

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 63

THURSDAY, 12 NOVEMBER 2009

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

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

2. Petitions

Hon Nigel Hallett presented a petition from 1 petitioner praying for relief (Mr Dominic Manganaro). (Tabled paper 1511).

Hon Giz Watson presented a petition from 80 petitioners requesting the Legislative Council oppose the Moore River Development. (Tabled paper 1512).

3. Papers

The following Papers were laid on the Table by -

Leader of the House

Reports -

Consultants Engaged by Government (For the six months ended 30 June 2009)..... 1509

Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and
Officers on Official Business (For the three months ended 31 March 2009)..... 1510

4. Joint Standing Committee on the Corruption and Crime Commission - Sixth Report - Parliamentary Inspector's Report into an Alleged Unauthorised Disclosure by the Corruption and Crime Commission

Hon Nick Goiran presented the Sixth Report of the Joint Standing Committee on the Corruption and Crime Commission in relation to the *Parliamentary Inspector's Report into an Alleged Unauthorised Disclosure by the Corruption and Crime Commission*. (Tabled paper 1513).

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

Question - put and passed.

5. 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.

Question - put.

The House divided.

Ayes (13)

Hon Helen Bullock
 Hon Robin Chapple
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina
 Hon Jon Ford
 Hon Lynn MacLaren

Hon Ljiljanna Ravlich
 Hon Sally Talbot
 Hon Ken Travers
 Hon Giz Watson
 Hon Alison Xamon
 Hon Ed Dermer (*Teller*)

Noes (16)

Hon Liz Behjat
 Hon Peter Collier
 Hon Wendy Duncan
 Hon Phil Edman
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Philip Gardiner
 Hon Nick Goiran

Hon Nigel Hallett
 Hon Alyssa Hayden
 Hon Col Holt
 Hon Michael Mischin
 Hon Norman Moore
 Hon Simon O’Brien
 Hon Max Trenorden
 Hon Ken Baston (*Teller*)

Question thus negatived.

6. Order of Business

The Leader of the House moved, without notice -

That the House proceed to Orders of the Day forthwith.

Question - put and passed.

7. Suspension of Standing Order No. 61A

The Leader of the House moved, without notice -

That Standing Order No. 61A be suspended for this day's sitting.

The motion requiring the concurrence of an absolute majority.

Question - put.

The Deputy President having counted the House, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

8. Order of Business

Ordered - That Order of the Day No. 1, *Perth Parking Management Amendment Regulations (No. 2) 2009 - Disallowance*, be taken after Order of the Day No. 14, *Bookmakers Betting Levy Amendment Bill 2009*. (Leader of the House).

9. Order of Business

Ordered - That Order of the Day No. 6, *Fish Resources Management Amendment Bill 2009*, be taken forthwith. (Leader of the House).

10. Fish Resources Management Amendment Bill 2009

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

Debate ensued.

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 Fisheries moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

11. Road Traffic Legislation Amendment (Registration Labels) Bill 2009

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

Debate ensued.

Question - put and passed.

Bill read a second time.

The President left the Chair.

In Committee

(Hon Michael Mischin in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 4 agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clauses 6 to 11 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

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.

Debate ensued.

Question - put and passed.

Bill read a third time and passed.

12. Waste Avoidance and Resource Recovery Amendment Bill 2009

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

Debate resumed.

13. Questions Without Notice

Questions without notice were taken.

The Minister for Environment in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 1223 asked by Hon Alison Xamon will be provided on 17 November 2009.

14. Waste Avoidance and Resource Recovery Amendment Bill 2009

Debate resumed on the second reading of this Bill (cf item 12 above).

Interruption of Debate [SO 61(b)]

15. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 5.24pm until Tuesday, 17 November 2009 at 3.30pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Matt Benson-Lidholm and Hon Mia Davies.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council