

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 102

WEDNESDAY, 11 AUGUST 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. Approvals and Related Reforms (No. 4) (Planning) Bill 2009

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 121

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Approvals and Related Reforms (No. 4) (Planning) Bill 2009*.

Mr P. Watson

Acting Speaker

Legislative Assembly Chamber

Perth, 10 August 2010

3. Petition

Hon Adele Farina presented a petition from 1,576 petitioners requesting the Legislative Council oppose the closure of the ACTIV Business Service Centre in Busselton (ACTIV Busselton). (Tabled paper 2334).

4. Ministerial Statement - Mining Act 1978 - Review of the Act as Amended by the Mining Amendment Act 2004

The Minister for Mines and Petroleum made a Ministerial Statement with respect to the Report by the Department of Mines and Petroleum on the Review of the Operation and Effectiveness of the *Mining Act 1978* as amended by the *Mining Amendment Act 2004*.

The Minister for Mines and Petroleum tabled a Report entitled *Review of the Operation and Effectiveness of the Mining Act 1978 as amended by the Mining Amendment Act 2004 (WA)*. (Tabled paper 2335).

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

5. Papers

The following Papers were laid on the Table by -

President

Auditor General's Papers -

Fitting and Maintaining Safety Devices in Public Housing (Report No. 7)
(August 2010)..... 2329

Leader of the House

Reports -

Ministerial Resourcing Report (as at 22/07/2010)..... 2330

Parliamentary Secretary representing the Minister for Regional Development

Proposals -

Land Administration Act 1997 - Submission No. 07/2010 - Excision of 11.1149
hectares from Class A Reserve No. 27023 to enable inclusion into the
proposed reserve to dedicate that portion of Cascade Road..... 2331

Land Administration Act 1997 - Submission No. 09/2010 - Excision from Class A
Reserve No. 13189 a portion containing a constructed portion of Barrow Road.. 2332

Land Administration Act 1997 - Submission No. 10/2010 - Formalisation of Merivale
Road and grant of an easement across portion of Class A Reserve No. 23825..... 2333

6. Public Sector Expenditure - New Government Agencies

Motion No. 1 having been called, debate resumed on the motion of Hon Ljiljana Ravlich as follows -

- (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%.

Hon Michael Mischin, by leave, tabled documents in relation to lists of boards and committees abolished as at March 2010; boards and committees requiring abolishment via a legislative change; and boards, committees, reviews and taskforces created between 23 September 2008 and 1 February 2010. (Tabled paper 2336).

Interruption pursuant to Temporary Orders.

7. Consideration of Committee Reports and Ministerial Statements

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

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Joint Standing Committee on the Commissioner for Children and Young People - Second Report - Annual Report 2008-2009

Hon Linda Savage moved, That the Report be noted.

8. Questions Without Notice

Questions without notice were taken.

The Minister for Child Protection representing the Minister for Agriculture and Food tabled documents in relation to the upgrading and extension of the State barrier fence, in response to question on notice No. 2478 asked by Hon Giz Watson. (Tabled paper 2337).

9. Consideration of Committee Reports and Ministerial Statements

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

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Joint Standing Committee on the Commissioner for Children and Young People - Second Report - Annual Report 2008-2009

Hon Linda Savage continued her introductory remarks in moving, That the Report be noted.

Debate ensued.

Question - put and passed.

TAFEWA Colleges - Governance and Accountability - Ministerial Statement

Hon Ljiljanna Ravlich moved, That the Ministerial Statement be noted.

Debate ensued.

Question - put and passed.

The Deputy President resumed the Chair.

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

- (1) Joint Standing Committee on the Commissioner for Children and Young People - Second Report - Annual Report 2008-2009 and had noted same.
- (2) TAFEWA Colleges - Governance and Accountability - Ministerial Statement and had noted same.

Report adopted.

10. Order of Business

Ordered - That Bills for Introduction be taken forthwith. (Leader of the House).

11. Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2010

The Minister for Training and Workforce Development, pursuant to notice, moved -

That a Bill for "An Act to amend the *Building and Construction Industry Training Fund and Levy Collection Act 1990*." be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Training and Workforce Development moved, That the Bill be now read a second time.

Debate stands adjourned.

12. Order of Business

Ordered - That Orders of the Day Nos 1, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations (No. 2) 2009 - Disallowance*, and 3, *Shire of Dardanup Standing Orders Local Law 2009 - Disallowance*, be taken after Order of the Day No. 11, *Health and Disability Services Legislation Amendment Bill 2009*. (Leader of the House).

13. Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations 2010 - Disallowance - Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice -

That Order of the Day No. 2, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations 2010 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

14. Approvals and Related Reforms (No. 1) (Environment) 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 on the amendment of Hon Giz Watson as follows -

Page 2, line 3 – To delete “*Approvals*” and insert —

Assessments

Amendment - put.

The Committee divided.

Ayes (14)

Hon Matt Benson-Lidholm
Hon Helen Bullock
Hon Robin Chapple
Hon Kate Doust
Hon Sue Ellery
Hon Adele Farina
Hon Lynn MacLaren

Hon Ljiljanna Ravlich
Hon Linda Savage
Hon Sally Talbot
Hon Ken Travers
Hon Giz Watson
Hon Alison Xamon
Hon Ed Dermer (*Teller*)

Noes (19)

Hon Liz Behjat
 Hon Jim Chown
 Hon Peter Collier
 Hon Mia Davies
 Hon Wendy Duncan
 Hon Phil Edman
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Philip Gardiner
 Hon Nick Goiran

Hon Nigel Hallett
 Hon Alyssa Hayden
 Hon Col Holt
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Max Trenorden
 Hon Ken Baston (*Teller*)

Amendment thus negatived.

Debate resumed.

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.

15. Members' Statements

Statements were taken.

16. Iron Ore Agreements Legislation Amendment Bill 2010

The President reported the receipt of Message No. 120 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Transport on behalf of the Leader of the House representing the Minister for State Development moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Transport on behalf of the Leader of the House representing the Minister for State Development moved, That the Bill be now read a second time.

Debate stands adjourned.

17. Adjournment

The House adjourned at 10.17pm until Thursday, 12 August 2010 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jon Ford.

MALCOLM PEACOCK
 Clerk of the Legislative Council

HON BARRY HOUSE
 President of the Legislative Council