

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 14

TUESDAY, 17 MARCH 2009

1. Meeting of Council

The Council assembled at 3.30pm pursuant to order.

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

2. Petition

Hon Sally Talbot presented a petition from 16 petitioners requesting the Legislative Council support an inquiry into Stage 8 of Roe Highway and consider the cost-effectiveness and sustainability of possible alternative transport routes. (Tabled paper 539).

3. Paper

The following Paper was laid on the Table by -

Minister for Environment

Annual Reports -

National Environment Protection Council (2007-2008) (Date received 17/03/2009)..... 538

4. Credit (Administration) Amendment Regulations 2008 - Disallowance

Hon Kim Chance: To move on the next day of sitting -

That the *Credit (Administration) Amendment Regulations 2008* published in the *Gazette* on 17 June 2008 and tabled in the Legislative Council on 26 June 2008 under the *Credit (Administration) Act 1984*, be and are hereby disallowed.

5. Waste Avoidance and Resource Recovery Levy Regulations 2008 - Disallowance

Hon Kim Chance: To move on the next day of sitting -

That the *Waste Avoidance and Resource Recovery Levy Regulations 2008* published in the *Gazette* on 20 June 2008 and tabled in the Legislative Council on 26 June 2008 under the *Waste Avoidance and Resource Recovery Levy Act 2007*, be and are hereby disallowed.

6. Waste Avoidance and Resource Recovery Regulations 2008 - Disallowance

Hon Kim Chance: To move on the next day of sitting -

That the *Waste Avoidance and Resource Recovery Regulations 2008* published in the *Gazette* on 20 June 2008 and tabled in the Legislative Council on 26 June 2008 under the *Waste Avoidance and Resource Recovery Act 2007*, be and are hereby disallowed.

7. Finance Brokers Control (General) Amendment Regulations 2008 (No. 2) 2008 - Disallowance

Hon Kim Chance: To move on the next day of sitting -

That the *Finance Brokers Control (General) Amendment Regulations 2008 (No. 2) 2008* published in the *Gazette* on 17 June 2008 and tabled in the Legislative Council on 26 June 2008 under the *Finance Brokers Control Act 1975*, be and are hereby disallowed.

8. Veterinary Surgeons Amendment Bill 2009

The Minister for Child Protection: To move on the next day of sitting -

That a Bill for “An Act to amend the *Veterinary Surgeons Act 1960*.” be introduced and read a first time.

9. Matter of Urgency - GM Crops

The President read the following letter -

Dear Mr President

At today’s sitting it is my intention to move under SO 72 that the Council consider, as a matter of urgency, that in light of the ongoing community concerns, this House calls on the Liberal/National Government to abandon the current push for GM crops in Western Australia. The proposed canola trials are commercial in scale and pose unmanageable risks to farming enterprises and the environment.

Yours sincerely

Hon Paul Llewellyn

Member for South West Region

Four members having risen in support.

Hon Paul Llewellyn moved the motion.

Debate ensued.

Motion lapsed.

10. Order of Business

Ordered - That Orders of the Day Nos 21, *Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2008 - Disallowance*; 31, *City of Armadale - Signs Amendment Local Law 2008 - Disallowance*; and 32, *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2008 - Disallowance*, be taken after Order of the Day No. 6, *Statutes (Repeals and Miscellaneous Amendments) Bill 2008*. (Leader of the House).

11. Address-In-Reply

The Order of the Day having been read for the adjourned debate on the Address-in-Reply.

Debate resumed.

12. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Regional Development tabled documents in relation to correspondence between the Member for Vasse and the Minister for Regional Development in relation to the Busselton Foreshore Steering Committee in response to a question without notice asked by Hon Adele Farina. (Tabled paper 540).

The Leader of the House representing the Premier tabled documents in relation to details of the Premier’s office staff, in response to question on notice No. 92 asked by Hon Sally Talbot. (Tabled paper 541).

The Minister for Energy tabled documents in relation to details of the Minister for Energy's office staff, in response to question on notice No. 85 asked by Hon Sally Talbot. (Tabled paper 542).

The Minister for Child Protection representing the Minister for Agriculture and Food tabled documents in relation to estimated and actual (realised) volumes of sawlog removed from native forest harvest coupes, in response to question on notice No. 79 asked by Hon Paul Llewellyn. (Tabled paper 543).

The Parliamentary Secretary representing the Minister for Lands tabled documents in relation to details of all crown land located within the City of Bunbury, in response to question on notice No. 172 asked by Hon Adele Farina. (Tabled paper 544).

13. Address-In-Reply

Debate resumed on the Address-in-Reply (cf item 11 above).

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

14. Electoral Amendment (Miscellaneous) Bill 2008

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

The Deputy President left the Chair.

In Committee

(Hon Ray Halligan in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 6 agreed to.

Clause 7.

Hon Giz Watson moved -

Page 4, lines 24 to 29 — To delete the lines and insert —

(a) delete paragraph (c);

Debate ensued.

Hon Giz Watson, by leave, withdrew her amendment.

Hon Sue Ellery moved -

Page 4, line 28 — To delete "one" and insert —

three

Debate ensued.

Amendment - put.

The Committee divided.

Ayes (13)

Hon Carolyn Burton
 Hon Kim Chance
 Hon Kate Doust
 Hon Shelley Eaton
 Hon Sue Ellery
 Hon Adele Farina
 Hon Jon Ford

Hon Paul Llewellyn
 Hon Sheila Mills
 Hon Sally Talbot
 Hon Ken Travers
 Hon Giz Watson
 Hon Ed Dermer (*Teller*)

Noes (14)

Hon George Cash
 Hon Peter Collier
 Hon Wendy Duncan
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Anthony Fels
 Hon Ray Halligan

Hon Barry House
 Hon Robyn McSweeney
 Hon Norman Moore
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Barbara Scott
 Hon Bruce Donaldson (*Teller*)

Amendment thus negatived.

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

Clauses 8 to 15 agreed to.

Deputy Chairman's Ruling

The Deputy Chairman ruled as follows -

Hon Giz Watson has proposed two new clauses on the supplementary notice paper. I will have to make a Chairman's ruling on those proposals. I advise that I am unable to permit the Member to proceed with the next two amendments appearing on the supplementary notice paper. Under Standing Order 237(a), a committee may make an amendment to a Bill if the amendment is relevant to the subject matter of the Bill; that is, it must fall within the scope and purpose of the Bill as it was second read. It is not sufficient that an amendment fall within the title of the Bill, which in many cases simply recites that the Bill is one to amend a particular parent act. The amendment proposed by Hon Giz Watson, therefore, introduces a new principle to the Bill that is foreign to its intended scope and purpose. I therefore must rule the proposed amendments out of order.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Ordered - That consideration of the Committee's Report be made an Order of the Day for the next sitting.

15. Statutes (Repeals and Miscellaneous Amendments) Bill 2008

The Order of the Day having been read for the adjourned debate on the second reading of this Bill.

Debate ensued.

Question - put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Minister for Transport representing the Attorney General moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

16. Adjournment

The Leader of the House moved, That the House do now adjourn.

Debate ensued.

Question - put and passed.

The House adjourned at 9.12pm until Wednesday, 18 March 2009 at 4.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Shelley Archer.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council