

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 18

WEDNESDAY, 1 APRIL 2009

1. Meeting of Council

The Council assembled at 4.00pm pursuant to order.

The President, Hon Nick Griffiths, took the Chair and read prayers.

2. Personal Explanation - Hon Adele Farina - Electoral Office

Hon Adele Farina, by leave, made a personal explanation [SO 85] with respect to the fit-out of her Bunbury electoral office.

Point of Order

The Leader of the House raised the following Point of Order -

There is no evidence that what the Member is saying is correct. Leave to a Member to make a personal explanation is given on the basis that we will not have arguable material and personal attacks on individuals who cannot respond.

President's Ruling

The President ruled as follows -

The Leader of the House has made two point of orders and I have intervened on another occasion in respect of this particular personal explanation. When Members look at the Standing Order, it states that the matter is not to be debated. It is clear from that that when use of the Standing Order is made Members should not range into areas that can be the subject of debate. I invite Hon Adele Farina to continue with her personal explanation but not to transgress, as she has on no less than three occasions so far.

3. Ministerial Statement - Fatalities at BHP Billiton Iron Ore Sites

The Minister for Mines and Petroleum made a Ministerial Statement with respect to work safety and recent fatalities at BHP Billiton iron ore minesites.

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

4. Papers

The following Papers were laid on the Table by -

President

Auditor General's Papers -

Public Sector Performance Report 2009 (Report No. 1) (1 April 2009)..... 632

Leader of the House

Regulations -

Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations (No. 8) 2009 G.G. 13/03/2009)..... 633

Liquor Control Act 1988 (Liquor Control Amendment Regulations 2009 G.G. 13/03/2009)..... 634

Minister for Transport

Regulations -

Shipping and Pilotage Act 1967 (Navigable Waters Amendment Regulations 2009 G.G. 13/03/2009)..... 635

Parliamentary Secretary to the Treasurer

Local Laws -

Dividing Fences Act 1961 (City of Stirling Fencing Local Law 2008 G.G. 12/03/2009)..... 636

5. Genetically Modified Crops Free Areas Repeal Bill 2009

Hon Anthony Fels: To move on the next day of sitting -

That a Bill for “An Act to repeal the *Genetically Modified Crops Free Areas Act 2003*.” be introduced and read a first time.

6. Renewable Energy Technologies - Gross Feed-in Tariff

Motion No. 7 having been called, debate resumed on the motion of Hon Paul Llewellyn as follows -

That this House calls on the Western Australian Government to introduce a State-based comprehensive gross feed-in tariff for renewable energy technologies.

7. Questions Without Notice

Questions without notice were taken.

8. Renewable Energy Technologies - Gross Feed-in Tariff

Debate resumed on the motion of Hon Paul Llewellyn (cf item 6 above).

Question - put and passed.

9. Order of Business

Ordered - That Orders of the Day Nos 31, *City of Armadale - Signs Amendment Local Law 2008 - Disallowance*, 32, *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2008 - Disallowance*, 35, *Road Traffic (Authorisation to Drive) Regulations 2008 - Disallowance*, 41, *Waste Avoidance and Resource Recovery Regulations 2008 - Disallowance*, 42, *Waste Avoidance and Resource Recovery Levy Regulations 2008 - Disallowance*, and 48, *Electricity Networks Access Code Amendments (No. 2) 2008 - Disallowance*, be taken after Order of the Day No. 23, *National Gas Access (WA) Bill 2008*. (Leader of the House).

10. Address-In-Reply

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

But regrets to inform Your Excellency that the Government has failed to adequately address a number of serious issues affecting Western Australia.

Debate resumed.

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

11. Order of Business

Ordered - That Bills for Introduction be now taken.

12. Act Amendment (Bankruptcy) Bill 2009

The Minister for Transport, pursuant to notice, moved -

That a Bill for "An Act to amend various Acts to reflect changes made to the *Bankruptcy Act 1966* (Commonwealth) and for related purposes." be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Transport moved, That the Bill be now read a second time.

Debate stands adjourned.

13. Daylight Savings Amendment Bill 2008

Hon Anthony Fels, pursuant to notice, moved -

That a Bill for "An Act to amend the *Daylight Savings Act 2006* to provide for the holding of a referendum in conjunction with a general election and for the abridgement of the daylight savings trial period." be introduced and read a first time.

Question - put and passed.

Bill read a first time.

Hon Anthony Fels moved, That the Bill be now read a second time.

Debate stands adjourned.

14. Referendums (Implementation of Result) Amendment Bill 2008

Hon Anthony Fels, pursuant to notice, moved -

That a Bill for "An Act to amend the *Referendums Act 1983* to provide for the compulsory introduction of legislation and policies designed to implement the result of a referendum." be introduced and read a first time.

Question - put and passed.

Bill read a first time.

Hon Anthony Fels moved, That the Bill be now read a second time.

Debate stands adjourned.

15. Local Government Amendment Bill 2009

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.

Ordered - That consideration of the Bill, in Committee, be made an Order of the Day for the next sitting.

16. Adjournment

The Minister for Transport moved, That the House do now adjourn.

Debate ensued.

Hon Sally Talbot tabled letters in relation to the Beeliar wetlands and opposition to the proposed Roe Highway Stage 8 [SO 48]. (Tabled paper 637).

Question - put and passed.

The House adjourned at 10.33pm until Thursday, 2 April 2009 at 11.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Batong Pham.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council