

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 35

WEDNESDAY, DECEMBER 11 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. Message from His Excellency the Governor - Assent to Bill**

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bill -

**December 9 2002 - Message No. 23**

**Act No.**

Child Support (Adoption of Laws) Amendment Bill 2001

41 of 2002

**3. Petition**

Hon Simon O'Brien presented a petition from 11 residents of Western Australia requesting an increase to State funding of Catholic and other non-Government school children. (Tabled paper 626).

**4. Ministerial Statement - Integrated Fisheries Management**

The Minister for Agriculture, Forestry and Fisheries made a Ministerial Statement with respect to the future management direction for Western Australia's valuable fisheries.

The Minister for Agriculture, Forestry and Fisheries, by leave, tabled Fisheries Management Paper No. 165 by the Integrated Fisheries Management Review Committee, November 2002. (Tabled paper 627).

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

**5. Hon Barbara Scott - Personal Explanation - Overseas Travel**

Hon Barbara Scott, by leave, made a personal explanation [SO 85] regarding inaccurate information published about her overseas travel.

## 6. Papers

The following Papers were laid on the Table by -

### President

*Auditor General's Papers -*

Report on Ministerial Portfolios at November 29 2002 (Report No. 9)  
(December 2002)..... 622

### Leader of the House on behalf of the Minister for Housing and Works

*Annual Reports -*

Busselton Water (2001-2002) (Date received 10/12/2002)..... 623

Zoological Gardens Board (1 July 2001 to 21 May 2002) (Date received 10/12/2002) ..... 624

Zoological Parks Authority (22 May to 30 June 2002) (Date received 10/12/2002) ..... 625

## 7. Metropolitan Region Scheme Amendment No. 1019/33 - Townsite Developments in Stoneville and Parkerville - Disallowance

Hon Jim Scott: To move on the next day of sitting -

That the *Metropolitan Region Scheme Amendment No. 1019/33 - Townsite Developments in Stoneville and Parkerville* published in the *Gazette* on November 5 2002 and tabled in the Legislative Council on November 6 2002 under the *Metropolitan Region Town Planning Scheme Act 1959*, be and is hereby disallowed.

## 8. Burrup Peninsula (Crown Land) Bill 2002

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

That a Bill for "An Act to make certain proposals for the use of Crown land on the Burrup Peninsula subject to the consent of both Houses of Parliament" be introduced and read a first time.

## 9. Leave of Absence - Hon Christine Sharp

Hon Robin Chapple moved, by leave, and without notice -

That leave be granted to Hon Christine Sharp for six sitting days due to personal business.

Question - put and passed.

## 10. Australian Involvement in Military Action in Iraq

Motion No. 6 having been called.

Debate resumed on the motion of Hon Dee Margetts as follows -

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 Labour 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.

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

Debate resumed.

Question - put.

The House divided.

**Ayes (4)**

Hon Robin Chapple  
Hon Dee Margetts

Hon Giz Watson  
Hon Jim Scott (*Teller*)

**Noes (25)**

Hon George Cash  
Hon Kim Chance  
Hon Murray Criddle  
Hon Bruce Donaldson  
Hon Kate Doust  
Hon Sue Ellery  
Hon Paddy Embry  
Hon Adele Farina  
Hon John Fischer  
Hon Jon Ford  
Hon Graham Giffard  
Hon Nick Griffiths  
Hon Ray Halligan

Hon Frank Hough  
Hon Barry House  
Hon Robyn McSweeney  
Hon Norman Moore  
Hon Simon O'Brien  
Hon Louise Pratt  
Hon Ljiljana Ravlich  
Hon Barbara Scott  
Hon Bill Stretch  
Hon Derrick Tomlinson  
Hon Ken Travers  
Hon Ed Dermer (*Teller*)

Question thus negatived.

**11. Implications of Regional Planning on Industrial Development - Karratha and Barrow Island**

Hon Robin Chapple pursuant to notice, moved -

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.

*Interruption of Debate* [SO 195].

**12. Address-In-Reply**

The Order of the Day having been read for the adjourned debate on the amendment of Hon Bruce Donaldson as follows -

That the following words be added to the end of the motion -

“

but regret to inform your Excellency that the Government is failing in its administration of the State of Western Australia.

”.

to the motion of Hon Sue Ellery as follows -

That the following address be presented to His Excellency -

To His Excellency, Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor in and over the State of Western Australia and its dependencies in the Commonwealth of Australia.

May it please Your Excellency -

We, the Members of the Legislative Council of the Parliament of Western Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

Debate resumed.

### **13. Questions Without Notice**

Questions without notice were taken.

The Minister for Agriculture, Forestry and Fisheries tabled a letter to the Australian Wildlife Conservancy (AWC) dated June 14 2002, a further letter from AWC dated May 27 2002 and accompanying material in response to a question without notice asked by Hon Norman Moore. (Tabled paper 628).

