

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**

**DAILY NOTICE PAPER**

**No. 15**

**TUESDAY, OCTOBER 15 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 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](http://www.parliament.wa.gov.au)*

**MOTIONS**

**5. Select Committee into the Fremantle Eastern Bypass - Establishment** (*Notice given August 13 2002*)

Resumption of debate (Thursday, September 26 2002, Hon Jim Scott (mins 7)) on motion of Hon Simon O'Brien as follows -

- (1) That a Select Committee of five Members is appointed, any three of whom constitute a quorum, to inquire and report on the history of that part of the Metropolitan Region Scheme known as the Fremantle Eastern Bypass and related road infrastructure including -
  - (a) initial inclusion of the bypass in the Metropolitan Region Scheme;
  - (b) subsequent modifications to the Metropolitan Region Scheme in respect of the bypass;
  - (c) the decision making process and advice given to Government by relevant Government agencies including agencies responsible for Main Roads, Planning, Transport and Environment;
  - (d) directions given by Government to agencies with responsibility for decision making; and

- (e) other matters pertaining to the history and possible future of the Fremantle Eastern Bypass that the Committee may consider useful to bring to the attention of the House.
- (2) The Committee have power to send for persons, papers and records and to travel from place to place.
- (3) Standing Orders 322, 323, 330 and 331 apply to the proceedings of the Committee and any contrary or inconsistent provision of Chapter XXIII is modified accordingly.
- (4) The Committee may present interim reports without a requirement for leave and is to report finally not later than November 30 2002.

**6. Australian Involvement in Military Action in Iraq** (*Notice given August 13 2002*)

Hon Dee Margetts: To move -

That this House notes -

- (1) The recent comments from the Prime Minister and Minister for Foreign Affairs regarding Australia's possible support for US military action in Iraq.
- (2) That these comments were made in the absence of any United Nations resolution or processes.
- (3) The threat to the livelihood of Western Australian agricultural producers and exporters in light of the Prime Minister's indication that any request for Australian assistance would be considered against the "national interest test".
- (4) The statements from Labor Leader Simon Crean that Mr Howard's and Mr Downer's statements are out of step with other international opinion.
- (5) The likely impact on the civilian population, particularly women and children.

Therefore, the Legislative Council informs the Federal Government that it does not support Australian involvement in military action in Iraq without UN backing.

**7. Implications of Regional Planning on Industrial Development - Karratha and Barrow Island** (*Notice given August 13 2002*)

Hon Robin Chapple: To move -

That the House notes the serious implications of the lack of coordinated regional planning covering the proposed industrial development in the regions of Karratha and Barrow Island. Particularly the ad hoc manner in which the Government is attempting to allocate industry to various sites without providing strategic options for that industry and placing such industry against the wishes of the local and wider community.

**8. Referral of Petition Praying for Relief - Tinsley Beck** (*Notice given August 13 2002*)

Hon Derrick Tomlinson: To move -

That the petition praying for relief presented on behalf of Tinsley Beck and reported on in the Report of the Standing Committee on Environment and Public Affairs "Overview of Petitions and Inquiries August 2001 to December 2001", be referred back to the Committee for further consideration.

**9. Perth Urban Rail Development - Tabling of Questions and Referral to Standing Committee on Public Administration and Finance** (*Notice given August 13 2002*)

Hon Peter Foss: To move -

- (1) That the Parliamentary Secretary to the Minister for Planning and Infrastructure do -
  - (a) table in the House at the next sitting day three calendar days after the making of this order, full and complete answers to all the questions of which notice

was given with respect to the Perth Urban Rail Development Proposal for the hearing by the Estimates Committee for the 2002-2003 Budget together with all the documents requested by those questions;

- (b) attend before the Standing Committee on Public Administration and Finance at its next meeting after such tabling and thereafter and with such other witnesses as directed by that Committee in order that the Committee may satisfy itself as to the adequacy of such answers and tabling, and on any other matters arising out of those answers or which as a result of its inquiries the Standing Committee consider appropriate to inquire into.
- (2) The Standing Committee do generally inquire into and maintain Parliamentary supervision over the Perth Urban Rail Development and report to the House; and
- (3) The Standing Committee do report to the House -
  - (a) with respect to the compliance of the Parliamentary Secretary with part (1)(a) of this order no later than three sitting days after the making of this order; and
  - (b) with respect to compliance with part (1)(b) of this order, and any other matters related thereto, no later than December 3 2002;
  - (c) otherwise, as the Committee deems fit from time to time.

