WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

DAILY NOTICE PAPER

No. 50

THURSDAY, APRIL 3 2003, 10.00AM

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.

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MOTIONS	

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

Resumption of debate (Wednesday, April 2 2003, Hon Norman Moore) on the amendment of Hon Simon O'Brien as follows -

In paragraph (1)(b) -

- (1) Lines 3 and 4, by deleting the words "and thereafter and with such other witnesses as directed by that Committee".
- (2) By inserting at line 5 after the word "itself" the following -
 - " from that and such other witnesses as the Committee may order ".

to the motion, as amended, of Hon Peter Foss as follows -

- (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 2003;
 - (c) otherwise, as the Committee deems fit from time to time.

Total time remaining on motion - 2hrs 51 mins.

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.

15. Standing Committee on Environment and Public Affairs - Order of Reference (Notice given October 17 2002)

Hon Robin Chapple: To move -

That in relation to the use of 245T and related toxins (the "chemicals") by the Agriculture Protection Board (the "APB"), the Standing Committee on Environment and Public Affairs inquire into and report to the House on the following -

- (a) the sources of supply, and the terms and conditions under which the chemicals were supplied to or acquired by the APB;
- (b) the purpose and extent of the use of the chemicals by the APB;
- (c) the form and content of the regulatory regime, and the physical conditions, under which the chemicals were supplied, stored, transported, handled, and disposed of by the APB;

- (d) the extent to which, and the means by which, the APB knew, or could reasonably be expected to know, of the dangers to human health associated with exposure to, or the use of the chemicals, and the degree of diligence exercized by the APB so as to ensure the currency of its knowledge;
- (e) the measures taken by the APB from time to time to protect its employees or contractors from unnecessary or potentially harmful exposure to the chemicals, and the criteria adopted by the APB in developing appropriate safety standards;
- (f) the response of the APB to health-related complaints from former employees or contractors allegedly caused by their exposure to or use of the chemicals; and
- (g) any other matter relevant to the matters contained in the preceding paragraphs.
- 17. Minister for Housing and Works to Table Documents Relating to Western Power and Mr David Eiszele (Notice given December 19 2002)

Hon George Cash: To move -

That the Hon Tom Stephens, Minister for Housing and Works representing the Minister for Energy table, within three (3) sitting days of this order, a true copy of all contractual agreements between Western Power and Mr David Eiszele relating to the employment of Mr Eiszele with Western Power.

BILLS FOR INTRODUCTION

6. Freedom of Information Amendment Bill 2002 (December 5 2002)

Hon Jim Scott: To move -

That a Bill for "An Act to amend the *Freedom of Information Act 1992*" be introduced and read a first time.

ORDERS OF THE DAY

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).

- **37. Prisons Amendment Bill 2002** [LA 98-1] Minister for Racing and Gaming Second reading adjourned Hon Bruce Donaldson (Tuesday, April 16 2002).
- **40.** Coroners Amendment Bill 2001 [LA 60-1] Minister for Racing and Gaming Second reading adjourned Hon Bruce Donaldson (Wednesday, November 14 2001).

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.

74. Yallingup Foreshore Land Bill 2002 [LA 99-1] Minister for Racing and Gaming

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

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

Second reading adjourned Hon Bruce Donaldson (Tuesday, June 25 2002). (SO 230A no longer applies). See Standing Committee on Uniform Legislation and General Purposes #3 (Tabled October 17 2002).

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

Second reading adjourned Hon Bruce Donaldson (Thursday, November 28 2002). (SO 230A no longer applies). See Standing Committee on Uniform Legislation and General Purposes Report # 4 (Tabled October 17 2002).

94. Constitution Amendment Bill 2002 [LC 156-1] Leader of the House

Second reading adjourned (Thursday, October 24 2002).

- **95.** Carbon Rights Bill 2002 [LA 117-1];
- **96.** Tree Plantation Agreements Bill 2002 [LA 118-2]; and
- *97. Acts Amendment (Carbon Rights and Tree Plantation Agreements) Bill 2002 [LA 119-2] Minister for Housing and Works. SNP 119 Issue 1 April 2 2003.

Cognate debate. Committee progress clause 9 on the Acts Amendment (Carbon Rights and Tree Plantation Agreements) Bill 2002 (Wednesday, April 2 2003).

*108. Environmental Protection Amendment Bill 2002 [LA 131-2] Minister for Housing and Works

Committee (Thursday, March 6 2003). cf SNP 131 Issue 3 - March 4 2003.

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

Second reading adjourned Hon Bruce Donaldson (Thursday, June 20 2002). (SO 230A no longer applies). See Uniform Legislation and General Purposes Committee Report # 5 (Tabled November 28 2002). cf SNP 102 Issue 2 - December 18 2002.

