

# LEGISLATIVE COUNCIL

---

## MINUTES OF PROCEEDINGS

No. 13

THURSDAY, 12 MARCH 2009

---

**1. Meeting of Council**

The Council assembled at 11.00am pursuant to order.

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

**2. Ministerial Statement - Vocational Education and Training**

The Minister for Training made a Ministerial Statement with respect to Government initiatives in relation to vocational education and training.

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

**3. Paper**

The following Paper was laid on the Table by -

**Parliamentary Secretary representing the Treasurer**

*Budget Papers and Related Papers -*

Quarterly Financial Report 2008-2009 (December 2008)..... 535

**4. Road Traffic (Authorisation to Drive) Regulations 2008 - Disallowance**

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

That the *Road Traffic (Authorisation to Drive) Regulations 2008* published in the *Gazette* on 10 June 2008 and tabled in the Legislative Council on 25 June 2008 under the *Road Traffic Act 1974*, be and are hereby disallowed.

**5. Committee Reports made Orders of the Day**

The Leader of the House moved, without notice -

That Motion No. 12, *Standing Committee on Uniform Legislation and Statutes Review - Nineteenth Report*, Motion No. 13, *Standing Committee on Public Administration - Seventh Report - Annual Report 2007*, Motion No. 14, *Standing Committee on Public Administration - Eighth Report- Inquiry into the Management of Asbestos Containing Materials in Western Australian State Schools*, Motion No. 15, *Standing Committee on Estimates and Financial Operations - Twelfth Report - Balga Works Program*, Motion No. 16, *Standing Committee on Environment and Public Affairs - Eleventh Report - Annual Report 2007* and Motion No. 17,

*Standing Committee on Environment and Public Affairs - Twelfth Report - Overview of Petitions* be made Orders of the Day for the next day's sitting.

Question - put and passed.

## **6. Transcripts of Evidence from Former Select Committee**

The Order of the Day having been read for the adjourned debate on the motion of Hon Anthony Fels, as follows -

That the Clerk of the Legislative Council table in the House, within three sitting days of the order of the House, all transcripts of evidence given by Hon Anthony Fels to the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations.

Debate resumed.

Question - put and negatived.

## **7. Renewable Energy Technologies - Gross Feed-in Tariff**

Motion No. 7 having been called, Hon Paul Llewellyn, pursuant to notice, moved -

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

Debate ensued.

Hon Paul Llewellyn, by leave, tabled a document entitled *Beyond the Dark Side of the Boom - A Clean Energy Future for WA*. (Tabled paper 536).

Debate resumed.

*Interruption of Debate* [SO 195].

## **8. President's Ruling - Question Without Notice No. 197**

The President ruled as follows -

Before we move into consideration of committee reports, I wish to provide the House with a ruling. Yesterday, Hon Ljiljanna Ravlich asked a question without notice, of which some notice had been given, of the Parliamentary Secretary representing the Minister for Regional Development. I stated that I would give consideration to whether the question was in order. It is not my intention to restrict unduly the ability of Members to ask questions on a wide variety of subjects. However, it is the responsibility of the President to ensure that the rules and customs of the House are observed. As such, a judgement as to whether a question is in order is not always apparent and requires some consideration. Standing Order 136(a) provides that questions may be put to a Minister relating to public affairs with which he is connected, to proceedings in the Council, or to any matter of administration for which he is responsible. These words provide a very wide scope for questions to be addressed to a Minister.

The *Regional Development Commissions Act 1993* is placed under the control of the Minister for Regional Development. I have considered section 23 of the *Regional Development Commissions Act 1993*, which states —

### **23. Objects and functions of a commission**

(1) The objects of a commission are to —

- (a) maximize job creation and improve career opportunities in the region;
- (b) develop and broaden the economic base of the region;
- (c) identify infrastructure services to promote economic and social development within the region;
- (d) provide information and advice to promote business development within the region;

- (e) seek to ensure that the general standard of government services and access to those services in the region is comparable to that which applies in the metropolitan area; and
  - (f) generally take steps to encourage, promote, facilitate and monitor the economic development in the region.
- (2) For the purposes of achieving those objects a commission is to —
- (a) promote the region;
  - (b) facilitate coordination between relevant statutory bodies and State government agencies;
  - (c) cooperate with representatives of industry and commerce, employer and employee organizations, education and training institutions and other sections of the community within the region;
  - (d) identify the opportunities for investment in the region and encourage that investment;
  - (e) identify the infrastructure needs of the region, and encourage the provision of that infrastructure in the region; and
  - (f) cooperate with —
    - (i) departments of the Public Service of the State and the Commonwealth, and other agencies, instrumentalities and statutory bodies of the State and the Commonwealth; and
    - (ii) local governments,
 in order to promote equitable delivery of services within the region.

