

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

DAILY NOTICE PAPER

No. 6

TUESDAY, SEPTEMBER 10 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 on Notice, 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

MOTIONS

4. North West Shelf Joint Venture Contract (*Notice given August 13 2002*)

Resumption of debate (Thursday, August 22 2002, Hon Ken Travers (20 mins)) on motion of Leader of the House as follows -

That this House congratulates the North West Shelf Joint Venture in winning the \$25 billion contract to sell liquefied natural gas to China but calls for a major revamp of the Federal Government's Commonwealth Grants Commission process due to the inherent way it disadvantages Western Australians in the sharing of benefits from major resource projects between the Commonwealth and this State.

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

Hon Simon O'Brien: To move -

- (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.

BILLS FOR INTRODUCTION

1. Nuclear Activities (Prohibition) Bill 2002 (*Notice given August 14 2002*)

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.

2. Voluntary Euthanasia Bill 2002 (*Notice given August 20 2002*)

Hon Robin Chapple: To move -

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

ORDERS OF THE DAY

50. Regulation 29 of the Perth (Passenger) Transport Regulations 2002 - Disallowance

Moved *pro forma* (SO 152 (b)) August 21 2002 on motion of Hon Ray Halligan (Days remaining 8 after today)

That Regulation 29 of the *Perth (Passenger) Transport Regulations 2002* published in the *Gazette* on May 7 2002 and tabled in the Legislative Council on May 14 2002 under the *Transport Co-ordination Act 1966*, be and is hereby disallowed. (Tabled paper 1412).

1. Address-in-Reply

Resumption of debate adjourned Hon Bruce Donaldson (Thursday, August 22 2002) on motion of Hon Sue Ellery.

***8. Family Court Amendment Bill 2001** [*LA 46-2*] *Minister for Racing and Gaming*

Second reading continuation of remarks Hon Peter Foss (Thursday, August 15 2002). *cf SNP 46 Issue 1 - August 15 2002.*

***9. Criminal Law (Procedure) Amendment Bill 2002** [*LA 104-1B*] *Minister for Racing and Gaming*

Second reading adjourned Hon Bruce Donaldson (Wednesday, May 22 2002). *cf SNP 104 Issue 1 - August 15 2002.*

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

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

13. Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Bill 2002 [LA 92-1] Parliamentary Secretary to the Minister for State Development

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

14. Vexatious Proceedings Restriction Bill 2002 [LA 95-1B] Minister for Racing and Gaming

Second reading adjourned Hon Bruce Donaldson (Tuesday, May 7 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.*

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.*

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**

Second reading adjourned Hon Bruce Donaldson (Tuesday, May 7 2002). *cf SNP 75 Issue 1 - 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.*

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.*

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.*

54. Restoration of Legislative Assembly Bill to Legislative Council Notice Paper (August 22 2002)

Consideration of Legislative Assembly Message No. 3 as follows -

Mr President

The Legislative Assembly acquaints the Legislative Council that in response to Legislative Council Message No 1, in relation to the *Yallingup Foreshore Land Bill 2002*, the Legislative Assembly -

- (a) notes that the message forwarding the bill was sent from the Legislative Assembly to the Legislative Council on Tuesday 25 June 2002 and that this message and bill remain in the possession of the Legislative Council or its officers;
- (b) further notes that the Legislative Council completed its final sitting for the session at 1.21 a.m. on Friday 28 June 2002;
- (c) declares that the transmission of a bill from one House to the other is an integral stage of the passage of a bill through the legislative process; and
- (d) requests the Legislative Council instate the bill by requiring the report of the message and bill for the Legislative Council's consideration.

Speaker

Legislative Assembly Chamber

Perth, 21 August 2002

55. Restoration of Legislative Assembly Bills to Legislative Council Notice Paper (August 22 2002)

Consideration of Legislative Assembly Message No. 4 as follows -

Mr President

The Legislative Assembly acquaints the Legislative Council that in response to Legislative Council Message No 1, in relation to the *Volunteers (Protection from Liability) Bill 2002* and the *Home Building Contracts Amendment Bill 2002*, the Legislative Assembly -

- (a) advises the Legislative Council that on Friday 28 June 2002, those bills were passed by the Legislative Assembly and sent to the Legislative Council; and

- (b) has required that each of those bills be restored to the position they had reached in the previous session and forwards herewith a further copy of the bills for the Legislative Council's consideration.

Speaker

Legislative Assembly Chamber

Perth, 21 August 2002

56. Legislative Council Procedures for Restoration of Bills from Previous Session (*August 22 2002*)

Consideration of Legislative Assembly Message No. 5 as follows -

Mr President

The Legislative Assembly requests the Legislative Council to amend its procedures to ensure that they reflect the intention of both Houses of Parliament that all Bills which have been partially considered by the Parliament in one Session are capable of restoration to that point in the next Session of the same Parliament.

Speaker

Legislative Assembly Chamber

Perth, 21 August 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.

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.

BILLS REFERRED TO COMMITTEES

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).

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).

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).

MATTERS REFERRED TO COMMITTEES

7. Standing Order 73 - Amendment (*Notice given August 13 2002*) *Leader of the House*

Now stands referred to the Standing Committee on Procedure and Privileges (August 21 2002).

That SO 73 is amended by -

- (1) Repealing paragraphs (a) and (b) and substituting the following -

“

- (1) In the House, a member may speak:
 - (a) to a question, including an amended question if the member has not spoken to the original question, for not more than 45 minutes;
 - (b) to the question for adjournment of the House under SO 61 for not more than 10 minutes.
- (2) A member who has spoken to the original question may speak again to a proposed amendment for not more than 30 minutes.
- (3) A member may speak in reply for not more than 45 minutes.
- (4) In a committee of the whole House a member may speak to a question any number of times for not more than 10 minutes on each call.

”.

- (2) Redesignating paragraph (c) as subclause (5).

- (3) By adding the following subclause -

“

- (6) At the expiration of the time stated for each of the following debates the question is to be put and determined:

Question	Max time
Adjournment under SO 61	40 mins
Special adjournment under SO 61(d)(ii)	20 mins
SO's suspension without notice - SO 433	60 mins

”.

* 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