126. Reserves (Dampier to Bunbury Natural Gas Pipeline Corridor) Bill 2002 [LA 148-1] Parliamentary Secretary to the Minister for Planning and Infrastructure

Second reading adjourned (Wednesday, December 4 2002).

128. Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2002 [LA 152-1] Minister for Racing and Gaming

Second reading adjourned (Thursday, December 5 2002).

132. Appropriation (Consolidated Fund) Bill (No. 3) 2002 [LA 145-1] Minister for Racing and Gaming

Second reading adjourned (Tuesday, December 10 2002).

133. Appropriation (Consolidated Fund) Bill (No. 4) 2002 [LA 146-1] Minister for Racing and Gaming

Second reading adjourned (Tuesday, December 10 2002).

*139. Acts Amendment (Equality of Status) Bill 2002 [LA 141-1] Minister for Racing and Gaming

Second reading adjourned (Wednesday, December 11 2002). cf SNP 141 Issue 1 - March 27 2003.

- **150.** Water Boards Amendment Bill 2002 [LA 106-1B] Minister for Racing and Gaming Second reading adjourned (Wednesday, March 12 2003).
- **153. Economic Regulation Authority Bill 2002** [LA 170-1] Minister for Racing and Gaming Second reading adjourned (Tuesday, March 18 2003).
- 154. Public Interest Disclosure Bill 2002 [LA 103-2] Minister for Racing and Gaming

Further consideration in committee of Legislative Assembly Message No. 51 (Wednesday, April 2 2003) on the motion of the Minister for Racing and Gaming as follows -

That the Legislative Council does not insist on Amendment No. 9.

See Legislative Council Message No. 41.

*147. Unclaimed Money (Superannuation and RSA Providers) Bill 2002 [LA 158-1] Minister for Racing and Gaming

Second reading adjourned (Tuesday, March 4 2003). (SO 230A no longer applies). See Standing Committee on Uniform Legislation and General Purposes Report # 7 (Tabled April 2 2003).

51. Consideration of Committee Reports

- (1) Standing Committee on Environment and Public Affairs Report No. 6 Swimming Pool Fencing. (*Tabled December 17 2002*).
 - Further consideration on motion of Hon Christine Sharp that the report be noted (Thursday, March 6 2003).
- (2) Standing Committee on Procedure and Privileges Report No. 5 Standing Order No. 73 Time Limits on Speeches. (*Tabled September 26 2002*).
 - Further consideration on the motion of Hon George Cash that the report be adopted and agreed to (Thursday, December 5 2002).
- (3) Joint Standing Committee on the Anti-Corruption Commission Report No. 2 Integrity With the Public Sector Review of the Anti-Corruption Commission. (*Tabled December 19 2002*).
- (4) Joint Standing Committee on Delegated Legislation Report No. 6 Sessional Report June 28 2001 to August 9 2002. (*Tabled March 20 2003*).

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 149-1] 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).

117. Wildlife Conservation (Fauna Protection) Amendment Bill 2002 [LC 163-1] Hon Christine Sharp

Second reading adjourned (Thursday, November 14 2002).

143. Burrup Peninsula (Crown Land) Bill 2002 [LC 172-1] Hon Robin Chapple

Second reading adjourned (Thursday, December 19 2002).

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

Resumption of debate adjourned Leader of the House (Thursday, December 19 2002) on motion of Hon Robin Chapple as follows -

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.

- **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 Ljiljanna 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.

88. Racing Restriction Act - Relocation of Race Meetings - Ministerial Statement (Given October 22 2002)

Consideration.

89. Iron Ore (Yandicoogina) Agreement Act 1996 - Tabled Variation Agreement - Ministerial Statement (Given October 22 2002)

Consideration.

90. Visit to China for Merger Between Chongqing Hailian University and Amnet Limited - Ministerial Statement (Given October 22 2002)

Consideration.

91. Metropolitan Region Scheme Amendment No. 1016/33 Western Suburbs Omnibus Amendment No. 3 - Ministerial Statement (Given October 22 2002)

Consideration.

92. Metropolitan Region Scheme Amendment No. 1037/33 North West Districts Omnibus (No. 5) - Ministerial Statement (Given October 22 2002)

Consideration.

93. Peel Region Scheme - Ministerial Statement (Given October 24 2002)

Consideration.

103. State Government Assistance Package for Drought-Affected Farm Businesses - Ministerial Statement (Given November 5 2002)

Consideration.

104. Revised Government Financial Strategy Statement - Ministerial Statement (Given November 5 2002)

Consideration.

107. Metropolitan Region Scheme Amendment No. 1019/33 Townsites in Stoneville and Parkerville - Ministerial Statement (Given November 6 2002)

Consideration.

109. City of South Perth Inquiry - Ministerial Statement (Given November 7 2002)

Consideration.

110. Animal Welfare Bill - Tail Docking - Ministerial Statement (Given November 12 2002)
Consideration.

111. Metropolitan Region Scheme Amendment No. 1055/33 Fremantle Eastern Bypass - Ministerial Statement (Given November 12 2002)

Consideration.

