

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 78

TUESDAY, 30 MARCH 2010

1. Meeting of Council

The Council assembled at 3.00pm pursuant to Temporary Orders.

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

2. Statement by President - Temporary Order 7 - Non-Government Business

The President made the following Statement -

Temporary Order 7 provides that Non-Government Business on a Thursday morning shall be allocated according to the proportion of representation of the non-government political groups. Accordingly, the Leader of the Opposition and the Leader of the Greens (WA) have agreed to a schedule that encompasses the remaining scheduled sittings during the application of the Temporary Orders. I table a copy of that schedule for the information of Members, which must be adopted by the House prior to its application.

The President tabled the agreed schedule in relation to Temporary Order 7 for the determination of Non-Government Business. (Tabled paper 1880).

The Leader of the House moved, without notice -

That the schedule for Non-Government Business tabled by the President be adopted and agreed to.

Question - put and passed.

3. Petitions

Hon Michael Mischin presented a petition, by delivery to the Clerk, [SO 130], from 138 petitioners requesting the Legislative Council oppose the establishment of an interim care centre for abused juveniles at 22 Kentia Loop, Timberlands Estate, Wanneroo. (Tabled paper 1875).

Hon Robin Chapple presented a petition, by delivery to the Clerk, [SO 130], from 10 petitioners requesting the Legislative Council oppose, subject to investigation, the Woodside LNG land based Pluto development on site A and B on the Burrup Peninsula. (Tabled paper 1876).

Hon Robin Chapple presented a petition, by delivery to the Clerk, [SO 130], from 30 petitioners requesting the Legislative Council oppose, subject to investigation, the Woodside LNG land based Pluto development on site A and B on the Burrup Peninsula. (Tabled paper 1877).

Hon Robin Chapple presented a petition, by delivery to the Clerk, [SO 130], from 43 petitioners requesting the Legislative Council oppose uranium mining in Western Australia. (Tabled paper 1878).

Hon Sue Ellery presented a petition, by delivery to the Clerk, [SO 130], from 242 petitioners requesting the Legislative Council support the preservation of leased shack-site communities for alternative recreational holiday destinations for Western Australians. (Tabled paper 1879).

4. Ministerial Statement - Perth Storms - Temporary Changes to Vehicle Licensing Laws

The Minister for Transport made a Ministerial Statement with respect to temporary changes to existing arrangements for vehicles declared repairable write-offs due to superficial hail damage as a result of the Perth storm.

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

5. Papers

The following Papers were laid on the Table by -

Leader of the House

Regulations -

Trans-Tasman Mutual Recognition Act 1997 Amendment Regulations 2010 (No. 1)..... 1850

Minister for Transport

Local Laws -

Health Act 1911 (City of Stirling Health Local Law 2009 G.G. 26/03/2010) 1851

Regulations -

Poisons Act 1964 (Poisons Amendment Regulations (No. 3) 2010 G.G. 26/03/2010)..... 1852

Minister for Energy

Annual Reports -

Central TAFE (Year ending 31 December 2009) (Date received 30/03/2010)..... 1853

Challenger Institute of Technology (Year ending 31 December 2009) (Date received 30/03/2010)..... 1854

Curtin University of Technology (Year ending 31 December 2009) (Date received 29/03/2010)..... 1855

C.Y. O'Connor College of TAFE (Year ending 31 December 2009) (Date received 30/03/2010)..... 1856

Durack Institute of Technology (Year ending 31 December 2009) (Date received 30/03/2010)..... 1857

Edith Cowan University (Year ending 31 December 2009) (Date received 29/03/2010)..... 1858

Great Southern TAFE (Year ending 31 December 2009) (Date received 30/03/2010) 1859

Kimberley TAFE (Year ending 31 December 2009) (Date received 30/03/2010)..... 1860

Murdoch University (Year ending 31 December 2009) (Date received 29/03/2010) 1861

Murdoch University Supplement (Year ending 31 December 2009) (Date received 29/03/2010)..... 1862

Pilbara TAFE (Year ending 31 December 2009) (Date received 30/03/2010) 1863

Polytechnic West (Year ending 31 December 2009) (Date received 30/03/2010)..... 1864

