

LEGISLATIVE COUNCIL
WEDNESDAY, 5 MAY 2010

2.00pm

Prayers

2.00PM - ORDER OF BUSINESS

Notification of Royal Assent - Message No. 90

Petitions

(Hon Colin Holt)

Statements by Ministers and Parliamentary Secretaries

(Minister for Transport)

Papers for Tabling

(President)

(Leader of the House)

(Minister for Transport)

(Minister for Energy)

(Minister for Child Protection)

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

Motions on Notice

4.30pm Questions without Notice

5.00pm Committee Reports and Ministerial Statements

7.30pm Orders of the Day

9.45pm Members' Statements

10.25pm House adjourns

MOTIONS ON NOTICE

1. **Fremantle Port - Lead Export** (*Notice given 18 March 2009*)

Hon Sally Talbot: To move -

- (1) That this House condemns the Minister for Environment and the Minister for Mines for their lack of openness and accountability in relation to their decision to allow lead to be transported through 22 suburbs in the metropolitan area on its way to Fremantle and calls on both Ministers to explain why they have not made all details in relation to lead shipments public.
- (2) That this House also calls on the Minister for Environment to explain why, since environmental approval was given by her for Magellan Metals to transport containerised lead carbonate through suburbs to the Fremantle Port, so little has been revealed to the thousands of families living in and around suburbs along the proposed transport route.

2. **Lobbyists Register** (*Notice given 18 March 2009*)

Hon Ljiljanna Ravlich: To move -

That this House condemns the Premier for breaking a key election commitment on accountability by not introducing legislation to create a public register for lobbyists in his first 100 days of government, and calls on the Premier to explain –

- (a) why he has not met this commitment and when will he introduce legislation to create a public register for lobbyists;
- (b) how the proposed legislation will be applied to different classes of lobbyists, consultants, consultant-lobbyists, in-house corporate consultants and in-house lobbyists employed by organizations;
- (c) what are the registration requirements for lobbyists before being permitted to be on the register -
 - (i) business registration details;
 - (ii) names of owners;
 - (iii) partner and major shareholders; and
 - (iv) names and positions of those employed and the names of their clients;
- (d) what is the set of principles of ethical conduct relating to a lobbyist before being placed on the register;

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- (e) what will be the reporting requirements of lobbyists, including but not limited to -
 - (i) what has to be reported;
 - (ii) when it has to be reported;
 - (iii) who will lobbyists be required to report to; and
 - (iv) whether or not any lobbyists will be banned from being placed on the register and who they might be;
- (f) the means by which a lobbyist can be removed from the Register;
- (g) the appeal mechanisms for a lobbyist who is removed from the register; and
- (h) the frequency that the code will be reviewed and who will have the responsibility for such a function.

3. Public Sector Expenditure - New Government Agencies (*Notice given 18 March 2009*)

Hon Ljiljanna Ravlich: To move -

- (1) That this House condemns the Premier as Minister for Public Sector Management for wasting taxpayers' money in creating new government agencies, boards, committees and taskforces, at the same time as asking agencies to find savings of three percent resulting in the cuts to front-line services in health, education and law and order.
- (2) That this House calls on the Premier to explain why a three percent savings target is not a "big ask" for government agencies, as he stated to the recent Committee for Economic Development Australia conference, given that the 2009-2010 mid-year review projected no savings and an expense growth of 13%.

CONSIDERATION OF COMMITTEE REPORTS AND MINISTERIAL STATEMENTS

1. Standing Committee on Estimates and Financial Operations - Report No. 21 - Report on the Inquiry into Public Sector Expenditure - Committee Report (*Tabled 19 May 2009*)

Resumption of debate adjourned Hon Kate Doust (Wednesday, 21 April 2010) on the motion of Hon Ken Travers that the report be noted. *See Tabled paper No. 779.*

Total time remaining on motion - 1:00:00.

2. Standing Committee on Legislation - Report No. 14 - Inquiry into the Jurisdiction and Operation of the State Administrative Tribunal - Committee Report (*Tabled 20 May 2009*)

Resumption of debate adjourned Hon Kate Doust (Wednesday, 21 April 2010) on the motion of Hon Ken Baston that the report be noted. *See Tabled paper No. 791.*

Total time remaining on motion - 0:44:00.

