

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 60

THURSDAY, 22 OCTOBER 2009

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**1. Meeting of Council**

The Council assembled at 11.00am pursuant to order.

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

**2. Petition**

Hon Adele Farina presented a petition from 530 petitioners requesting the Legislative Council oppose the introduction of new recreational fishing licences and fees, and an increase in existing fees. (Tabled paper 1450).

**3. Ministerial Statement - Legislative Council Parliamentary Sitting Dates**

The Leader of the House made a Ministerial Statement with respect to the Government's intention to sit an additional week from 24 to 26 November 2009 to complete its legislative program.

**4. Ministerial Statement - Disability Services Commission - Annual Funded Sector Report 2007-2008**

The Minister for Disability Services made a Ministerial Statement with respect to the *Disability Services Commission - Annual Funded Sector Report 2007-2008* providing an overview of the performance of the non-government disability sector.

The Minister for Disability Services tabled the *Disability Services Commission - Annual Funded Sector Report 2007-2008*. (Tabled paper 1451).

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

**5. Ministerial Statement - Department of Environment and Conservation - Fire Management Policy**

The Minister for Environment made a Ministerial Statement with respect to the Government's approval for the Department of Environment and Conservation's Fire Management Policy.

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

## 6. Paper

The following Paper was laid on the Table by -

### Minister for Energy

#### *Addendums -*

Education Services, Department of - Annual Report (2008-2009) ..... 1449

## 7. Standing Committee on Uniform Legislation and Statutes Review - Professional Standards Amendment Bill 2009 - Extension of Reporting Time

Hon Adele Farina presented a Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Professional Standards Amendment Bill 2009* seeking an extension of time for the committee to report from Thursday, 12 November 2009 to Thursday, 19 November 2009. (Tabled paper 1452).

Hon Adele Farina moved, That the Report do lie upon the Table and be adopted and agreed to.

Question - put and passed.

## 8. Standing Committee on Uniform Legislation and Statutes Review - Forty-first Report - Child Exploitation Material and Classification Amendment Bill 2009 - Report No. 2

Hon Adele Farina presented the Forty-first Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Child Exploitation Material and Classification Amendment Bill 2009 - Report No. 2*. (Tabled paper 1453).

Hon Adele Farina moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

## 9. Standing Committee on Legislation - Fifteenth Report - Standardisation of Formatting Bill 2009

Hon Michael Mischin presented the Fifteenth Report of the Standing Committee on Legislation in relation to the *Standardisation of Formatting Bill 2009*. (Tabled paper 1454).

Hon Michael Mischin moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

## 10. Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment (No. 2) 2009 - Disallowance

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

That the *Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment (No. 2) 2009* published in the *Gazette* on 11 August 2009 and tabled in the Legislative Council on 20 August 2009 under the *Fish Resources Management Act 1994*, be and is hereby disallowed.

## 11. Kimberley Liquefied Natural Gas Precinct

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

- (1) That this House expresses its concern at the comments made by the Premier to the Committee for Economic Development Australia Conference on Tuesday, 3 March 2009 in which he referred to a proposed LNG precinct to the north of Broome and stated -

“...we are proceeding in developing an LNG precinct to the north of Broome. That’s not the spectacular part of the Kimberley coast, it’s flat tableland, no people living within probably 30 or 40 kilometres of the area. ....That’s important, we’re trying to do that by negotiation, the timetable is the end of

this month. If we can't do it by negotiation, the State will resume the land. I'll do that reluctantly, but we will do it. We will not hold up economic development and we will not deny the people of the Kimberley – and particularly the Aboriginal people – the opportunity from some economic independence and some economic security.”

- (2) This House calls on the Premier to -
  - (a) explain how he can claim to be negotiating in good faith when he put on public record that if he doesn't get a negotiated outcome he will resume the land to develop an LNG precinct to the north of Broome; and
  - (b) explain why he is presenting a veiled threat to indigenous people in respect of this matter and whether this is a sign of things to come.

*Interruption of Debate* [SO 195].

## **12. Consideration of Committee Reports**

Pursuant to Standing Orders for the consideration of Committee Reports.

### **In Committee**

(Hon Michael Mischin in the Chair)

#### **Standing Committee on Estimates and Financial Operations - Twentieth Report - “Royalties for Regions” Policy**

Hon Giz Watson continued her introductory remarks in moving, That the Report be noted.

Debate ensued.

*Interruption of Debate* [SO 61A].

The Deputy President resumed the Chair.

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

Standing Committee on Estimates and Financial Operations - Twentieth Report - “Royalties for Regions” Policy, made progress, and asked leave to sit again.

Report adopted.

## **13. Order of Business**

Ordered - That Orders of the Day Nos 1, *Perth Parking Management Amendment Regulations (No. 2) 2009 - Disallowance*, 2, *Perth Parking Management Amendment Regulations (No. 2) 2009 - Disallowance*, 3, *Medical Radiation Technologists Amendment Regulations 2009 - Disallowance*, and 4, *Building Amendment Regulations 2009 - Disallowance*, be taken after Order of the Day No. 11, *Fish Resources Management Amendment Bill 2009*. (Leader of the House).

## **14. Gas Supply (Gas Quality Specifications) Bill 2009**

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

The Leader of the House moved, That the report be adopted.

Question - put and passed.

The Leader of the House, by leave, 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.

Bill read a third time and passed.

# **15. Bush Fires Amendment Bill 2009**

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

Debate resumed.

Hon Giz Watson moved -

That the *Bush Fires Amendment Bill 2009* be discharged and referred to the Standing Committee on Legislation for consideration and report.

Debate ensued.

Question - put.

The House divided.

## **Ayes (4)**

Hon Lynn MacLaren  
Hon Giz Watson

Hon Alison Xamon  
Hon Robin Chapple (*Teller*)

## **Noes (25)**

Hon Liz Behjat  
Hon Jim Chown  
Hon Peter Collier  
Hon Mia Davies  
Hon Ed Dermer  
Hon Kate Doust  
Hon Phil Edman  
Hon Brian Ellis  
Hon Donna Faragher  
Hon Adele Farina  
Hon Jock Ferguson  
Hon Jon Ford  
Hon Philip Gardiner

Hon Nick Goiran  
Hon Nigel Hallett  
Hon Col Holt  
Hon Robyn McSweeney  
Hon Michael Mischin  
Hon Norman Moore  
Hon Helen Morton  
Hon Simon O'Brien  
Hon Ljiljanna Ravlich  
Hon Sally Talbot  
Hon Ken Travers  
Hon Ken Baston (*Teller*)

Question thus negatived.

Debate resumed.

# **16. Questions Without Notice**

Questions without notice were taken.

The Minister for Transport in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 1200 asked by Hon Ken Travers will be provided by Tuesday, 10 November 2009.

# **17. Bush Fires Amendment Bill 2009**

Debate resumed on the second reading of this Bill (cf item 15 above).

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

**18. Special Adjournment**

The Leader of the House moved, without notice -

That the House at its rising adjourn until Tuesday, 10 November 2009 at 3.30pm.

Question - put and passed.

**19. Adjournment**

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

Debate ensued.

Question - put and passed.

The House adjourned at 5.41pm until Tuesday, 10 November 2009 at 3.30pm.

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

Attendance: Present all Members except Hon Helen Bullock, Hon Alyssa Hayden and Hon Max Trenorden.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

**HON BARRY HOUSE**  
President of the Legislative Council