These objects and functions are very broad. I therefore rule that the question is in order.

## 9. Consideration of Committee Reports

Pursuant to Standing Orders for the consideration of Committee Reports.

### In Committee

(Hon Matt Benson-Lidholm in the Chair)

#### **Standing Committee on Uniform Legislation and Statutes Review - Report No. 32 - Annual Report 2007**

The Order of the Day having been called, Hon Simon O'Brien moved, That the Report be noted.

Debate ensued.

Question - put and passed.

#### **Standing Committee on Uniform Legislation and Statutes Review - Report No. 33 - Annual Report 2008**

The Order of the Day having been called, Hon Adele Farina moved, That the Report be noted.

Debate ensued.

Question - put and passed.

#### **Standing Committee on Legislation - Report No. 13 - Annual Report 2008**

The Order of the Day having been called, Hon Ken Baston moved, That the Report be noted.

Debate ensued.

Question - put and passed.

**Standing Committee on Environment and Public Affairs - Report No. 14 - Overview of Petitions**

The Order of the Day having been called, Hon Bruce Donaldson moved, That the Report be noted.

Debate ensued.

Question - put and passed.

**Standing Committee on Uniform Legislation and Statutes Review - Report No. 34 - Interim Report - The Statutes Review Inquiry**

The Order of the Day having been called, Hon Simon O'Brien moved, That the Report be noted.

Debate ensued.

Question - put and passed.

**Standing Committee on Estimates and Financial Operations - Report No. 14 - Annual Hearings in Relation to the Budget Estimates 2008/09**

The Order of the Day having been called, Hon Giz Watson moved, That the Report be noted.

Debate ensued.

Question - put and passed.

**Standing Committee on Public Administration - Report No. 9 - Annual Report - Committee Report**

The Order of the Day having been called, Hon Barry House moved, That the Report 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) Standing Committee on Uniform Legislation and Statutes Review - Report No. 32 - Annual Report 2007 and had noted same.
- (2) Standing Committee on Uniform Legislation and Statutes Review - Report No. 33 - Annual Report 2008 and had noted same.
- (3) Standing Committee on Legislation - Report No. 13 - Annual Report 2008 and had noted same.
- (4) Standing Committee on Environment and Public Affairs - Report No. 14 - Overview of Petitions and had noted same.
- (5) Standing Committee on Environment and Public Affairs - Report No. 34 - Interim Report - The Statutes Review Inquiry and had noted same.
- (6) Standing Committee on Environment and Public Affairs - Report No. 14 - Annual Hearings in Relation to the Budget Estimates 2008/09 and had noted same.
- (7) Standing Committee on Environment and Public Affairs - Report No. 9 - Annual Report - Committee Report and had noted same.

Report adopted.

**10. Address-In-Reply**

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

Debate resumed.

**11. Questions Without Notice**

Questions without notice were taken.

The Minister for Energy representing the Minister for Police tabled an answer in relation to details of staff members working in the Ministerial office of the Minister for Police, in response to question on notice No. 108 asked by Hon Sally Talbot. (Tabled paper 537).

**12. Ministerial Statement - December 2008 Quarterly Financial Results Report**

The Parliamentary Secretary representing the Treasurer, by leave, made a Ministerial Statement with respect to the December 2008 Quarterly Financial Results Report.

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

**13. Address-In-Reply**

Debate resumed on the Address-in-Reply (cf item 10 above).

*Interruption of Debate* [SO 61(b)].

**14. Adjournment**

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

Debate ensued.

Question - put and passed.

The House adjourned at 5.40pm until Tuesday, 17 March 2009 at 3.30pm.

**Members present during the day's proceedings**

Attendance: Present all Members.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

**HON NICK GRIFFITHS**  
President of the Legislative Council