3. **Standing Committee on Estimates and Financial Operations - Report No. 22 - Budget Estimates 2008-2009 - Committee Report** (*Tabled 13 August 2009*)

Consideration. *See Tabled paper No. 1038.*

4. **Quarterly Financial Results Report - Ministerial Statement and Tabled Paper** *Parliamentary Secretary representing the Treasurer (Given 12 March 2009)*

Consideration. *See Tabled paper No. 435.*

5. **Standing Committee on Estimates and Financial Operations - Report No. 23 - Annual Hearings in Relation to the Budget Estimates 2009-2010 - Committee Report** (*Tabled 8 September 2009*)

Consideration. *See Tabled paper No. 1086.*

6. **Metropolitan Region Scheme Amendment No. 1074/33 - Leighton Beach and Environs - Ministerial Statement and Tabled Paper** *Minister for Child Protection representing the Minister for Planning (Given 18 March 2009)*

Consideration. *See Tabled papers Nos 585 and 586.*

7. **Joint Standing Committee on Delegated Legislation - Report No. 34 - City of Joondalup Cats Local Law 2008 - Committee Report** (*Tabled 10 September 2009*)

Consideration. *See Tabled paper No. 1135.*

8. **Kimberley Science and Conservation Strategy - Ministerial Statement** *Minister for Environment (Given 18 March 2009)*

Consideration.

9. **Joint Standing Committee on the Commissioner for Children and Young People - Report No. 2 - Annual Report 2008-2009 - Committee Report** (*Tabled 10 September 2009*)

Consideration. *See Tabled paper No. 1136.*

10. **TAFEWA Colleges - Governance and Accountability - Ministerial Statement** *Minister for Training (Given 31 March 2009)*

Consideration.

ORDERS OF THE DAY

1. **Genetically Modified Crops Free Areas Exemption Order - Disallowance**

Moved *pro forma* (SO 152(b)) (Wednesday, 24 March 2010) on the motion of Hon Giz Watson (Days remaining 1 after today)

That the *Genetically Modified Crops Free Areas Exemption Order* published in the *Gazette* on 29 January 2010 and tabled in the Legislative Council on 3 March 2010 under the *Genetically Modified Crops Free Areas Act 2003*, be and is hereby disallowed. (Tabled paper 1706).

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2. Betting Control Amendment Regulations (No. 4) 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 30 March 2010) on the motion of Hon Robin Chapple (Days remaining 3 after today)

That the *Betting Control Amendment Regulations (No. 4) 2009* published in the *Gazette* on 30 October 2009 and tabled in the Legislative Council on 10 November 2009 under the *Betting Control Act 1954*, be and are hereby disallowed. (Tabled paper 1461).

3. Casino Control Amendment Regulations 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 30 March 2010) on the motion of Hon Robin Chapple (Days remaining 3 after today)

That the *Casino Control Amendment Regulations 2009* published in the *Gazette* on 30 October 2009 and tabled in the Legislative Council on 10 November 2009 under the *Casino Control Act 1984*, be and are hereby disallowed. (Tabled paper 1462).

4. Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations (No. 2) 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 30 March 2010) on the motion of Hon Robin Chapple (Days remaining 3 after today)

That the *Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations (No. 2) 2009* published in the *Gazette* on 30 October 2009 and tabled in the Legislative Council on 10 November 2009 under the *Casino Control Act 1984*, be and are hereby disallowed. (Tabled paper 1462).

5. Gaming and Wagering Commission Amendment Regulations 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 30 March 2010) on the motion of Hon Robin Chapple (Days remaining 3 after today)

That the *Gaming and Wagering Commission Amendment Regulations 2009* published in the *Gazette* on 30 October 2009 and tabled in the Legislative Council on 10 November 2009 under the *Gaming and Wagering Commission Act 1987*, be and are hereby disallowed. (Tabled paper 1464).

6. Racing and Wagering Western Australia Amendment Regulations 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 30 March 2010) on the motion of Hon Robin Chapple (Days remaining 3 after today)

That the *Racing and Wagering Western Australia Amendment Regulations 2009* published in the *Gazette* on 30 October 2009 and tabled in the Legislative Council on 10 November 2009 under the *Racing and Wagering Western Australia Act 2003*, be and are hereby disallowed. (Tabled paper 1467).

7. Racing Penalties (Appeals) Amendment Regulations 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 30 March 2010) on the motion of Hon Robin Chapple (Days remaining 3 after today)

That the *Racing Penalties (Appeals) Amendment Regulations 2009* published in the *Gazette* on 30 October 2009 and tabled in the Legislative Council on 10 November 2009 under the *Racing Penalties (Appeals) Act 1990*, be and are hereby disallowed. (Tabled paper 1466).

