2000* published in the *Gazette* on July 28 2000 and tabled in the Legislative Council on August 9 2000 under the *Spent Convictions Act 1988*, be and are hereby disallowed. (Tabled paper 105).

5. Town of Port Hedland - Local Law (Signs, Hoardings and Bill Posting) - Disallowance

Moved *pro forma* (SO 152 (b)) October 10 2000 on motion of Hon Tom Helm (Days remaining 8 after today).

That the *Town of Port Hedland - Local Law (Signs, Hoardings and Bill Posting)* published in the *Gazette* on August 3 2000 and tabled in the Legislative Council on August 9 2000 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 60).

6. City of Wanneroo - Amendment to Parking Local Law _ Disallowance

Moved *pro forma* (SO 152 (b)) October 10 2000 on motion of Hon Tom Helm (Days remaining 8 after today).

That the *City of Wanneroo - Amendment to Parking Local Law* published in the *Gazette* on August 8 2000 and tabled in the Legislative Council on August 10 2000 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 114).

7. City of Swan - Local Law Relating to Prevention and Abatement of Sand Drift - Disallowance

Moved *pro forma* (SO 152 (b)) October 10 2000 on motion of Hon Tom Helm (Days remaining 8 after today).

That the *City of Swan - Local Law Relating to Prevention and Abatement of Sand Drift* published in the *Gazette* on August 8 2000 and tabled in the Legislative Council on August 10 2000 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 114).

8. Metropolitan Region Scheme - North West Districts Omnibus (No 4) - Disallowance

Moved *pro forma* (SO 152 (b)) October 18 2000 on motion of Hon Graham Giffard (Days remaining 9 after today).

That the *Metropolitan Region Scheme - North West Districts Omnibus (No 4)* tabled in the Legislative Council on October 10 2000 be, and is hereby, disallowed. (Tabled paper 324).

9. Address-in-Reply

Resumption of debate on amended motion (Tuesday, October 17 adjourned Hon Tom Stephens) to the amendment of Hon Graham Giffard as follows -

“But regrets to inform Your Excellency that the policies of this Government have resulted in significant scope for improvement in the way that legislation and the public sector generally is being administered; and requests Your Excellency to call on the Government to address the ineffective management practices which are resulting in a waste of public monies.”.

10. Rights in Water and Irrigation Amendment Bill 1999 [LA 100-2] Minister for Transport

Consideration of report.

11. *Government Railways (Access) Amendment Bill 2000 [LA 112-1] Minister for Transport

Committee progress clause 6 *cf SNP 2-3*.

12. *Protective Custody Bill 2000 [LA 97-1] Attorney General

Second reading adjourned Hon Ed Dermer (Thursday, May 11 2000) *cf SNP 15-1*.

13. *Transport Co-ordination Amendment Bill 1998 [LA 120-3] Minister for Transport

Committee *cf SNP 10 see Estimates and Financial Operations Report 30*.

14. Fish Resources Management Amendment Bill 1999 [LA 78-1] Minister for Transport

Second reading adjourned Hon Bob Thomas (Wednesday, March 29 2000).

15. Mount Yokine Land Acquisition Repeal Bill 2000 [LA 131-1] Leader of the House

Second reading adjourned Hon Bob Thomas (Wednesday, September 6 2000).

16. *Hope Valley-Wattleup Redevelopment Bill 2000 [LA 114-2B] Attorney General

Second reading adjourned Hon Ed Dermer (Thursday, August 17 2000) *cf SNP 4-2*.

17. *Workers' Compensation and Rehabilitation Amendment Bill 2000

Consideration in committee of Legislative Assembly Message 87.

18. *Trans-Tasman Mutual Recognition (Western Australia) Bill 1999 [LA 7-1] Leader of the House

Second reading adjourned Hon Nick Griffiths (Wednesday, October 29 1999) (SO 230 (c) and (d) no longer applies) *cf SNP 12 see Constitutional Affairs Report 46*.

- 19. Trust Removal (Mount Claremont Land) Bill 1998 [LA 22-1] Leader of the House**
Second reading adjourned Hon Tom Stephens (Wednesday, November 25 1998).
- 20. *Acts Amendment (Evidence) Bill 1999**
Consideration in committee of Legislative Assembly Message 77.
- 21. *Guardianship and Administration Amendment Bill 1999**
Consideration in committee of Legislative Assembly Message 76.
- 22. *Road Traffic Amendment Bill (No. 2) 2000 [LC 124-1] Minister for Transport**
Committee (SO 230 (c) and (d) applies) cf SNP 8-1.
- 23. Railway Discontinuance Bill 2000 [LC 15-1B] Minister for Transport**
Second reading adjourned Hon Ed Dermer (Thursday, May 4 2000).
- 24. Vexatious Proceedings Restriction Bill 2000 [LC 136-1] Attorney General**
Second reading adjourned Hon Bob Thomas (Wednesday, June 28 2000).
- 25. Acts Amendment (Fines Enforcement and Licence Suspension) Bill 2000 [LA 146-1] Attorney General**
Second reading adjourned Hon Ed Dermer (Thursday, August 17 2000).
- 26. *Acts Amendment (Australian Datum) Bill 2000 [LA 92-2] Leader of the House**
Second reading adjourned (SO 230 (c) and (d) no longer applies) Hon Bob Thomas (Wednesday, September 6 2000) cf SNP 16-2 see *Constitutional Affairs Report 57*.
- 27. Electronic Transactions Bill 2000 [LC 4-1] Attorney General**
Second reading adjourned (SO 230 (c) and (d) applies until November 7) Hon Bob Thomas (Wednesday, September 6 2000).
- 28. Sentencing Amendment (Adjustment of Sentences) Bill 2000 [LC 10-1] Minister for Justice**
Second reading adjourned Hon Bob Thomas (Wednesday, September 6 2000).
- 29. Zoological Parks Authority Bill 1999 [LA 80-1] Attorney General**
Second reading adjourned Hon Ed Dermer (Tuesday, September 12 2000).
- 30. State Records Bill 1999 [LA 83-2] Attorney General**
Second reading adjourned Hon Ed Dermer (Wednesday, September 13 2000).
- 31. State Records (Consequential Provisions) Bill 1999 [LA 84-1] Attorney General**
Second reading adjourned Hon Ed Dermer (Wednesday, September 13 2000).
- 32. Medical Amendment Bill 2000 [LA 153-1] Attorney General**
Second reading adjourned Hon Ed Dermer (Thursday, September 14 2000).
- 33. Criminal Code Amendment Bill (No.2) 2000 [LC 17-1B] Attorney General**
Second reading adjourned Hon Bob Thomas (Tuesday, September 19 2000).

