

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 7

TUESDAY, SEPTEMBER 10 2002

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 -

August 29 2002 - Message No. 10
Child Welfare Amendment Bill 2001

Act No.
22 of 2002

3. Petitions

Hon Giz Watson presented a petition, by delivery to the Clerk, [SO 130], from one resident of Western Australia praying that the Legislative Council will declare that the allegation (Murphy Allegation) made against Barry Granville Waller is false and scandalous and provide other relief. (Tabled paper 174).

Hon Simon O'Brien presented a petition from 67 residents of Western Australia opposing the Government's decision to change the route from Kenwick to the Kwinana Freeway reserve. (Tabled paper 175).

Hon Giz Watson presented a petition from one resident of Western Australia requesting that the lower part of the Heathcote site be reserved for public use and access in perpetuity. (Table paper 176).

4. Ministerial Statement - Skeleton Weed Eradication Program Review Outcomes

The Leader of the House made a Ministerial Statement with respect to Skeleton Weed Eradication Program Review Outcomes.

The Leader of the House tabled documents in relation to the Review of the Past Effectiveness and likely Future Success of the Skeleton Weed Eradication Program in Western Australia. (Tabled paper 177).

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

5. Ministerial Statement - Partial Closure of Loch and Grant Street Railway Stations

The Parliamentary Secretary to the Minister for Health representing the Parliamentary Secretary to the Minister for Planning and Infrastructure made a Ministerial Statement with respect to the partial closure of Loch and Grant Street Railway Stations.

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

6. Ministerial Statement - Western Australian Government Railway - Coach Contracts

The Parliamentary Secretary to the Minister for Health representing the Parliamentary Secretary to the Minister for Planning and Infrastructure made a Ministerial Statement with respect to Western Australian Government Railway - Coach Contracts.

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

7. Papers

The following Papers were laid on the Table by -

President

Reports -

Inspector of Custodial Services - Report of the Follow-up Inspection of Eastern Goldfields Regional Prison (Report No. 9) (February 2002) 148

Leader of the House

Regulations -

Soil and Land Conservation Act 1945 (Soil and Land Conservation Amendment Regulations 2002 G.G. 23/08/2002)..... 149

Annual Reports -

Registrar of Housing Societies (2001-2002) (Date Received 28/08/02) 150

Annual Reports - Extension of Time -

State Supply Commission Annual Report 2001-2002 extension of time to report to 16/09/02..... 151

Local Laws -

Local Government Act 1995 (Shire of Murchison - Standing Orders Local Law 2001 G.G. 22/08/2002, Shire of Murchison - Repeal Local Law 2001 G.G. 22/08/2002, City of Belmont - Parking and Parking Facilities Local Law G.G. 22/08/2002 and Correction - City of Bayswater - Standing Orders Local Law G.G. 23/08/2002)..... 152

Local Government Act 1995 (Shire of East Pilbara - Local Law (Signs, Hoardings and Bill Posting) G.G. 27/08/2002, City of Cockburn - Local Law Relating to Standing Orders G.G. 30/08/2002 and City of Wanneroo - Animals Local Law 1999 (Amendment) G.G. 30/08/2002) 153

Minister for Racing and Gaming

Annual Reports -

Lotteries Commission Western Australia (2001-2002) (Date Received 09/09/02) 154

Annual Reports - Extension of Time -

Anti-Corruption Commission Annual Report (2001-2002) extension of time to report to 06/09/02..... 155

Local Laws -

Bush Fires Act 1954 (Shire of Esperance - Bush Fire Brigades Local Law G.G. 06/09/2002).....	156
--	-----

Regulations -

Financial Administration and Audit Act 1985 (Financial Administration and Audit (Designation of Statutory Authorities) Regulations 2002 G.G. 06/09/2002)	157
Fines, Penalties and Infringement Notices Enforcement Act 1994 (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2002 G.G. 27/08/2002).....	158
Industrial Relations Act 1979 (Industrial Relations (Western Australian Industrial Appeal Court) Amendment Regulations 2002 G.G. 06/09/2002 & Industrial Relations (Employer-employee Agreements) Regulations 2002 G.G. 06/09/2002)	159
Motor Vehicle Dealers Act 1973 (Motor Vehicle Dealers (Sales) Amendment Regulations (No. 2) 2002 G.G. 30/08/2002).....	160
Totalisator Agency Board Betting Act 1960 (Totalisator Agency Board (Betting) Amendment Regulations (No. 2) 2002 G.G. 06/09/2002).....	161

Reports -

Review of the Building and Construction Industry Training Fund and Levy Collection Act 1990 (August 2002).....	162
---	-----

Rules -

Legal Practitioners Act 1893 (Legal Practice Board Amendment Rules (No. 2) 2002 G.G. 30/08/2002).....	163
--	-----