8. Waste Avoidance and Resource Recovery Levy Amendment Regulations 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 30 March 2010) on the motion of Hon Robin Chapple (Days remaining 3 after today)

That the *Waste Avoidance and Resource Recovery Levy Amendment Regulations 2009* published in the *Gazette* on 22 December 2009 and tabled in the Legislative Council on 3 March 2010 under the *Waste Avoidance and Resource Recovery Levy Act 2007*, be and are hereby disallowed. (Tabled paper 1721).

9. Agriculture and Related Resources Protection (European House Borer) Amendment Regulations 2010 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 20 April 2010) on the motion of Hon Giz Watson (Days remaining 6 after today)

That the *Agriculture and Related Resources Protection (European House Borer) Amendment Regulations 2010* published in the *Gazette* on 5 February 2010 and tabled in the Legislative Council on 3 March 2010 under the *Agriculture and Related Resources Protection Act 1976*, be and are hereby disallowed. (Tabled paper 1707).

10. Liquor Control Amendment Regulations (No. 7) 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 4 May 2010) on the motion of Hon Robin Chapple (Days remaining 9 after today)

That the *Liquor Control Amendment Regulations (No. 7) 2009* published in the *Gazette* on 20 November 2009 and tabled in the Legislative Council on 24 November 2009 under the *Liquor Control Act 1988*, be and are hereby disallowed. (Tabled paper 1551).

11. Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations (No. 2) 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Wednesday, 5 May 2010) on the motion of Hon Robin Chapple (Days remaining 10 after today)

That the *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations (No. 2) 2009* published in the *Gazette* on 24 November 2009 and tabled in the Legislative Council on 25 November 2009 under the *Retail Trading Hours Act 1987*, be and are hereby disallowed. (Tabled paper 1574).

17. *Approvals and Related Reforms (No. 3) (Crown Land) Bill 2009 [LA 100-1] Parliamentary Secretary representing the Minister for Lands

Consideration of report (Tuesday, 4 May 2010). *cf* SNP 100 Issue 2 - 3 May 2010.

18. *Aboriginal Housing Legislation Amendment Bill 2009 [LA 086-2] Leader of the House representing the Minister for Housing

Committee progress clause 1 (Tuesday, 4 May 2010). *cf* SNP 86 Issue 1 - 4 May 2010.

13. *Criminal Code Amendment (Identity Crime) Bill 2009 [LA 104-1] Parliamentary Secretary representing the Attorney General

Second reading adjourned (Thursday, 19 November 2009). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 44* (Tabled 2 March 2010). *cf* SNP 104 Issue 2 - 22 April 2010.

(Standing Order 230A no longer applies).

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16. ***Road Traffic Amendment Bill 2010** [LA 118-1] Minister for Energy representing the Minister for Police

Second reading adjourned (Tuesday, 23 March 2010). cf SNP 118 Issue 2A - 20 April 2010.

19. ***Rail Safety Bill 2009** [LA 083-1] Minister for Transport

Second reading adjourned (Tuesday, 24 November 2009). [*See Standing Committee on Uniform Legislation and Statutes Review Report No. 46*](#) (Tabled 1 April 2010). cf SNP 83 Issue 2 - 3 May 2010.

(Standing Order 230A no longer applies).

20. **Pay-Roll Tax Rebate Bill 2010** [LA 121-1] Parliamentary Secretary representing the Treasurer

Second reading adjourned (Wednesday, 21 April 2010).

14. **Appropriation (Consolidated Account) Recurrent 2007-08 and 2008-09 (Supplementary) Bill 2009** [LA 091-1] Parliamentary Secretary representing the Treasurer

Cognate debate with *Appropriation (Consolidated Account) Capital 2007-08 and 2008-09 (Supplementary) Bill 2009*. Committee progress clause 3 (Thursday, 22 April 2010).

15. **Appropriation (Consolidated Account) Capital 2007-08 and 2008-09 (Supplementary) Bill 2009** [LA 090-1] Parliamentary Secretary representing the Treasurer

Cognate debate with *Appropriation (Consolidated Account) Recurrent 2007-08 and 2008-09 (Supplementary) Bill 2009*. Committee progress Long Title agreed to (Wednesday, 21 April 2010).

* For amendments see Supplementary Notice Paper and/or Committee Report

MALCOLM PEACOCK

Clerk of the Legislative Council