

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 79

WEDNESDAY, 31 MARCH 2010

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**1. Meeting of Council**

The Council assembled at 2.00pm pursuant to Temporary Orders.

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

**2. Petition**

Hon Robin Chapple presented a petition from 112 petitioners requesting the Legislative Council oppose, subject to review, the development of a technical ammonium nitrate production facility on the Burrup Peninsula. (Tabled paper 1888).

**3. Ministerial Statement - Commonwealth-State Homelessness National Partnership Agreement**

The Minister for Child Protection made a Ministerial Statement with respect to new funding available through the joint Commonwealth-State Homelessness National Partnership Agreement (NPA) to address homelessness through early intervention.

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

**4. Ministerial Statement - Muresk Institute - Viability Report**

The Parliamentary Secretary representing the Minister for Regional Development made a Ministerial Statement with respect to significant recommendations contained in the *Report into the Future and Commercial Viability of the Muresk Institute* delivered to the Minister for Regional Development.

The Parliamentary Secretary representing the Minister for Regional Development tabled the Report into the Future and Commercial Viability of the Muresk Institute. (Tabled paper 1889).

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

**5. Standing Committee on Procedure and Privileges - Twenty-first Report - Referral of a Matter of Privilege Raised by Hon Jon Ford MLC**

The President presented the Twenty-First Report of the Standing Committee on Procedure and Privileges in relation to the Referral of a Matter of Privilege Raised by Hon Jon Ford MLC. (Tabled paper 1884).

The Deputy President moved, That the Report do lie upon the Table and be printed and be adopted and agreed to.

The Leader of the House moved, That the debate be adjourned until the next sitting of the House.

Question - put and passed.

## 6. Papers

The following Papers were laid on the Table by -

### **Leader of the House**

#### *Response to Reports -*

Joint Standing Committee on Delegated Legislation - Tabling of Subsidiary Legislation in the Legislative Council (Report No. 36) (Leader of the House)..... 1885

### **Minister for Child Protection**

#### *Response to Reports -*

Standing Committee on Uniform Legislation and Statutes Review - Working with Children (Criminal Record Checking) Bill 2009 (Report No. 45) (Minister for Child Protection)..... 1886

### **Parliamentary Secretary representing the Treasurer**

#### *Response to Reports -*

Standing Committee on Estimates and Financial Operations - Budget of the Office of the Auditor General (Treasurer) ..... 1887

## 7. Plastic Shopping Bags (Waste Avoidance) Bill 2010

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

That a Bill for “An Act to restrict the supply of single use shopping bags.” be introduced and read a first time.

## 8. Freedom of Information Process

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

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.

*Interruption pursuant to Temporary Orders.*

## 9. Questions Without Notice

Questions without notice were taken.

The Minister for Transport representing the Minister for Health tabled, and by leave incorporated into Hansard, a document containing a table of cashflow adjustments for WA Health in relation to the *Treasurer’s Advance Authorisation Bill 2010: Details of Excesses and New Items for the 2009-10 Financial Year*, in response to a question without notice asked by Hon Helen Bullock. (Tabled paper 1890).

The Minister for Child Protection representing the Minister for Planning tabled the report prepared for the Department of Planning and Infrastructure entitled *Bush Forever Vegetation and Flora Assessment - Part Bush Forever Site 385 - Reid Hwy Bushland, Mirrabooka/Malaga (November 2002)*, in response to question on notice No. 1933 asked by Hon Alison Xamon. (Tabled paper 1891).

#### **10. Consideration of Committee Reports and Ministerial Statements**

Pursuant to Temporary Orders for the consideration of Committee Reports and Ministerial Statements.

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#### **In Committee**

(Hon Matt Benson-Lidholm in the Chair)

#### **Standing Committee on Environment and Public Affairs - Sixteenth Report - Municipal Waste Management in Western Australia**

Debate resumed on the motion of Hon Kate Doust, That the Report be noted.

*Interruption pursuant to Temporary Orders.*

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The Deputy President resumed the Chair.

The Chairman of Committees reported that the Committee of the Whole House had considered the -  
 Standing Committee on Environment and Public Affairs - Sixteenth Report - Municipal Waste Management in Western Australia, made progress, and asked leave to sit again.

Report adopted.

#### **11. Order of Business**

Ordered - That Orders of the Day Nos 1, *Taxi Amendment Regulations (No. 2) 2009 - Disallowance*, 2, *Genetically Modified Crops Free Areas Exemption Order - Disallowance*, 3, *Cross-border Justice Regulations 2009 - Disallowance*, 4, *Betting Control Amendment Regulations (No. 4) 2009 - Disallowance*, 5, *Casino Control Amendment Regulations 2009 - Disallowance*, 6, *Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations (No. 2) 2009 - Disallowance*, 7, *Gaming and Wagering Commission Amendment Regulations 2009 - Disallowance*, 8, *Hospitals (Licensing and Conduct of Private Hospitals) Amendment Regulations 2009 - Disallowance*, 9, *Hospitals (Licensing and Conduct of Private Psychiatric Hostels) Amendment Regulations 2009 - Disallowance*, 10, *Racing and Wagering Western Australia Amendment Regulations 2009 - Disallowance*, 11, *Racing Penalties (Appeals) Amendment Regulations 2009 - Disallowance*, and 12, *Waste Avoidance and Resource Recovery Levy Amendment Regulations 2009 - Disallowance*, be taken after Order of the Day No. 19, *Road Traffic Amendment Bill 2010*. (Leader of the House).

#### **12. Treasurer's Advance Authorisation Bill 2010**

The Order of the Day for the further consideration of this Bill, in Committee, having been read.

The Deputy President left the Chair.

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#### **In Committee**

(Hon Michael Mischin in the Chair)

Clause 3.

Debate resumed.

*Interruption pursuant to Temporary Orders.*

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The President resumed the Chair.

The Deputy 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.

**13. Members' Statements**

Statements were taken.

**14. Adjournment**

The House adjourned at 10.12pm until Thursday, 1 April 2010 at 10.00am.

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

Attendance: Present all Members except Hon Jon Ford.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

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