

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 85

WEDNESDAY, 5 MAY 2010

1. Meeting of Council

The Council assembled at 2.00pm pursuant to Temporary Orders.

The President, Hon Barry House, took the Chair and read prayers.

2. Message from His Excellency the Governor - Assent to Bill

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bill -

3 May 2010 - Message No. 90

Act No.

Treasurer's Advance Authorisation Bill 2010

4 of 2010

3. Petition

Hon Colin Holt presented a petition from 1 113 petitioners requesting the Legislative Council oppose the closure of Albany waters including Oyster Harbour to professional fishermen. (Tabled paper 2003).

4. Ministerial Statement - Standing Committee on Estimates and Financial Operations - Budget Estimates Hearing

The Leader of the House made a Ministerial Statement with respect to a request from the Standing Committee on Estimates and Financial Operations to hold a one day Budget Estimates hearing for 2010/11 in the Legislative Council chamber on Wednesday, 16 June 2010.

5. Ministerial Statement - Parliamentary Questions - Review by the Office of the Auditor General

The Minister for Transport made a Ministerial Statement with respect to reviewed advice received by the Minister for Transport from the Office of the Auditor General in relation to documents sought during question time which were not provided on the basis of commercial confidentiality.

The Minister for Transport tabled documents relating to the Alexander Drive Transit Feasibility Study. (Tabled paper 2005).

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

6. Papers

The following Papers were laid on the Table by -

President

Auditor General's Papers -

Public Sector Performance Report 2010 (Report No. 3) (May 2010).....	1992
Audit Results - Annual Assurance Audits completed since 2 November 2009 including Universities and Public Colleges (Report No. 4) (May 2010)	1993

Leader of the House

Management Plans -

Fish Resources Management Act 1994 (Specimen Shell Management Plan Amendment 2010 [924] G.G. 23/04/2010).....	1994
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Notices -

Energy Safety Act 2006 (Energy Safety Levy Notice 2010 G.G. 20/04/2010).....	1995
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Regulations -

Liquor Control Act 1988 (Liquor Control (Wangkatjunga Restricted Area) Amendment Regulations 2010 G.G. 20/04/2010 and Liquor Control (Yakanarra Restricted Area) Regulations 2010 G.G. 30/04/2010).....	1996
Mines Safety and Inspection Act 1994 (Mines Safety and Inspection Levy Regulations 2010 G.G. 23/04/2010).....	1997

Minister for Transport

Regulations -

Hospitals and Health Services Act 1927 (Hospitals (Licensing and Conduct of Private Hospitals) Amendment Regulations 2010 G.G. 27/04/2010 and Licensing and Conduct of Private Psychiatric Hostels) Amendment Regulations 2010 G.G. 27/04/2010)	1998
Poisons Act 1964 (Poisons Amendment Regulations 2010 G.G. 27/04/2010).....	1999

Minister for Energy

Local Laws -

Local Government Act 1995 (City of Armadale Signs Repeal Local Law 2010 G.G. 30/04/2010 and City of Belmont Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2008 G.G. 30/04/2010)	2000
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Regulations -

Firearms Act 1973 (Firearms Amendment (Manufacture of Frangible Ammunition) Regulations 2010 G.G. 23/04/2010).....	2001
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Minister for Energy on behalf of the Minister for Child Protection

Regulations -

Western Australian Meat Industry Authority Act 1976 (Western Australian Meat Industry Authority Amendment Regulations 2010 G.G. 30/04/2010).....	2002
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7. Fremantle Port - Lead Export

Motion No. 1 having been called, Hon Sally Talbot, pursuant to notice, moved -

- (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.

Debate ensued.

Interruption pursuant to Temporary Orders.

8. Consideration of Committee Reports and Ministerial Statements

Pursuant to Temporary Orders for the consideration of Committee Reports and Ministerial Statements.

In Committee

(Hon Jon Ford in the Chair)

Standing Committee on Estimates and Financial Operations - Twenty-First Report - Report on the Inquiry into Public Sector Expenditure

Debate resumed on the motion of Hon Ken Travers, That the Report be noted.

