

LEGISLATIVE COUNCIL
THURSDAY, 26 NOVEMBER 2009

10.00am

Prayers

10.00AM - ORDER OF BUSINESS

Petitions

Statements by Ministers and Parliamentary Secretaries

Papers for Tabling

(Leader of the House)
(Minister for Environment)
(Hon Robin Chapple)
(Hon Nick Goiran)
(Hon Brian Ellis)

Notice of Questions

Notices of Motions for Disallowance

(Hon Robin Chapple)

Notices of Motions to Introduce Bills

(Hon Alison Xamon)

Notices of Motions

Motions without Notice

10.00am	Motions on Notice
11.00pm	Consideration of Committee Reports
12.00pm	Orders of the Day
4.00pm	Questions without Notice
4.30pm	Orders of the Day (continued)
5.00pm	House adjourns

MOTIONS

1. Freedom of Information Process *(Notice given 18 March 2009)*

Hon Ljiljanna Ravlich: To move -

That this House condemns the Premier for failing to honour his election commitment to review the manner in which Departments are administering the Freedom of Information (FOI) process, to ensure that the Government is accountable and open in accordance with the spirit of the FOI Act and calls on the Premier to explain why he has allowed a culture of arrogance, secrecy and of deliberately keeping information from the public to develop among his Cabinet Ministers when dealing with FOI requests.

2. Fremantle Port - Lead Export *(Notice given 18 March 2009)*

Hon Sally Talbot: To move -

- (1) That this House condemns the Minister for Environment and the Minister for Mines for their lack of openness and accountability in relation to their decision to allow lead to be transported through 22 suburbs in the metropolitan area on its way to Fremantle and calls on both Ministers to explain why they have not made all details in relation to lead shipments public.
- (2) That this House also calls on the Minister for Environment to explain why, since environmental approval was given by her for Magellan Metals to transport containerised lead carbonate through suburbs to the Fremantle Port, so little has been revealed to the thousands of families living in and around suburbs along the proposed transport route.

3. Lobbyists Register *(Notice given 18 March 2009)*

Hon Ljiljanna Ravlich: To move -

That this House condemns the Premier for breaking a key election commitment on accountability by not introducing legislation to create a public register for lobbyists in his first 100 days of government, and calls on the Premier to explain –

- (a) why he has not met this commitment and when will he introduce legislation to create a public register for lobbyists;
- (b) how the proposed legislation will be applied to different classes of lobbyists, consultants, consultant-lobbyists, in-house corporate consultants and in-house lobbyists employed by organizations;

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- (c) what are the registration requirements for lobbyists before being permitted to be on the register -
 - (i) business registration details;
 - (ii) names of owners;
 - (iii) partner and major shareholders; and
 - (iv) names and positions of those employed and the names of their clients;
- (d) what is the set of principles of ethical conduct relating to a lobbyist before being placed on the register;
- (e) what will be the reporting requirements of lobbyists, including but not limited to -
 - (i) what has to be reported;
 - (ii) when it has to be reported;
 - (iii) who will lobbyists be required to report to; and
 - (iv) whether or not any lobbyists will be banned from being placed on the register and who they might be;
- (f) the means by which a lobbyist can be removed from the Register;
- (g) the appeal mechanisms for a lobbyist who is removed from the register; and
- (h) the frequency that the code will be reviewed and who will have the responsibility for such a function.

CONSIDERATION OF COMMITTEE REPORTS

1. [Standing Committee on Estimates and Financial Operations - Report No. 20 - "Royalties for Regions" Policy](#) (Tabled 13 May 2009)

Continuation of remarks Hon Colin Holt (Thursday, 22 October 2009) on the motion of Hon Giz Watson that the report be noted. *See Tabled paper No. 765.*

2. [Joint Standing Committee on Delegated Legislation - Report No. 30 - Annual Report 2008](#) (Tabled 14 May 2009)

Consideration. *See Tabled paper No. 770.*

3. [Joint Standing Committee on Delegated Legislation - Report No. 31 - Issues of Concern Raised by the Committee between 1 May 2007 and 30 April 2009 with respect to Local Laws](#) (Tabled 14 May 2009)

Consideration. *See Tabled paper No. 771.*

4. [Joint Standing Committee on Delegated Legislation - Report No. 32 - Supreme Court \(Fees\) Amendment Regulations \(No. 2\) 2008; Children's Court \(Fees\) Amendment Regulations \(No. 2\) 2008; District Court \(Fees\) Amendment Regulations 2008; Magistrates Court \(Fees\) Amendment Regulations \(No. 2\) 2008; Fines, Penalties and Infringement Notices Enforcement Amendment Regulations \(No. 2\) 2007 and Other Court Fee Instruments](#) (Tabled 14 May 2009)

Consideration. *See Tabled paper No. 772.*

ORDERS OF THE DAY

**NB: It is intended that Order of the Day No.4 be discharged.*

1. Perth Parking Management Amendment Regulations (No. 2) 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 20 October 2009) on the motion of Hon Ken Travers (Question to be put at this day's sitting)

That the *Perth Parking Management Amendment Regulations (No. 2) 2009* published in the *Gazette* on 30 June 2009 and tabled in the Legislative Council on 11 August 2009 under the *Perth Parking Management Act 1999*, be and are hereby disallowed. (Tabled paper 941).