**10. Commonwealth Government Transport Funding** (*Notice given August 13 2002*)

Parliamentary Secretary to the Minister for Planning and Infrastructure: To move -

That this House calls on the Commonwealth Government to provide adequate transport funding to Western Australia commensurate with its geographic size and importance to the national economy and notes that in the Roads of National Importance Scheme Western Australia received just 3 percent of the funding allocated to the States in the Commonwealth budget.

**11. Select Committee into Water Services - Establishment** (*Notice given August 13 2002*)

Hon Norman Moore: To move -

- (1) A Select Committee is appointed to inquire into and report on the issues confronting Western Australia that arise from, or relate to, the present and future supply, retention, and maintenance of water services throughout the State.
- (2) The Committee has power to send for persons, papers and records.
- (3) Standing Orders 322, 323, 330 and 331 apply to the proceedings of the Committee and any contrary or inconsistent provision of Chapter XXIII is modified accordingly.
- (4) The Committee may present interim reports without a requirement for leave and is to report finally not later than June 3 2003.

**12. Referral of Evidence from the Select Committee on Western Australian Police Service** (*Notice given August 13 2002*)

Hon Derrick Tomlinson: To move -

That all information gathered by the Select Committee on the Western Australian Police Service relating to the matter referred to as "The Mickelberg Affair" be submitted to the Royal Commission into Allegations of Police Corruption in WA.

**13. Select Committee to Investigate and Recommend the Appointment of a Commissioner for Children - Establishment** (*Notice given August 15 2002*)

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 Commissioner for Children or the establishment of an independent 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 the development of 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 2004 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.

**14. Corporal Punishment on Convicted Offenders** (*Notice given August 20 2002*)

Hon Frank Hough: To move -

That the Government take such action to empower the Courts with the discretion to impose corporal punishment on convicted offenders in certain circumstances.

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**ORDERS OF THE DAY**

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**1. Address-in-Reply**

Resumption of debate adjourned Hon Bruce Donaldson (Thursday, September 26 2002) on motion of Hon Sue Ellery.

**\*10. Public Interest Disclosure Bill 2002 [LA 103-2] Minister for Racing and Gaming**

Second reading continuation of remarks Hon Jim Scott (mins 16) (Thursday, September 19 2002). *cf SNP 103 Issue 1 - August 15 2002.*

**12. Occupational Safety and Health Amendment Bill 2002 [LA 110-1] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Thursday, June 20 2002).

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

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

**16. Law Reform (Contributory Negligence and Tortfeasors' Contribution) Amendment Bill 2001 [LA 74-2] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Tuesday, April 9 2002).

**\*17. 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 230A no longer applies). *See Legislation Committee Report # 9. cf SNP 47 Issue 1 - September 24 2002.*

**\*18. 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 230A no longer applies). *See Legislation Committee Interim Report # 14. See Uniform Legislation and General Purposes Committee Report # 1. cf SNP 35 Issue 1 - September 24 2002.*

**19. 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 230A no longer applies). *See Legislation Committee Interim Report # 14. See Uniform Legislation and General Purposes Committee Report # 1.*

**20. 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 230A no longer applies). *See Legislation Committee Interim Report # 14. See Uniform Legislation and General Purposes Committee Report # 1.*

**21. First Home Owner Grant Amendment Bill 2002 [LA 105-1] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Tuesday, May 14 2002).