South West Regional College (Year ending 31 December 2009) (Date received 29/03/2009)..... 1865

University of Western Australia (Year ending 31 December 2009) (Date received 29/03/2009)..... 1866

West Coast Institute of Training (Year ending 31 December 2009)
 (Date received 29/03/2009)..... 1867

By-laws -

Energy Operators (Powers) Act 1979 (Energy Operators (Electricity Retail Corporation)
 (Charges) Amendment By-laws 2010 G.G. 26/03/2010 and Regional Power Corporation)
 (Charges) Amendment By-laws 2010 G.G. 26/03/2010) 1868

Local Laws -

Local Government Act 1995 (Shire of Dardanup Standing Orders Local Law 2009
 G.G. 22/03/2010)..... 1869

Regulations -

Energy Coordination Act 1994 (Energy Coordination (Gas Tariffs) Amendment Regulations 2010
 G.G. 26/03/2010)..... 1870

Gas Supply (Gas Quality Specifications) Act 2009 (Gas Supply (Gas Quality Specifications)
 Regulations 2010 G.G. 26/03/2010) 1871

Minister for Child Protection

Agreements -

Plantation Product Contract No. 2892 (Plantation Residue Supply) - Between
 SpiritWest Bioenergy Pty Ltd and the Forest Products Commission
 (4 March 2010)..... 1872

Parliamentary Secretary representing the Treasurer

Annual Reports -

Anzac Day Trust (2008-2009) (Date received 26/03/2010)..... 1873

Regulations -

Retail Trading Hours Act 1987 (Retail Trading Hours (Tourism Precincts and Holiday Resorts)
 Amendment Regulations 2010 G.G. 26/03/2010) 1874

6. Agriculture and Related Resources Protection (European House Borer) Amendment Regulations 2010 - Disallowance

Hon Giz Watson: To move on the next day of sitting -

That the *Agriculture and Related Resources Protection (European House Borer) Amendment Regulations 2010* published in the *Gazette* on 5 February 2010 and tabled in the Legislative Council on 3 March 2010 under the *Agriculture and Related Resources Protection Act 1976*, be and are hereby disallowed.

7. 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).

8. Treasurer's Advance Authorisation Bill 2010

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

9. Questions Without Notice

Questions without notice were taken.

The Minister for Mines and Petroleum tabled, and by leave incorporated into Hansard, documents in relation to lists of mine locations inspected by the Department for Resource Safety from December 2009 to 26 March 2010, in response to a question without notice asked by Hon Ed Dermer. (Tabled paper 1881).

The Minister for Transport representing the Minister for Health tabled, and by leave incorporated into Hansard, documents in relation to funding details for the construction of the Midland Hospital, in response to a question without notice asked by Hon Linda Savage. (Tabled paper 1882).

10. Treasurer's Advance Authorisation Bill 2010

Debate resumed on the second reading of this Bill (cf item 8 above).

Question - put and passed.

Bill read a second time.

The Deputy President left the Chair.

In Committee

(Hon Michael Mischin in the Chair)

Clause 1.

Debate ensued.

The Parliamentary Secretary representing the Treasurer, by leave, tabled a document containing details of excesses and new items for the 2009-10 financial year in relation to the *Treasurer's Advance Authorisation Bill 2010*. (Tabled paper 1883).

The Parliamentary Secretary representing the Treasurer moved, That progress be reported and leave asked to sit again at a later stage of this day's sitting.

Question - put and passed.

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 at a later stage of this day's sitting.

Ordered - That the Committee have leave to sit again at a later stage of this day's sitting.

11. Appropriation (Consolidated Account) Recurrent 2007-08 and 2008-09 (Supplementary) Bill 2009

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

Debate ensued.

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

12. Order of Business

Ordered - That Order of the Day No. 18, *Treasurer's Advance Authorisation Bill 2010*, be resumed in committee. (Leader of the House).

13. Treasurer's Advance Authorisation Bill 2010

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

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3.

Debate ensued.

Interruption pursuant to Temporary Order.

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.

14. Members' Statements

Statements were taken.

15. Adjournment

The House adjourned at 9.59pm until Wednesday, 31 March 2010 at 2.00pm.

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