

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 134

THURSDAY, 17 FEBRUARY 2011

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. Ministerial Statement - Metropolitan Region Scheme Amendment No. 1161/41 - Parks and Recreation Reservations for Public Lands

The Minister for Mental Health representing the Minister for Planning made a Ministerial Statement with respect to Metropolitan Region Scheme Amendment No. 1161/41 - Parks and Recreation Reservations for Public Lands.

The Minister for Mental Health representing the Minister for Planning tabled plans in relation to Metropolitan Region Scheme Amendment No. 1161/41 - Parks and Recreation Reservations for Public Lands. (Tabled papers 3021 and 3022).

The Minister for Mental Health representing the Minister for Planning tabled reports in relation to Metropolitan Region Scheme Amendment No. 1161/41 - Parks and Recreation Reservations for Public Lands. (Tabled paper 3029).

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

3. Ministerial Statement - Metropolitan Region Scheme Amendment No. 1186/41 - Wandí Transit Oriented Development Precinct

The Minister for Mental Health representing the Minister for Planning made a Ministerial Statement with respect to Metropolitan Region Scheme Amendment No. 1186/41 - Wandí Transit Oriented Development Precinct.

The Minister for Mental Health representing the Minister for Planning tabled a plan in relation to Metropolitan Region Scheme Amendment 1186/41 - Wandí Transit Oriented Development Precinct. (Tabled paper 3023).

The Minister for Mental Health representing the Minister for Planning tabled reports in relation to Metropolitan Region Scheme Amendment 1186/41 - Wandí Transit Oriented Development Precinct. (Tabled paper 3030).

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

4. Minister for Finance - Personal Explanation - Rebates on Payroll Tax

The Minister for Finance, by leave, made a personal explanation [SO 85] to clarify an answer given to Hon Ken Travers in relation to rebates on payroll tax.

5. Papers

The following Papers were laid on the Table by -

Leader of the House

Management Plans -

Fish Resources Management Act 1994 (Cockburn Sound Crab Fishery Management Plan Amendment 2010 [994] G.G. 10/12/2010, Mackerel Fishery (Interim) Management Plan Amendment 2010 [997] G.G. 03/12/2010, West Coast Deep Sea Crustacean Fishery (Interim) Management Plan Amendment 2010 [998] G.G. 03/12/2010, West Coast Demersal Scalefish Fishery (Interim) Management Plan Amendment 2010 [996] G.G. 03/12/2010)..... 2963

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Financial Management Act 2006 (Financial Management Amendment Regulations (No. 2) 2010 G.G. 10/12/2010)..... 2983

Occupational Safety and Health Act 1984 (Occupational Safety and Health Amendment Regulations (No. 6) 2010 G.G. 10/12/2010)..... 2984

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6. Joint Standing Committee on the Corruption and Crime Commission - Thirteenth Report - Analysis of Recommended Reforms to the Corruption and Crime Commission Act 2003

Hon Nick Goiran presented the Thirteenth Report of the Joint Standing Committee on the Corruption and Crime Commission in relation to the *Analysis of Recommended Reforms to the Corruption and Crime Commission Act 2003*. (Tabled paper 3039).

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

Question - put and passed.

7. Geraldton and Fremantle Ports - Lead Contamination

Non-Government Business No. 1 having been called, Hon Ken Travers moved, without notice -

That this House expresses grave concern about the handling of lead contamination at the Ports of Geraldton and Fremantle by the Barnett Government.

Debate ensued.

Motion lapsed pursuant to Temporary Orders.

8. Order of Business

Ordered - That Orders of the Day Nos 1, *City of Rockingham Dogs Amendment Local Law 2010 - Disallowance*, 2, *Shire of Plantagenet Cemeteries Amendment Local Law 2010 - Disallowance*, and 3, *Regulation 13(4) of the Animal Welfare (Pig Industry) Regulations 2010 - Disallowance*, be taken after Order of the Day No. 14, *Child Support (Adoption of Laws) Amendment Bill 2009*. (Leader of the House).

9. Police Amendment 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.

In Committee

(Hon Max Trenorden in the Chair)

Clause 1.

Debate resumed.