**\*22. Fire and Emergency Services Legislation Amendment Bill 2001 [LA 75-2B] Minister for Racing and Gaming**

Committee progress Clause 24 (Tuesday, September 24 2002). *cf SNP 75 Issue 2 - August 15 2002.*

**23. Conservation and Land Management Amendment Bill 2002 [LA 101-1] Minister for Housing and Works**

Second reading adjourned Hon Bruce Donaldson (Thursday, June 20 2002).

**27. Pay-roll Tax Assessment Bill 2001 [LA 80-1] Minister for Racing and Gaming**

Second reading adjourned Hon Alan Cadby (Wednesday, June 19 2002).

**28. Pay-roll Tax Bill 2001 [LA 81-1] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Wednesday, June 19 2002).

**32. Debits Tax Bill 2001 [LA 85-1] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Wednesday, June 19 2002).

**33. Debits Tax Assessment Bill 2001 [LA 84-1B] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Wednesday, June 19 2002).

**34. Land Tax Bill 2001 [LA 83-1] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Wednesday, June 19 2002).

**35. Land Tax Assessment Bill 2001 [LA 82-1] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Wednesday, June 19 2002).

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

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

**37. Prisons Amendment Bill 2002 [LA 98-1] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Tuesday, April 16 2002).

**38. 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).

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

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

**\*41. 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 230A no longer applies). *See Legislation Committee Report # 12. cf SNP 53 Issue 1 - September 10 2002.*

**\*42. 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. cf SNP 78 Issue 1 - September 10 2002.*

**43. 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).

**44. Trustees of Western Australia Limited (Transfer of Business) Bill 2002 [LA 94-1] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Wednesday, May 8 2002).

**\*45. Regional Investment Fund Bill 2001 [LA 54-1] Minister for Local Government and Regional Development**

Committee progress clause 5 (Thursday, March 21 2002). *cf SNP 54 Issue 1 - August 15 2002.*

**\*52. 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 - August 21 2002. See Legislation Report # 11.*

**60. Western Australian Meat Marketing Co-operative Limited (Shares) Bill 2002 [LC 128-1] Minister for Agriculture, Forestry and Fisheries**

Second reading adjourned Hon Bruce Donaldson (Wednesday, September 11 2002).

**72. Railway (Jandakot to Perth) Bill 2002 [LA 135-1] Parliamentary Secretary to the Minister for Planning and Infrastructure**

Second reading adjourned Hon Bruce Donaldson (Tuesday, September 24 2002).

**73. Insurance Commission of Western Australia Amendment Bill 2002 [LA 136-2] Minister for Racing and Gaming**

Second reading adjourned Hon Bruce Donaldson (Tuesday, September 24 2002).

**74. Yallingup Foreshore Land Bill 2002 [LA 99-2] Minister for Racing and Gaming**

Second reading (Tuesday, September 24 2002).

**\*75. Volunteers (Protection from Liability) Bill 2002 [LA 124-1D] Parliamentary Secretary to the Minister for Health**

Second reading (Tuesday, September 24 2002). *cf SNP 124 Issue 1 - September 24 2002.*

**76. Home Building Contracts Amendment Bill 2002 [LA 127-1] Minister for Racing and Gaming**

Second reading (Tuesday, September 24 2002).

**77. Workers' Compensation and Rehabilitation (Acts of Terrorism) Amendment Bill 2002 [LA 142-1] Minister for Racing and Gaming**

Second reading (Tuesday, September 24 2002).

**80. Grain Marketing Bill 2002 [LA 143-1] Minister for Agriculture, Forestry and Fisheries**

Second reading adjourned Hon Barry House (Thursday, September 26 2002).

**81. Bulk Handling Amendment Bill 2002 [LA 144-1] Minister for Agriculture, Forestry and Fisheries**

Second reading adjourned Hon Alan Cadby (Thursday, September 26 2002).