The Minister for Housing and Works, by leave, incorporated into *Hansard* and tabled his response regarding the annual extraction rate of water from aquifer under the Perth metropolitan area in response to a question without notice asked by Hon Norman Moore. (Tabled paper 641).

### **14. Address-In-Reply**

Debate resumed on the amendment of Hon Bruce Donaldson to the Address-in-Reply (cf item 12 above).

*Extension of Time* - Leave granted to Hon Frank Hough to extend his speaking time.

On the motion of Hon John Fischer the debate was adjourned to the next sitting.

### **15. Taxation Administration Bill 2001, Taxation Administration (Consequential Provisions) Bill 2001 and Taxation Administration (Consequential Provisions) (Taxing) Bill 2001**

The Order of the Day having been read for the consideration of the Committee's report upon these Bills.

The Minister for Racing and Gaming moved, That the report be adopted.

Question - put and passed.

The Minister for Racing and Gaming, by leave, moved, That the Bills be now read a third time.

The Deputy President having reported that the Chairman of Committees had certified that the fair print of these Bills was in accordance with these Bills as agreed to in Committee, and reported.

Debate ensued.

Bills read a third time and passed.

### **16. Stamp Amendment Bill 2001**

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

Debate resumed.

Question - put and passed.

Bill read a second time.

The Deputy President left the Chair.

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### **In Committee**

(Hon Barry House in the Chair)

Clause 1 agreed to.

Clauses 2 to 84 agreed to.

Clause 85.

The Minister for Racing and Gaming moved -

Page 63, lines 4 and 5 - To delete the lines.

Debate ensued.

Amendment - put and passed.

Clause, as amended, agreed to.

Clauses 86 to 142 agreed to.

Title agreed to.

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The Deputy President resumed the Chair.

Bill reported with amendment.

Leave was granted to proceed forthwith through all remaining stages of the Bill at this day's sitting.

The Minister for Racing and Gaming moved, That the report be adopted.

Question - put and passed.

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

The Deputy President having reported that the Deputy Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

#### **17. Pay-roll Tax Assessment Bill 2001 and Pay-roll Tax Bill 2001**

The Order of the Day having been read for the adjourned debate on the second reading of these Bills.

Debate resumed.

Question - put and passed.

Bills read a second time.

Leave was granted to proceed forthwith to the third reading of these Bills.

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

Question - put and passed.

Bills read a third time and passed.

#### **18. Debits Tax Bill 2001 and Debits Tax Assessment Bill 2001**

The Order of the Day having been read for the adjourned debate on the second reading of these Bills.

Debate resumed.

Question - put and passed.

Bills read a second time.

Leave was granted to proceed forthwith to the third reading of these Bills.

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

Question - put and passed.

Bills read a third time and passed.

#### **19. Cognate Debate - Land Tax Bill 2001 and Land Tax Assessment Bill 2001**

The Minister for Racing and Gaming sought leave of the House to debate Order of the Day No. 34, *Land Tax Bill 2001* and Order of the Day No. 35, *Land Tax Assessment Bill 2001* cognately [SO 228].

Leave granted.

**20. Land Tax Bill 2001 and Land Tax Assessment Bill 2001**

The Order of the Day having been read for the adjourned debate on the second reading of these Bills.

Debate resumed.

Question - put and passed.

Bills read a second time.

Leave was granted to proceed forthwith to the third reading of these Bills.

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

Question - put and passed.

Bills read a third time and passed.

**21. Order of Business**

Ordered - That Order of the Day No. 74 be taken forthwith. (Leader of the House).

**22. Yallingup Foreshore Land Bill 2002**

The Order of the Day having been read.

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.

**23. Acts Amendment (Student Guilds and Associations) Bill 2002**

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

Debate resumed.

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

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

The President reported the receipt of Message No. 40 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House on behalf of 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 Leader of the House on behalf of the Minister for Racing and Gaming moved, That the Bill be now read a second time.

Debate stands adjourned.

**25. Adjournment**

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

Debate ensued.

Hon Giz Watson, by leave, tabled documents in relation to Warringah Council Management. (Tabled paper 629).

Debate resumed.

Hon Robin Chapple, by leave, tabled documents in relation to Greenhouse Measure Scenarios for Western Australia. (Tabled paper 630).

Debate resumed.

Question - put and passed.

The House adjourned at 11.36pm until Thursday, December 12 2002 at 10.00am.

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

Attendance: Present all Members except Hon Peter Foss.

Member granted leave: Hon Christine Sharp.

**L B MARQUET**

Clerk of the Legislative Council

**HON JOHN COWDELL**

President of the Legislative Council