Parliamentary Secretary to the Minister for Health*Ministerial Approvals -*

Western Australian Land Authority Act 1992 - Enterprise Park Wangara - Civil Works Stage 6, Minim Cove Mosman Park - Civil Works Stages 2 and 3, Sale of Lots 72 and 73 Hutchinson Avenue Minim Cove, Mosman Park	169
---	-----

Regulations -

Dangerous Goods (Transport) Act 1998 (Dangerous Goods (Transport) (Dangerous Goods in Ports) Amendment Regulations 2002 G.G. 30/08/2002)	164
Mines Safety and Inspection Act 1994 (Mines Safety and Inspection Amendment Regulations 2002 G.G. 03/09/2002).....	165
Mining Act 1978 (Mining Amendment Regulations (No. 3) 2002 G.G. 27/08/2002)	166
Community Services Act 1972 (Community Services (Outside School Hours Care) Regulations 2002 G.G. 28/08/2002).....	167
Land Administration Act 1997 (Land Administration Amendment Regulations 2002 G.G. 27/08/2002).....	171
Town Planning and Development Act 1928 (Town Planning Amendment Regulations 2002 G.G. 27/08/2002).....	172

Rules -

Medical Act 1894 (Medical Amendment Rules 2002 G.G. 23/08/2002)	168
---	-----

Proposals -

Land Administration Act 1997 - Submission No. 17/2002 - Amendment to Class 'A' Reserve 18325	170
---	-----

Statutes -

Murdoch University Act 1973 (Statute No. 19 - Convocation and Alumni Association G.G. 30/08/2002 and Statute No. 23 - Student Discipline G.G. 30/08/2002) 173

8. Western Australian Meat Marketing Co-operative Limited (Shares) Bill 2002

The Minister for Agriculture, Forestry and Fisheries: To move on the next day of sitting -

That a Bill for "An Act to provide for -

- the allotment and issue of shares in Western Australian Meat Marketing Co-operative Limited to the Minister; and
 - the transfer of those shares to certain trustees,
- and for related purposes" be introduced and read a first time.

9. Matter of Urgency - Old Growth Forest Policy

The President read the following letter -

Dear Mr President

At today's sitting it is my intention to move under SO 72 that the Council consider, as a matter of urgency the failure in decision-making and co-ordination by the Government in implementing its Old Growth Forests Policy and its callous disregard for the social and economic impact on the people of the South West.

Yours sincerely

Hon Peter Foss

Member for East Metropolitan Region

Four members having risen in support.

Hon Peter Foss moved the motion.

Debate ensued.

Interruption of Debate [SO 195].

10. Questions Without Notice

Questions without notice were taken.

The Leader of the House tabled documents in relation to submissions that have been submitted to the Environmental Protection Authority by the Department of Fisheries, Waters and Rivers Commission, Department of Tourism and Conservation and Land Management in response to a question without notice asked by Hon Dee Margetts. (Tabled paper 178).

The Minister for Racing and Gaming tabled documents in relation to the Western Australian Department of Training Performance Delivery Agreements for each TAFE College for the years 1998 to 2002 in response to question on notice No. 30 asked by Hon Christine Sharp. (Tabled paper 179).

The Parliamentary Secretary to the Minister for Health representing the Parliamentary Secretary to the Minister for Planning and Infrastructure tabled documents in relation to the Department of Education list of the training and experience of key personal (Level 7 and above) within each of the Curriculum Directorate, Student Services Directorate, Aboriginal Education Directorate and in each District Office in response to question on notice No. 44 asked by Hon Barbara Scott. (Tabled paper 180).

11. Address-In-Reply

The Order of the Day having been read for the adjourned debate on the Address-in-Reply.

Debate resumed.

Hon John Fischer, by leave, tabled documents in relation to two tables containing workers' compensation figures titled Worker's Compensation Breakdown Costs 2001-2002 and Workers' Compensation Profits made by the Insurance Industry and Self Insurers 2001-2002. (Tabled paper 181).

Want of Quorum

There not being a quorum present, the President gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

Hon John Fischer, by leave, incorporated a document into *Hansard*.

On the motion of Hon Bruce Donaldson the debate was adjourned to the next sitting.

12. Family Court Amendment Bill 2001

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

Debate resumed.

On the motion of Minister for Racing and Gaming the debate was adjourned to the next sitting.

13. Vexatious Proceedings Restriction Bill 2002

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.

Leave was granted to proceed forthwith to the third reading of the Bill.

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

Question - put and passed.

Bill read a third time and passed.

14. Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement 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)].

15. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 10.37pm until Wednesday, September 11 2002 at 4.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Alan Cadby, Hon Graham Giffard, Hon Barbara Scott and Hon Ken Travers.

L B MARQUET
Clerk of the Legislative Council

HON JOHN COWDELL
President of the Legislative Council