**51. Consideration of Committee Reports**

- (1) Standing Committee on Procedure and Privileges - Report No. 4 - Part I - Deletion of Requirement for "Seconding" - Part II - Standing Order 230 - Adjournment of Debate at Conclusion of Second Reading Speech. (*Tabled September 25 2002*).
- (2) Standing Committee on Procedure and Privileges - Report No. 5 - Standing Order No. 73 - Time Limits on Speeches. (*Tabled September 26 2002*).
- (3) Standing Committee on Environment and Public Affairs - Report No. 2 - Sessional Report on Inquiries and Petitions - January 1 2002 - August 9 2002. (*Tabled September 25 2002*).
- (4) Joint Standing Committee on Delegated Legislation - Report No. 4 - City of Perth Code of Conduct Local Law. (*Tabled September 26 2002*).
- (5) Standing Committee on Public Administration and Finance - Report No. 2 - A Sessional Overview of the Committee's Operations - First Session of the Thirty-Sixth Parliament - May 2001 to August 2002. (*Tabled September 26 2002*).

**46. Standing Committee on Public Administration and Finance - Inquiry into Appointment of Electoral Commissioner** (*Notice given August 13 2002*)

Resumption of debate adjourned Minister for Housing and Works (Wednesday, August 14 2002) on motion by Hon Norman Moore as follows -

That the Standing Committee on Public Administration and Finance be required to inquire into the circumstances surrounding the appointment of the Electoral Commissioner with a view to determining whether or not the appointment was made in accordance with appropriate and proper procedures, and report back to the House on or before October 17 2002.

**63. Voluntary Euthanasia Bill 2002 [LC 148-1] Hon Robin Chapple**

Second reading adjourned Hon Bruce Donaldson (Wednesday, September 18 2002).

**64. Nuclear Activities (Prohibition) Bill 2002 [LC 139-1] Hon Giz Watson**

Second reading adjourned Hon Bruce Donaldson (Wednesday, September 18 2002).

**3. Perth Urban Rail Development Project - Ministerial Statement** (*Given August 14 2002*)

Consideration.

**4. Metropolitan Region Scheme Amendment No. 1040/33 Tapper Road Extension, Banjup - Ministerial Statement** (*Given August 14 2002*)

Consideration.

**5. Metropolitan Region Scheme Amendment No. 1041/33 South West Districts Omnibus (No. 5) - Ministerial Statement** (*Given August 14 2002*)

Consideration.

**6. Metropolitan Region Scheme Amendment No. 1039/33 Victoria Quay, Port of Fremantle - Ministerial Statement** (*Given August 14 2002*)

Consideration.



- 47. Final Report of the Gordon Inquiry into the Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities - Ministerial Statement** (*Given August 15 2002*)

Consideration.

- 48. Draft Forest Management Plan - Ministerial Statement** (*Given August 15 2002*)

Consideration.

- 49. Meat Industry in Western Australia - Ministerial Statement** (*Given August 20 2002*)

Consideration.

- 53. Visit to the Republic of Croatia by Hon Ljiljana Ravlich - Ministerial Statement** (*Given August 22 2002*)

Consideration.

- 57. Skeleton Weed Eradication Program Review Outcomes - Ministerial Statement** (*Given September 10 2002*)

Consideration.

- 58. Partial Closure of Loch and Grant Street Railway Stations - Ministerial Statement** (*Given September 10 2002*)

Consideration.

- 59. Western Australian Government Railway - Coach Contracts - Ministerial Statement** (*Given September 10 2002*)

Consideration.

- 61. Key Outcomes of a Recent Trip to Singapore and Indonesia - Ministerial Statement** (*Given September 12 2002*)

Consideration.

- 67. State Supply Commission Health Check 4 - Report on Information Technology Purchasing and Contracting in the Public Sector - Ministerial Statement** (*Given September 24 2002*)

Consideration.

- 68. Burswood Property Trust Agreement - Ministerial Statement** (*Given September 24 2002*)

Consideration.