34. Totalisator Agency Board Betting Amendment Bill 2000 [LC 28-1] Minister for Racing & Gaming

Second reading adjourned Hon Bob Thomas (Thursday, September 21 2000)

35. Railway (Narngulu to Geraldton) Bill 2000 [LC 32-1] Minister for Transport

Second reading adjourned Hon Bob Thomas (Wednesday, October 11 2000)

36. Financial Administration and Audit Amendment Bill 1999 [LA 67-1] Attorney General

Second reading adjourned Hon Ed Dermer (Wednesday, November 17 1999) *see Estimates and Financial Operation Report 31.*

37. Criminal Code Amendment (Home Invasion) Bill 2000 [LA 5-1] Attorney General

Second reading adjourned Hon Ed Dermer (Thursday, October 12 2000)

38. Offenders (Legal Action) Bill 2000 [LA 16-1] Attorney General

Second reading adjourned Hon Ed Dermer (Thursday, October 12 2000)

39. Universities Legislation Amendment Bill 2000 [LA 151-1] Parliamentary Secretary

Second reading adjourned Hon Bob Thomas (Tuesday, October 17 2000).

40. Acts Amendment (Iron Ore Agreements) Bill 2000 [LA 11-1] Minister for Mines

Second reading adjourned Hon Bob Thomas (Tuesday, October 17 2000).

41. Land Administration Amendment Bill 2000 [LA 9-2] Leader of the House

Second reading adjourned Hon Bob Thomas (Tuesday, October 17 2000).

42. Standing Orders Committee - Report on The Treatment of Evidence of Standing Committees

Consideration of report in committee.

43. Standing Orders Committee - Report on SO 155 - Procedure for raising Matter of Privilege and SO 134 providing for a Right of Reply

Consideration of report in committee.

44. Labour Relations Legislation Amendment Bill (No. 2) 1997 [LC 64-1] Hon Helen Hodgson

Second reading adjourned Hon Muriel Patterson (Thursday, August 28 1997) *see Public Administration Report 11.*

45. *Acts Amendment (Sexuality Discrimination) Bill 1997 [LC 75-1] Hon Helen Hodgson

Consideration of Report *see Legislation Reports 45 & 49 and Addendum of SNP 9-1.*

46. Criminal Code Amendment Bill 2000 [LC 8-1] Hon Helen Hodgson

Second reading adjourned Hon Muriel Patterson (Thursday, August 17 2000).

47. Genetically Modified Material (Temporary Prohibition) Bill 1999 [LC 50-1] Hon Jim Scott

Second reading.

48. Poisons Amendment (Cannabis for Medical and Commercial Uses) Bill 1999 [LC 20-1] Hon Christine Sharp

Second reading adjourned Hon Ray Halligan (Tuesday October 19 1999).

49. Electoral Amendment (Constitutional Provisions) Bill 2000 [LC 155] Hon John Cowdell

Second reading adjourned Hon Muriel Patterson (Thursday, October 12 2000).

50. Consideration of Committee Reports

- (a) Estimates and Financial Operations - Report No. 29 in relation to the Financial Management of Prisons. (Presented 29/6/2000)
Thursday October 12 continuation of remarks Attorney General
- (b) Constitutional Affairs Committee - Report No. 52 in relation to the Denmark Agricultural School - Requesting the Retention of the Buildings which have Housed the School Since the 1940's. (Presented 23/5/2000)
- (c) Ecologically Sustainable Development - Report No. 6 in relation to the Management and Sustainability of the Western Rock Lobster. (Presented 23/5/2000)
- (d) Ecologically Sustainable Development - Report No. 8 in relation to 2000 National Conference of Parliamentary Public Works and Environment Committees. (Presented 5/9/2000)
- (e) Public Administration Report No. 4 - Discussion Paper in relation to the Remedies Available to Recipients of Contracted-Out Government Services. (Presented 5/9/2000)
- (f) Constitutional Affairs Committee - Report No. 56 - Overview of Petitions August 1999 - August 2000. (Presented 7/9/2000)

* 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