

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 226

WEDNESDAY, 22 AUGUST 2012

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

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

2. Petitions

Hon Lynn MacLaren presented a petition from 4 petitioners requesting the Legislative Council to oppose proposed mining near Horizontal Falls, Buccaneer Archipelago in the Kimberley. (Tabled Paper 4842).

Hon Lynn MacLaren presented a petition from 28 petitioners requesting the Legislative Council to consider rejecting the proposed changes to the *Aboriginal Heritage Act 1972*. (Tabled Paper 4843).

Hon Lynn MacLaren presented a petition from 15 petitioners requesting the Legislative Council to oppose, subject to investigation, the Woodside LNG land-based Pluto development on site A & B on the Burrup Peninsula. (Tabled Paper 4844).

3. Standing Committee on Estimates and Financial Operations — Special Report — Inquiry into Western Power's Evidence during the 2011–12 Budget Estimates Hearings

Hon Giz Watson presented a Special Report of the Standing Committee on Estimates and Financial Operations giving notice to the Council pursuant to Standing Order No. 179(2) of a resolution of the Committee to commence an *Inquiry into Western Power's Evidence during the 2011–12 Budget Estimates Hearings*. (Tabled Paper 4845).

4. Pilbara Cities - Development Strategy and Plan

Motion No. 1 having been called, Hon Jon Ford, pursuant to notice, moved —

That the Legislative Council calls on the Minister for Regional Development and the Premier to explain to the people of Western Australia the strategy and plan to develop the Pilbara Cities policy including -

- (a) how water will be supplied and how much it will cost;
- (b) how power will be supplied and how much it will cost;
- (c) how many new schools will be built and how the staff will be housed;
- (d) how many new ancillary health providers are required and how they will be housed;
and
- (e) what the Government will do to ensure there is adequate affordable housing.

Debate ensued.

Interruption pursuant to order.

5. Questions Without Notice

Questions without notice were taken.

The Minister for Training and Workforce Development tabled documents in relation to a Memorandum of Understanding between Australian Prospectors, Miners' Hall of Fame Ltd and VET (WA) Ministerial Corporation, in response to question on notice No. 5747 asked by Hon Ken Travers. (Tabled Paper 4846).

6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Jon Ford in the Chair)

Joint Standing Committee on the Corruption and Crime Commission — Report No. 27 — Discontinuance of Contempt Proceedings against Members of the Coffin Cheaters Motorcycle Club

Debate resumed on the motion of Hon Nick Goiran, That the Report be noted.

Question — put and passed.

Standing Committee on Environment and Public Affairs — Report No. 26 — Petition 145 — The Closure of Tier 3 Rail Lines in the Central Wheatbelt

Hon Brian Ellis moved, That the Report be noted.

Debate ensued.

Question — put and passed.

The Deputy President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Joint Standing Committee on the Corruption and Crime Commission — Report No. 27 — Discontinuance of Contempt Proceedings against Members of the Coffin Cheaters Motorcycle Club and had noted same.
- (2) Standing Committee on Environment and Public Affairs — Report No. 26 — Petition 145 — The Closure of Tier 3 Rail Lines in the Central Wheatbelt and had noted same.

Report adopted.

7. Order of Business

Ordered — That Orders of the Day Nos 1, *Women's and Children's Hospitals Amendment By-laws (No. 2) 2011 — Disallowance*, 2, *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 — Disallowance*, 3, *Royal Perth Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 4, *Metropolitan Health Service Amendment By-laws (No. 2) 2011 — Disallowance*, 5, *Fremantle Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 6, *Osborne Park Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 7, *Hospitals (Services Charges) Amendment Regulations (No. 7) 2011 — Disallowance*, 8, *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 — Disallowance*, 9, *Fremantle Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 10, *Osborne Park Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 11, *Royal Perth Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 12, *Women's and Children's Hospitals Amendment By-laws (No. 2) 2011 — Disallowance*, 13, *Liquor Control Amendment Regulations (No. 10) 2011 — Disallowance*, 14, *Town of Bassendean Repeal Local Law 2010 — Disallowance*, 15, *Town of Bassendean Dust and Sand Local Law 2011 — Disallowance*, 16, *Mindarie Regional Council Standing Orders Amendment Local Law 2012 — Disallowance*, and 17, *City of Bayswater Standing Orders Local Law 2012 — Disallowance*, be taken after Order of the Day No. 20, *Evidence and Public Interest Disclosure Legislation Amendment Bill 2011*. (Leader of the House).

8. Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2012 and Fines, Penalties and Infringement Notices Enforcement Amendment (Taxation) Bill 2012

The Orders of the Day having been read for the third readings of these Bills.

The Attorney General moved, That the *Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2012* be read a third time.

Debate ensued.

Question — put.

The Council divided.

Ayes (24)

Hon Helen Bullock
Hon Jim Chown
Hon Peter Collier
Hon Mia Davies
Hon Ed Dermer
Hon Wendy Duncan
Hon Phil Edman
Hon Sue Ellery
Hon Brian Ellis
Hon Donna Faragher
Hon Jon Ford
Hon Nick Goiran

Hon Nigel Hallett
Hon Alyssa Hayden
Hon Robyn McSweeney
Hon Michael Mischin
Hon Norman Moore
Hon Helen Morton
Hon Simon O'Brien
Hon Ljiljanna Ravlich
Hon Linda Savage
Hon Sally Talbot
Hon Ken Travers
Hon Ken Baston (*Teller*)

Noes (6)

Hon Robin Chapple
Hon Philip Gardiner
Hon Lynn MacLaren

Hon Max Trenorden
Hon Giz Watson
Hon Alison Xamon (*Teller*)

Question thus passed.

Bill read a third time and passed.

The Attorney General moved, That the *Fines, Penalties and Infringement Notices Enforcement Amendment (Taxation) Bill 2012* be read a third time.

Question — put.

The Council divided.

Ayes (17)

Hon Jim Chown
Hon Peter Collier
Hon Mia Davies
Hon Wendy Duncan
Hon Brian Ellis
Hon Donna Faragher
Hon Philip Gardiner
Hon Nick Goiran
Hon Nigel Hallett

Hon Alyssa Hayden
Hon Robyn McSweeney
Hon Michael Mischin
Hon Norman Moore
Hon Helen Morton
Hon Simon O'Brien
Hon Max Trenorden
Hon Ken Baston (*Teller*)

Noes (12)

Hon Helen Bullock
 Hon Robin Chapple
 Hon Sue Ellery
 Hon Jon Ford
 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*)

Question thus passed.

Bill read a third time and passed.

9. Order of Business

Ordered — That Order of the Day No. 26, *Revenue Laws Amendment Bill 2011*, be taken forthwith. (Leader of the House).

10. Revenue Laws Amendment Bill 2011

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

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 Finance moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

11. Order of Business

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

12. Members' Statements

Statements were taken.

13. Adjournment

The Council adjourned at 8.41 pm until Thursday, 23 August 2012 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members Hon Liz Behjat, Hon Matt Benson-Lidholm, Hon Kate Doust, Hon Adele Farina and Hon Colin Holt.

MALCOLM PEACOCK
 Clerk of the Legislative Council

HON BARRY HOUSE
 President of the Legislative Council