114. Volunteers (Protection from Liability) Bill 2002 - Ministerial Statement (Given November 13 2002)

Consideration.

115. Department of Land Administration Restructure - Ministerial Statement (Given November 13 2002)

Consideration.

118. Draft Regional Policy Statement for Western Australia - Ministerial Statement (Given November 26 2002)

Consideration.

119. Comment by Mr Tony Cooke Regarding the Mines Department - Ministerial Statement (Given November 26 2002)

Consideration.

120. Pastoral Lands Restructure - Ministerial Statement (Given November 26 2002)

Consideration.

121. Qantas Service From Melbourne to Broome - Ministerial Statement (Given November 28 2002)

Consideration.

138. Integrated Fisheries Management - Ministerial Statement (*Given December 11 2002*) Consideration.

141. Tabling a Report on a Review of the Agricultural Practices (Disputes) Act 1995 - Ministerial Statement (Given December 17 2002)

Consideration.

144. Royal Commission into whether there has been any Corrupt or Criminal Conduct by Western Australian Police Officers - Interim Report - Ministerial Statement (Given March 4 2003)

Consideration.

- **145.** Patronage Modelling for Fast Track Route Ministerial Statement (*Given March 4 2003*) Consideration.
- **146. Isolation Fencing for Swimming Pools Ministerial Statement** (*Given March 4 2003*) Consideration.
- **148. Multi Peril Crop Insurance Taskforce Ministerial Statement** (*Given March 5 2003*) Consideration.
- **151. Kimberley Chemical Use Review Ministerial Statement** (*Given March 13 2003*) Consideration.

- **152.** Exceptional Circumstances Assistance Ministerial Statement (*Given March 18 2003*) Consideration.
- 155. Revision of Guidelines of the Dry Season 2002 Assistance Scheme Ministerial Statement (Given April 1 2003)

Consideration.

- **156.** The Late Dr Patricia Vinnicombe Ministerial Statement (*Given April 1 2003*) Consideration.
- 157. Metropolitan Region Scheme Amendment No. 1054/33 Western Power Depot, Belmont Ministerial Statement (Given April 1 2003)

Consideration.

BILLS REFERRED TO COMMITTEES

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

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

Awaiting second reading (Wednesday, June 26 2002).

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

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

Awaiting second reading (Wednesday, June 26 2002).

124. Sentencing Legislation Amendment and Repeal Bill 2002 [LA 133-2B] Minister for Racing and Gaming

Discharged and referred to the Standing Committee on Legislation (December 19 2002) and to report by May 6 2003.

Second reading adjourned (Thursday, December 19 2002).

127. Sentence Administration Bill 2002 [LA 132-2B] Minister for Racing and Gaming

Discharged and referred to the Standing Committee on Legislation (December 19 2002) and to report by May 6 2003.

Second reading adjourned (Thursday, December 19 2002).

149. Gas Pipelines Access (Western Australia) (Reviews) Amendment Bill 2003 [LC 173-1] Minister for Housing and Works

Now stands referred to the Standing Committee on Uniform Legislation and General Purposes (SO 230A applies until April 10 2003).

Second reading adjourned (Wednesday, March 12 2003).

*52. Statutes (Repeal and Minor Amendments) Bill 2001 [LC 31-1] Minister for Agriculture

Discharged and referred to the Standing Committee on Legislation (March 13 2003) and to report by June 2 2003.

Second reading adjourned Hon Bruce Donaldson (Thursday, June 28 2001). cf SNP 31 Issue 3 - January 16 2003. See Legislation Report # 11 (Tabled March 12 2002).

MATTERS REFERRED TO COMMITTEES

18. Standing Order 230 - Consistency With Usage of the House (October 24 2002)

On motion of Hon Norman Moore as follows -

That the Standing Committee on Procedure and Privileges consider and report to the House whether, in light of the Acting President's ruling on the application and effect of SO 230(b) given on Wednesday, October 23 2002, it is desirable to amend the rule so as to ensure that debate on a Bill stands adjourned for a specified period immediately following the speech given by the Minister or Member in charge of the Bill when moving for the second reading.

Now stands referred to Standing Committee on Procedure and Privileges.

8. Petition - Praying for Relief - Barry Granville Waller (*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 Procedure and Privileges. (Thursday, December 5 2002). See Standing Committee on Environment and Public Affairs Special Report (Tabled December 5 2002).

41. Referral of Petition Praying for Relief - Tinsley Beck (March 5 2003)

On motion of Hon Derrick Tomlinson as follows -

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.

Now stands referred to the Standing Committee on Environment and Public Affairs.

* For amendments see Supplementary Notice Paper and/or Committee Report For a list of all Petitions tabled see cumulative Tabled Paper list.

L B MARQUET

Clerk of the Legislative Council