- 69. Metropolitan Region Scheme Amendment No. 1028/33 South East Districts Omnibus (No. 5) - Ministerial Statement** (*Given September 24 2002*)

Consideration.

- 70. Metropolitan Region Scheme Amendment No. 1038/33 Thomsons Lake Regional Centre - Ministerial Statement** (*Given September 24 2002*)

Consideration.

- 71. Wesbeam - Pinetec LVL Resource Plans - Ministerial Statement** (*Given September 24 2002*)

Consideration.

**78. Government Financial Results Report 2001-2002 - Ministerial Statement** (*Given September 25 2002*)

Consideration.

**79. Kimberley Chemical Use Review - Release of Report - Ministerial Statement** (*Given September 26 2002*)

Consideration.

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**BILLS REFERRED TO COMMITTEES**

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**2. Trans-Tasman Mutual Recognition (Western Australia) Bill 2002 [LC 134-1B]** *Leader of the House*

Now stands referred to the Uniform Legislation and General Purposes Committee (SO 230A applies until October 17 2002).

Second reading (Tuesday, August 13 2002).

**11. National Crime Authority (State Provisions) Amendment Bill 2002 [LA 102-1B]** *Minister for Racing and Gaming*

Now stands referred to the Uniform Legislation and General Purposes Committee (SO 230A applies until October 17 2002).

Second reading adjourned Hon Bruce Donaldson (Thursday, June 20 2002).

**24. Gene Technology Amendment Bill 2001 [LA 40-1]** *Leader of the House*

Now stands referred to the Environment and Public Affairs Committee. (SO 230A applies until June 30 2003). *See also Instruction to Committee (September 26 2002).*

Second reading (Wednesday, June 26 2002).

**25. Gene Technology Bill 2001 [LA 39-2]** *Leader of the House*

Now stands referred to the Environment and Public Affairs Committee. (SO 230A applies until June 30 2003). *See also Instruction to Committee (September 26 2002).*

Second reading (Wednesday, June 26 2002).

**29. Taxation Administration Bill 2001 [LA 79-2]** *Minister for Racing and Gaming*

Discharged and referred to the Legislation Committee (August 14 2002) and to report by October 24 2002 - Hon George Cash is substitute for Hon Bill Stretch.

Second reading adjourned Hon Bruce Donaldson (Thursday, April 11 2002).

**30. Taxation Administration (Consequential Provisions) Bill 2001 [LA 87-2]** *Minister for Racing and Gaming*

Discharged and referred to the Legislation Committee (August 14 2002) and to report by October 24 2002 - Hon George Cash is substitute for Hon Bill Stretch.

Second reading adjourned Hon Bruce Donaldson (Thursday, April 11 2002).

**31. Taxation Administration (Consequential Provisions) (Taxing) Bill 2001 [LA 88-1]**  
*Minister for Racing and Gaming*

Discharged and referred to the Legislation Committee (August 14 2002) and to report by October 24 2002 - Hon George Cash is substitute for Hon Bill Stretch.

Second reading adjourned Hon Bruce Donaldson (Thursday, April 11 2002).

**39. Censorship Amendment Bill 2002 [LA 96-1]** *Minister for Racing and Gaming*

Now stands referred to the Uniform Legislation and General Purposes Committee (SO 230A applies until October 17 2002).

Second reading adjourned Hon Bruce Donaldson (Tuesday, June 25 2002).

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**MATTERS REFERRED TO COMMITTEES**

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**8. Petition - Praying for relief** (*Tabled September 10 2002*) *Hon Giz Watson (1 signature)*

Praying that the Legislative Council will declare that each allegation ('Murphy Allegation') made against Barry Granville Waller is false and scandalous and provide other relief. (Tabled paper 174).

Now stands referred to Standing Committee on Environment and Public Affairs - Hon George Cash substitute for Hon Frank Hough.

\* For amendments see Supplementary Notice Paper #

For a list of all Petitions tabled see cumulative Tabled Paper list.

**L B MARQUET**

Clerk of the Legislative Council