

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 127

THURSDAY, 18 NOVEMBER 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. Paper

The following Paper was laid on the Table by -

Leader of the House

Reviews -

Statutory Review of Retirement Villages Legislation (Final Report) (November 2010)... 2834

3. Standing Committee on Estimates and Financial Operations - Thirty-First Report - Report on the 2008/09 Agency Annual Reports: Request for a Member of the Legislative Assembly to Appear before the Committee

Hon Ken Travers presented the Thirty-First Report of the Standing Committee on Estimates and Financial Operations in relation to the *Report on the 2008/09 Agency Annual Reports: Request for a Member of the Legislative Assembly to Appear before the Committee*. (Tabled paper 2835).

Hon Ken Travers moved, That the Report do lie upon the Table and be printed and adopted and agreed to.

On the motion of the Leader of the House the debate was adjourned to the next sitting.

4. Joint Standing Committee on the Corruption and Crime Commission - Twelfth Report - Report of the Parliamentary Inspector concerning Procedures adopted by the Corruption and Crime Commission relating to Surveillance Devices

Hon Nick Goiran presented the Twelfth Report of the Joint Standing Committee on the Corruption and Crime Commission in relation to the *Report of the Parliamentary Inspector concerning Procedures adopted by the Corruption and Crime Commission relating to Surveillance Devices*. (Tabled paper 2836).

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

Question - put and passed.

5. Marine Park Planning

Hon Sally Talbot: To move on the next day of sitting -

That this House condemns the Government for taking an old-fashioned, piecemeal and politically-driven approach to Marine Park planning in Western Australia.

6. Water Restrictions

Hon Jon Ford: To move on the next day of sitting -

That this House calls on the Government to immediately address its mishandling of the water portfolio which has resulted in continuing water restrictions across the metropolitan region and lack of proper planning for an adequate future water supply, particularly for Pilbara communities.

7. Hon Donna Faragher - Leave of Absence

The Leader of the House moved, without notice -

That leave be granted to Hon Donna Faragher for the remaining sittings of the House in 2010 due to urgent personal business.

Question - put and passed.

8. Associations Incorporation (Transfer of Incorporation) Amendment Bill 2010

Non-Government Business No. 1 having been called, Hon Sue Ellery, pursuant to notice, moved -

That a Bill for "An Act to amend the *Associations Incorporation Act 1987*." be introduced and read a first time.

Question - put and passed.

Bill read a first time.

Hon Sue Ellery moved, That the Bill be now read a second time.

Debate stands adjourned.

9. Review and Allocation of Funding for District High Schools

Non-Government Business No. 2 having been called, Hon Matt Benson-Lidholm moved, without notice -

That this House expresses its disappointment in the lack of strategic direction in school education, and calls on the Government to reinstate the senior school allocation funding to the 21 District High Schools from which it was removed for the 2011 academic year and, at the same time, commence a complete review into the delivery of Year 11 and 12 programs at all District High Schools.

Debate ensued.

Interruption pursuant to Temporary Orders.

10. Order of Business

Ordered - That Orders of the Day Nos 1, *Shire of Roebourne Parking and Parking Facilities Local Law 2010 - Disallowance*, 2, *Occupational Safety and Health Amendment Regulations (No. 5) 2010 - Disallowance*, 3, *Shire of Koorda Cemeteries Amendment Local Law 2010 - Disallowance*, 4, *Fish Resources Management Amendment Regulations (No. 6) 2010 - Disallowance*, 5, *City of Rockingham Dogs Amendment Local Law 2010 - Disallowance*, and 6, *Fish Resources Management Amendment Regulations (No. 7) 2010 - Disallowance*, be taken after Order of the Day No. 18, *Trade Measurement Legislation (Amendment and Expiry) Bill 2010*. (Leader of the House).

11. Road Traffic Legislation Amendment (Disqualification by Notice) Bill 2010

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

Want of Quorum

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells.
A quorum being formed, the debate continued.

Question - put.

The House divided.

Ayes (25)

Hon Liz Behjat
Hon Matt Benson-Lidholm
Hon Jim Chown
Hon Mia Davies
Hon Ed Dermer
Hon Kate Doust
Hon Wendy Duncan
Hon Phil Edman
Hon Brian Ellis
Hon Jon Ford
Hon Philip Gardiner
Hon Nick Goiran
Hon Alyssa Hayden

Hon Col Holt
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 Max Trenorden
Hon Nigel Hallett (*Teller*)

Noes (3)

Hon Lynn MacLaren
Hon Alison Xamon

Hon Robin Chapple (*Teller*)

Question thus passed.

Bill read a second time.

The Deputy President left the Chair.

In Committee

(Hon Jon Ford in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clauses 5 and 6 agreed to.

Clause 7.

Debate ensued.

12. Questions Without Notice

Questions without notice were taken.

The Minister for Transport tabled a map indicating the location of a proposed heavy vehicle road to by-pass Kununurra, in response to a question without notice asked by Hon Ed Dermer. (Tabled paper 2837).

13. Road Traffic Legislation Amendment (Disqualification by Notice) Bill 2010

The President left the Chair.

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Clause 7.

Debate resumed.

Clause agreed to.

Clauses 8 and 9 agreed to.

Clause 10.

Debate ensued.

Interruption pursuant to Temporary Orders.

The President resumed the Chair.

The Chairman of Committees reported that the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered - That the Committee have leave to sit again.

14. Members' Statements

Statements were taken.

15. Criminal Investigation Amendment Bill 2010

The President reported the receipt of Message No. 153 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House on behalf of the Minister for Energy representing the Minister for Police moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House on behalf of the Minister for Energy representing the Minister for Police moved, That the Bill be now read a second time.

Debate stands adjourned.

16. Adjournment

The House adjourned at 6.05pm until Tuesday, 23 November 2010 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ken Baston, Hon Helen Bullock, Hon Peter Collier, Hon Donna Faragher and Hon Giz Watson.

NIGEL LAKE

Acting Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council