9. Questions Without Notice

Questions without notice were taken.

The Minister for Environment, in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 2123 asked by Hon Giz Watson will be provided in due course.

The Minister for Environment, in accordance with Standing Order No 138(d), advised that an answer to questions on notice Nos 2087 and 2088 asked by Hon Ljiljanna Ravlich will be provided in due course.

The Parliamentary Secretary representing the Treasurer, in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 2100 asked by Hon Ljiljanna Ravlich will be provided by 15 June 2010.

10. Consideration of Committee Reports and Ministerial Statements

Pursuant to Temporary Orders for the consideration of Committee Reports and Ministerial Statements.

In Committee

(Hon Jon Ford in the Chair)

Standing Committee on Estimates and Financial Operations - Twenty-First Report - Report on the Inquiry into Public Sector Expenditure

Debate resumed on the motion of Hon Ken Travers, That the Report be noted.

Question - put and passed.

The Deputy President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee of the Whole House had considered the -

Standing Committee on Estimates and Financial Operations - Twenty-First Report - Report on the Inquiry into Public Sector Expenditure and had noted same.

Report adopted.

11. Order of Business

Ordered - That Orders of the Day Nos 1, *Genetically Modified Crops Free Areas Exemption Order - Disallowance*, 2, *Betting Control Amendment Regulations (No. 4) 2009 - Disallowance*, 3, *Casino Control Amendment Regulations 2009 - Disallowance*, 4, *Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations (No. 2) 2009 - Disallowance*, 5, *Gaming and Wagering Commission Amendment Regulations 2009 - Disallowance*, 6, *Racing and Wagering Western Australia Amendment Regulations 2009 - Disallowance*, 7, *Racing Penalties (Appeals) Amendment Regulations 2009 - Disallowance*, 8, *Waste Avoidance and Resource Recovery Levy Amendment Regulations 2009 - Disallowance*, 9, *Agriculture and Related Resources Protection (European House Borer) Amendment Regulations 2010 - Disallowance*, 10, *Liquor Control Amendment Regulations (No. 7) 2009 - Disallowance*, and 11, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations (No. 2) 2009 - Disallowance*, be taken after Order of the Day No. 15, *Appropriation (Consolidated Account) Capital 2007-08 and 2008-09 (Supplementary) Bill 2009*. (Leader of the House).

12. Approvals and Related Reforms (No. 3) (Crown Land) Bill 2009

The Order of the Day having been read for the consideration of the Committee's report upon this Bill.

The Leader of the House moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

13. Aboriginal Housing Legislation Amendment Bill 2009

The Order of the Day for the further consideration of this Bill, in Committee, having been read.

The Deputy President left the Chair.

In Committee

(Hon Michael Mischin in the Chair)

Clause 1.

Debate resumed.

The Parliamentary Secretary representing the Treasurer, by leave, tabled a document outlining expenditure in relation to the National Partnership Agreement on Remote Indigenous Housing. (Tabled paper 2004).

The Parliamentary Secretary representing the Treasurer, by leave, tabled a document in relation to new housing construction and refurbishments for various indigenous communities. (Tabled paper 2006).

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Debate ensued.

Hon Sally Talbot moved -

Page 3, after line 16 — To insert —

(c) after paragraph (e) insert:

(f) the provision of community education in forms that are accessible to culturally and linguistically diverse people about accommodation in public housing.

Debate ensued.

Amendment - put and negatived.

Debate resumed.

Question - That the Clause stand as printed - put and passed.

Clause 5 agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clause 7 agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9.

Debate ensued.

Hon Lynn MacLaren moved -

Page 8, line 13 — To delete “and are practicable”.

Debate ensued.

Interruption pursuant to Temporary Orders.

The President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered - That the Committee have leave to sit again.

14. Members' Statements

Statements were taken.

15. Adjournment

The House adjourned at 10.20pm until Thursday, 6 May 2010 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Robin Chapple, Hon Kate Doust, Hon Alyssa Hayden and Hon Robyn McSweeney.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council