

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 92

THURSDAY, 27 MAY 2010

1. Meeting of Council

The Council assembled at 10.00am pursuant to Temporary Orders.

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

2. Petitions

Hon Ken Travers presented a petition from 467 petitioners requesting the Legislative Council review the recommendations from the Gnangara Sustainability Strategy (GSS) Gnangara groundwater system zone plans in relation to the rezoning of special rural land in Mariginup. (Tabled paper 2079).

Hon Alison Xamon presented a petition from 281 petitioners requesting the Legislative Council support the establishment of a specialist Psychologists Registration Board for Western Australia. (Tabled paper 2080).

Hon Alison Xamon sought leave of the House to present a non-conforming petition from 77 petitioners requesting the Legislative Council support the establishment of a specialist Psychologists Registration Board for Western Australia.

Leave denied.

3. Ministerial Statement - Residential Net Feed-in Tariff Scheme

The Minister for Energy made a Ministerial Statement with respect to the introduction of a residential net feed-in tariff scheme.

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

4. Paper

The following Paper was laid on the Table by -

Parliamentary Secretary representing the Attorney General

Response to Reports -

Standing Committee on Uniform Legislation and Statute Review - Criminal Code
(Identity Crime) Bill 2009 (Report No. 44) (Attorney General)..... 2078

5. Joint Standing Committee on the Corruption and Crime Commission - Ninth Report - Hearing with the Acting Commissioners of the Corruption and Crime Commission

Hon Nick Goiran presented the Ninth Report of the Joint Standing Committee on the Corruption and Crime Commission in relation to the *Hearing with the Acting Commissioners of the Corruption and Crime Commission*. (Tabled paper 2081).

Hon Nick Goiran moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

6. Shire of Dardanup Standing Orders Local Law 2009 - Disallowance

Hon Robin Chapple: To move on the next day of sitting -

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Dardanup Standing Orders Local Law 2009* published in the *Gazette* on 22 March 2010 and tabled in the Legislative Council on 30 March 2010 under the *Local Government Act 1995*, be and is hereby disallowed.

7. Energy Coordination (Gas Tariffs) Amendment Regulations 2010 - Disallowance

Hon Robin Chapple: To move on the next day of sitting -

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Energy Coordination (Gas Tariffs) Amendment Regulations 2010* published in the *Gazette* on 26 March 2010 and tabled in the Legislative Council on 30 March 2010 under the *Energy Coordination Act 1994*, be and are hereby disallowed.

8. Tourism WA - Restructure

Non-Government Business No. 1 having been called, Hon Ljiljanna Ravlich moved, without notice -

That this House calls on the Minister to explain how the restructure of Tourism WA, the closure of Tourism WA's seven regional offices by the end of 2010, and the 85 job losses, can be good for the struggling Western Australian tourism industry and the thousands of small businesses that are a part of it.

Debate ensued.

Motion lapsed pursuant to Temporary Orders.

9. Order of Business

Ordered - That Orders of the Day Nos 1, *Agriculture and Related Resources Protection (European House Borer) Amendment Regulations 2010 - Disallowance*, 2, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations (No. 2) 2009 - Disallowance*, 3, *State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2009 - Disallowance*, 4, *State Trading Concerns (Authorisation) Amendment Regulations 2009 - Disallowance*, 5, *City of Albany Parking and Parking Facilities Local Law 2009 - Disallowance*, 6, *State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2009 - Disallowance*, 7, *City of Gosnells Animals, Environment and Nuisance Local Law 2009 - Disallowance*, 8, *Shire of Busselton Dust and Building Waste Control Local Law 2009 - Disallowance*, 9, *Mining Amendment Regulations 2009 - Disallowance*, 10, *Shire of Busselton - Local Government Property Local Law 2010 - Disallowance*, 11, *Shire of Augusta - Margaret River - Cemeteries Local Law 2010 - Disallowance*, and 12, *Shire of Augusta - Margaret River - Activities in Thoroughfares and Public Places and Trading Local Law 2010 - Disallowance*, be taken after Order of the Day No. 36, *Standing Committee on Procedure and Privileges - Report No. 21 - Referral of a Matter of Privilege Raised by Hon Jon Ford MLC - Committee Report*. (Minister for Transport).

10. Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2010-2011

The Order of the Day having been read for the adjourned debate on the motion of the Parliamentary Secretary representing the Treasurer as follows -

That pursuant to Standing Order No. 49(1)(c), the Legislative Council take note of Tabled Paper No. 2044A-H (2010-2011 Budget Statements), laid upon the Table of the House on 20 May 2010.

Debate ensued.

On the motion of Hon Kate Doust the debate was adjourned to the next sitting.

11. Rail Safety Bill 2009

The Order of the Day having been read for the third reading of this Bill.

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

The Deputy President having reported that the Deputy Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

12. Criminal Code Amendment (Identity Crime) Bill 2009

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

The Parliamentary Secretary representing the Attorney General 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. Approvals and Related Reforms (No. 4) (Planning) Bill 2009

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

Debate ensued.

Hon Kate Doust sought leave to continue her remarks at a later stage of this day's sitting.

Leave granted.

Debate resumed.

On the motion of Hon Ed Dermer the debate was adjourned to the next sitting.

14. Standing Committee on Procedure and Privileges - Twenty-First Report - Referral of a Matter of Privilege Raised by Hon Jon Ford MLC

The Order of the Day having been read for the adjourned debate on the motion of the Deputy President as follows -

That the Report do lie upon the Table and be printed and be adopted and agreed to.

Debate ensued.

Question - put and passed.

15. Standing Committee on Public Administration - Special Report - Resolution of the Committee to Commence an Inquiry into Shack Sites in Western Australia

Hon Brian Ellis presented a Special Report of the Standing Committee on Public Administration in relation to a resolution of the Committee on 26 May 2010 to commence an inquiry into *Shack Sites in Western Australia*. (Tabled paper 2082).

Hon Brian Ellis moved, That the Report do lie upon the Table.

Question - put and passed.

16. Order of Business

Ordered - That Order of the Day No. 1, *Agriculture and Related Resources Protection (European House Borer) Amendment Regulations 2010 - Disallowance*, be taken forthwith. (Minister for Transport).

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

Pursuant to SO 152(b) the following motion was moved *pro forma* by Hon Giz Watson -

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.

Debate ensued.

18. Questions Without Notice

Questions without notice were taken.

The Minister for Energy representing the Minister for Police tabled a document in relation procedures from the police manual covering move on notices, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 2083).

The Minister for Child Protection tabled, and by leave incorporated into Hansard, a document in relation to Redress WA applications settled by 19 May 2010, in response to a question without notice asked by Hon Alison Xamon. (Tabled paper 2084).

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

Debate resumed on the motion of Hon Giz Watson (cf item No. 17 above).

Pursuant to order the President put the question.

Question - put and negatived.

20. Special Adjournment

The Minister for Transport moved, without notice -

That the House at its rising adjourn until Tuesday, 15 June 2010 at 3.00pm.

Question - put and passed.

21. Approvals and Related Reforms (No. 2) (Mining) Bill 2009

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 100

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Approvals and Related Reforms (No. 2) (Mining) Bill 2009* without amendment.

Mrs L.M. Harvey

Acting Speaker

Legislative Assembly Chamber

Perth, 27 May 2010

22. Members' Statements

Statements were taken.

Hon Alison Xamon, by leave, tabled a non-conforming petition from 77 petitioners requesting the Legislative Council support the establishment of a specialist Psychologists Registration Board for Western Australia. (Tabled paper 2085).

23. Adjournment

The House adjourned at 5.56pm until Tuesday, 15 June 2010 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Phil Edman, Hon Norman Moore and Hon Sally Talbot.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council