

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 78

WEDNESDAY, APRIL 17 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. Petitions

Hon Simon O'Brien presented a petition, by delivery to the Clerk, [SO 130], from 19 residents of Western Australia requesting that the Legislative Council investigate the approval by Rockingham City Council of the Ramada-Marriott Hotel development. (Table paper 1373).

Hon Dee Margetts presented a petition from 439 residents of Western Australia requesting that the Legislative Council investigate placing a moratorium on the introduction of genetically engineered products. (Table paper 1374).

Hon Barbara Scott presented a petition from 24 residents of Western Australia requesting that the Legislative Council investigate the approval by Rockingham City Council of the Ramada-Marriott Hotel development. (Table paper 1375).

### 3. Papers

The following Papers were laid on the Table by -

#### **Minister for Housing and Works**

*Annual Reports - 2000-2001 -*

Commercial Tribunal of Western Australia (Date received 15/4/2002) ..... 1367

*Rules -*

Supreme Court Act 1935 (Supreme Court Amendment Rules 2002 G.G. 12/04/02) ..... 1368

#### **Parliamentary Secretary to the Minister for Health**

*Local Laws -*

Health Act 1911 (Shire of Wagin Health Local Laws 2001 G.G. 9/04/02)..... 1369

#### **Parliamentary Secretary to the Minister for Planning and Infrastructure**

*Ministerial Approvals -*

Western Australian Land Authority Act 1992 - Ocean Rise - Karrinyup - Subdivision  
Civil Works ..... 1370

*Proposals -*

Land Administration Act 1997 - Submission No. 9/2002 - Amendment and change in purpose to Class 'A' Reserve 2296 ..... 1371

**4. Order of Business**

The Minister for Housing and Works moved, without notice -

That Motion No. 27, *Government's Pre-Election Claims on the Public Health System*, be taken before Motion No. 26, *Funding, Management and Provision of Primary Health Services by Aboriginal Health Services - Appointment of Select Committee*.

Question - put and passed.

**5. Government's Pre-Election Claims on the Public Health System**

Motion No. 27 having been called.

Hon Simon O'Brien pursuant to notice moved -

That this House -

Recalls the Labor Party's pre-election claims that it "understood the public health system" and "would fix the health system" and calls upon the Government to explain -

- (a) why the State's health system is under more pressure now than it was in February 2001, especially in relation to staffing;
- (b) why it has cut back rural health services;
- (c) why the Minister for Health will not support an MRI scanner for the Southern Metropolitan Area;
- (d) the failure to obtain a PET scanner;
- (e) why it has halved funding for the Central Waitlist Bureau;
- (f) why it has sacked country hospital boards;
- (g) the inadequacy of emergency services to outer suburban areas; and
- (h) the inadequacy of funding for health services generally.

*Interruption of Debate* [SO 195].

**6. Health (Poultry Manure) Amendment Regulations 2001 - Disallowance**

Pursuant to SO 152(b) the following motion was moved *pro forma* by Hon Ray Halligan -

That the *Health (Poultry Manure) Amendment Regulations 2001* published in the *Gazette* on November 30 2001 and tabled in the Legislative Council on December 4 2001 under the *Health Act 1911*, be and are hereby disallowed.

Debate ensued.

Question - put.

The House divided.

**Ayes (13)**

Hon Alan Cadby  
 Hon George Cash  
 Hon Murray Criddle  
 Hon Paddy Embry  
 Hon John Fischer  
 Hon Ray Halligan  
 Hon Frank Hough

Hon Barry House  
 Hon N F Moore  
 Hon Simon O'Brien  
 Hon Barbara Scott  
 Hon W N Stretch  
 Hon Bruce Donaldson (*Teller*)

**Noes (13)**

Hon Robin Chapple  
 Hon Sue Ellery  
 Hon Adele Farina  
 Hon Jon Ford  
 Hon Graham Giffard  
 Hon Dee Margetts  
 Hon Ljiljanna Ravlich

Hon Jim Scott  
 Hon Christine Sharp  
 Hon Tom Stephens  
 Hon Ken Travers  
 Hon Giz Watson  
 Hon Ed Dermer (*Teller*)

The votes being equal, the question was resolved in the negative.

**7. Questions Without Notice**

Questions without notice were asked by Hon Norman Moore, Hon Barry House, Hon Dee Margetts, Hon Murray Criddle, Hon Alan Cadby, Hon Robin Chapple, Hon Barbara Scott, Hon Jim Scott, Hon Simon O'Brien and Hon Giz Watson.

**8. Taxation Administration Bill 2001 - Discharge from Notice Paper - Referral of Clauses to Standing Committee on Legislation**

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Racing and Gaming as follows -

That the Order of the Day for the second reading of the *Taxation Administration Bill 2001*, be discharged and the Bill be referred to the Standing Committee on Legislation for the purposes of consideration of Clause Nos 67, 94 and 100.

Debate resumed.

Hon George Cash moved -

In line 2 - To insert after "*Taxation Administration Bill 2001*" -

“

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

”.

In line 3 - To delete “of Clause Nos 67, 94 and 100” and insert -

“ and report no later than Thursday, June 27 2002 ”.

Debate ensued.

Amendments - put and passed.

Motion, as amended, agreed to.

**9. Labour Relations Reform Bill 2002**

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

Debate resumed.

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

Debate continued.

*Want of Quorum*

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

A quorum being formed, the debate continued.

*Want of Quorum*

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

A quorum being formed, the debate continued.

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

**10. Adjournment**

The Minister for Housing and Works moved, That the House do now adjourn.

Debate ensued.

Question - put and passed.

The House adjourned at 11.15pm until Thursday, April 18 2002 at 10.00am.

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

Attendance: Present all Members except Hon Kim Chance, Hon Peter Foss, Hon Nick Griffiths and Hon Derrick Tomlinson.

**L B MARQUET**  
Clerk of the Legislative Council

**HON JOHN COWDELL**  
President of the Legislative Council