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

Moved *pro forma* (SO 152(b)) (Thursday, 12 November 2009) on the motion of Hon Robin Chapple (Days remaining 4 after today)

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. (Tabled paper 1053).

3. Metropolitan Region Scheme Amendment No. 1114/33 - Jandakot Structure Plan, Cell 1 - Mandogalup - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 24 November 2009) on the motion of Hon Lynn MacLaren (Days remaining 8 after today)

That the *Metropolitan Region Scheme Amendment No. 1114/33 - Jandakot Structure Plan, Cell 1 - Mandogalup* published in the *Gazette* on 23 September 2009 and tabled in the Legislative Council on 24 September 2009 under the *Planning and Development Act 2005*, be and is hereby disallowed. (Tabled papers Nos 1314 and 1315).

4. Workers' Compensation (DRD) Amendment Rules 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Thursday, 26 November 2009) on the motion of Hon Robin Chapple (Days remaining 10 after today)

That the *Workers' Compensation (DRD) Amendment Rules 2009* published in the *Gazette* on 6 November 2009 and tabled in the Legislative Council on 10 November 2009 under the *Workers' Compensation and Injury Management Act 1981*, be and are hereby disallowed. (Tabled paper No. 1497).

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7. [***Police Amendment Bill 2009**](#) [LA 71-1] *Minister for Energy representing the Minister for Police*

Third reading. *cf SNP 71 Issue 1 - 21 October 2009.*

17. [**Retail Trading Hours Amendment \(Joondalup Special Trading Precinct\) Bill 2009**](#) [LA 097-1B] *Parliamentary Secretary representing the Minister for Commerce*

Second reading (Wednesday, 25 November 2009).

13. [***Arson Legislation Amendment Bill 2009**](#) [LA 085-1] *Parliamentary Secretary representing the Attorney General*

Committee (Wednesday, 25 November 2009). [See Standing Committee on Uniform Legislation and Statutes Review Report No. 43](#) (Tabled 19 November 2009). *cf SNP 85 Issue 1 - 24 November 2009.* (SO 230A no longer applies).

16. [**Mines Safety and Inspection Amendment Bill 2009**](#) [LA 095-1] *Minister for Mines and Petroleum*

Second reading adjourned (Wednesday, 25 November 2009).

14. [**Criminal Code Amendment Bill \(No. 2\) 2009**](#) [LA 105-1] *Parliamentary Secretary representing the Attorney General*

Second reading adjourned (Thursday, 19 November 2009).

23. **Public Sector Commissioner** (19 November 2009)

Consideration of Legislative Assembly Message No. 70 as follows -

Mr President

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution -

That in accordance with sections 18(6) and 28 of the *Public Sector Management Act 2004*, this House authorises Malcolm Charles Wauchope to continue to hold the office of Public Sector Commissioner, being an office referred to in Part 1 of Schedule V of the *Constitution Acts Amendment Act 1899*, upon an appointment by the Governor of him as Acting Commissioner for Public Sector Standards,

and requests the Legislative Council to agree to a similar resolution.

Hon G.A. Woodhams

Speaker

Legislative Assembly Chamber

Perth, 18 November 2009.

5. [***Waste Avoidance and Resource Recovery Amendment Bill 2009**](#) [LA 065-2] *Minister for Environment*

Second reading continuation of remarks Hon Jon Ford - mins 40 (Wednesday, 18 November 2009).

cf SNP 65 Issue 3 - 23 October 2009.

10. [**Criminal Investigation Amendment Bill 2009**](#) [LA 089-1] *Minister for Energy representing the Minister for Police*

Second reading adjourned (Tuesday, 17 November 2009). *cf SNP 89 Issue 1 - 24 November 2009.*

BILLS FOR INTRODUCTION

2. Petroleum and Energy Legislation Amendment Bill 2009 (*Notice given 25 November 2009*)

Minister for Mines and Petroleum: To move -

That a Bill for “An Act to amend -

- the *Petroleum and Geothermal Energy Resources Act 1967*; and
- the *Petroleum (Submerged Lands) Act 1982*; and
- the *Petroleum Pipelines Act 1969*,

and other Acts to reflect relevant legislation of the Parliament of the Commonwealth and for related purposes.” be introduced and read a first time.

* For amendments see Supplementary Notice Paper and/or Committee Report

MALCOLM PEACOCK

Clerk of the Legislative Council

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