The Minister for Energy representing the Minister for Police, by leave, tabled a document detailing consultation dates and related information involving Ms Jenny Harrington (President) of the Events Industry Association. (Tabled paper 3041).

Debate resumed.

Question - put.

The Committee divided.

Ayes (18)

Hon Liz Behjat
Hon Jim Chown
Hon Peter Collier
Hon Mia Davies
Hon Wendy Duncan
Hon Brian Ellis
Hon Donna Faragher
Hon Philip Gardiner
Hon Nick Goiran

Hon Nigel Hallett
Hon Alyssa Hayden
Hon Col Holt
Hon Robyn McSweeney
Hon Michael Mischin
Hon Norman Moore
Hon Helen Morton
Hon Max Trenorden
Hon Ken Baston (*Teller*)

Noes (13)

Hon Helen Bullock
 Hon Robin Chapple
 Hon Kate Doust
 Hon Sue Ellery
 Hon Jon Ford
 Hon Lynn MacLaren
 Hon Ljiljanna Ravlich

Hon Linda Savage
 Hon Sally Talbot
 Hon Ken Travers
 Hon Giz Watson
 Hon Alison Xamon
 Hon Ed Dermer (*Teller*)

Question thus passed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3 agreed to.

Clause 4.

Debate ensued.

Hon Ken Travers moved -

Page 4, after line 12 — To insert —

- (iv) a sporting event run by or for the benefit of an association incorporated under the *Associations Incorporation Act 1987*; or

Debate ensued.

Amendment - put.

The Committee divided.

Ayes (13)

Hon Helen Bullock
 Hon Robin Chapple
 Hon Kate Doust
 Hon Sue Ellery
 Hon Jon Ford
 Hon Lynn MacLaren
 Hon Ljiljanna Ravlich

Hon Linda Savage
 Hon Sally Talbot
 Hon Ken Travers
 Hon Giz Watson
 Hon Alison Xamon
 Hon Ed Dermer (*Teller*)

Noes (17)

Hon Liz Behjat
 Hon Peter Collier
 Hon Mia Davies
 Hon Wendy Duncan
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Philip Gardiner
 Hon Nick Goiran
 Hon Nigel Hallett

Hon Alyssa Hayden
 Hon Col Holt
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Norman Moore
 Hon Helen Morton
 Hon Max Trenorden
 Hon Ken Baston (*Teller*)

Amendment thus negatived.

Hon Ljiljanna Ravlich moved -

Page 4, after line 12 — To insert —

- (iv) a cultural or entertainment event run by or for the benefit of an association incorporated under the *Associations Incorporation Act 1987*; or

Amendment - put and negatived.

Hon Ken Travers moved -

Page 4, after line 15 — To insert —

- (v) the Perth Royal Show; or

Debate ensued.

10. Questions Without Notice

Questions without notice were taken.

The Minister for Mines and Petroleum tabled further advice in relation to details of job titles and levels and list of positions vacant in the Resource Safety Division of the Department of Mines and Petroleum, in response to a question without notice asked by Hon Ed Dermer. (Tabled paper 3042).

11. Police Amendment Bill 2010

The President left the Chair.

In Committee

(Hon Jon Ford in the Chair)

Clause 4.

Debate resumed on the amendment moved by Hon Ken Travers as follows -

Page 4, after line 15 — To insert —

- (v) the Perth Royal Show; or

Hon Ken Travers, by leave, withdrew his amendment.

Hon Ken Travers moved -

Page 4, after line 12 — To insert —

- (iv) a sporting event that is held as part of a sporting competition organised by or on behalf of a state or national sporting organisation that receives funding from a WA State or Commonwealth Government agency for the purposes of promoting or developing the sport; or

Debate ensued.

Amendment - put and negatived.

Hon Giz Watson moved -

Page 4, lines 13 and 14 — To delete the lines and insert —

- (iv) a special interest or other community event (for example, a fair or festival or parade);

Debate ensued.

Interruption pursuant to Temporary Orders.

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.

12. Members' Statements

Statements were taken.

13. Adjournment

The House adjourned at 6.00pm until Tuesday, 22 February 2011 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council