

LEGISLATIVE COUNCIL
THURSDAY, 15 OCTOBER 2009

11.00am

Prayers

11.00AM - ORDER OF BUSINESS

Petitions

(Hon Adele Farina)

Statements by Ministers and Parliamentary Secretaries

(Minister for Environment)

Papers for Tabling

(Parliamentary Secretary representing the Attorney General)

Notice of Questions

Notices of Motions for Disallowance

Notices of Motions to Introduce Bills

Notices of Motions

Motions without Notice

11.00am Motions on Notice

12.00pm Consideration of Committee Reports

2.00pm Orders of the Day

4.00pm Questions without Notice

4.30pm Orders of the Day (continued)

5.00pm House adjourns

MOTIONS

1. **Kimberley Liquefied Natural Gas Precinct** (*Notice given 18 March 2009*)

Continuation of introductory remarks Hon Jon Ford (Wednesday, 14 October 2009) in moving the following motion -

- (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.

2. **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.

The business listed for today's sitting and sequence in which it is to be considered may be altered by the House without notice. Members and other persons are advised to check the status of an item in which they have an interest in the course of today's sitting. Electronic version available on the Parliament's Internet site at www.parliament.wa.gov.au.

3. **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.

CONSIDERATION OF COMMITTEE REPORTS

1. [Standing Committee on Estimates and Financial Operations - Report No. 18 - Budget of the Office of the Auditor General](#) (*Tabled 7 May 2009*)

Continuation of remarks Hon Ljiljanna Ravlich - mins 4 (Thursday, 24 September 2009) on the motion of Hon Giz Watson that the report be noted.

Consideration. *See Tabled paper No. 723.*

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

Consideration. *See Tabled paper No. 765.*

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

Consideration. *See Tabled paper No. 770.*

4. [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.*

5. [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.*

6. [Joint Standing Committee on the Commissioner for Children and Young People - Report No. 1 - Review of the 2007-2008 Annual Report of the Commissioner for Children and Young People](#) (*Tabled 14 May 2009*)

Consideration. *See Tabled paper No. 774.*

7. [Standing Committee on Public Administration - Report No. 10 - Inquiry into Statutory Office Holders' Grievance Procedures](#) (Tabled 19 May 2009)

Consideration. See Tabled paper No. 777.

8. [Standing Committee on Environment and Public Affairs - Report No. 16 - Municipal Waste Management in Western Australia](#) (Tabled 19 May 2009)

Consideration. See Tabled paper No. 778.

9. [Standing Committee on Estimates and Financial Operations - Report No. 21 - Report on the Inquiry into Public Sector Expenditure](#) (Tabled 19 May 2009)

Consideration. See Tabled paper No. 779.

10. [Standing Committee on Legislation - Report No. 14 - Inquiry into the Jurisdiction and Operation of the State Administrative Tribunal](#) (Tabled 20 May 2009)

Consideration. See Tabled paper No. 791.

ORDERS OF THE DAY

1. **City of Albany Keeping and Welfare of Cats Local Law 2008 - Disallowance**

Moved *pro forma* (SO 152(b)) (Wednesday, 23 September 2009) on the motion of Hon Robin Chapple (Days remaining 6 after today)

That the *City of Albany Keeping and Welfare of Cats Local Law 2008* published in the *Gazette* on 9 June 2009 and tabled in the Legislative Council on 16 June 2009 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 871).

3. [*Statutes \(Repeals and Minor Amendments\) Bill 2009](#) [LC 042-1] *Parliamentary Secretary representing the Attorney General*

Third reading (Wednesday, 14 October 2009). [See Standing Committee on Uniform Legislation and Statutes Review Report No. 39](#) (Tabled 16 September 2009).

4. [*Gas Supply \(Gas Quality Specifications\) Bill 2009](#) [LA 069-1] *Minister for Energy*

Second reading continuation of remarks Hon Robin Chapple - mins 12 (Wednesday, 14 October 2009). *cf SNP 69 Issue 2 - 13 October 2009.*

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

Second reading adjourned (Tuesday, 22 September 2009). *cf SNP 65 Issue 2 - 14 October 2009.*

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2. ***Criminal Code Amendment (Graffiti) Bill 2009** [LA 068-1]
Parliamentary Secretary representing the Attorney General

Third reading adjourned Leader of the House (Wednesday, 14 October 2009).
cf SNP 68 Issue 1 - 8 October 2009.

23. **Joint Standing Committee on Audit** (*Notice given 24 September 2009*)

Leader of the House: To move -

- (1) That pursuant to section 43 of the *Auditor General Act 2006* —
 - (a) a Joint Standing Committee on Audit be established, comprised of four members (including the Chairman) of the Legislative Council Standing Committee on Estimates and Financial Operations and four members of the Legislative Assembly Public Accounts Committee, two of whom from each House support the Government;
 - (b) the Chairman of the Standing Committee on Estimates and Financial Operations will be the Chairman of the Joint Standing Committee; and
 - (c) the Standing Orders of the Legislative Council relating to Standing Committees will be followed as far as they can be applied.
- (2) That the Legislative Assembly be invited to pass a similar resolution.

22. **Metropolitan Region Scheme Amendment No. 1152/41 - Jindalee (Jindee) Foreshore Rationalisation** (*Notice given 24 June 2009*)

Hon Giz Watson: To move -

That the *Metropolitan Region Scheme Amendment No. 1152/41 - Jindalee (Jindee) Foreshore Rationalisation* published in the *Gazette* on 20 May 2009 and tabled in the Legislative Council on 21 May 2009 under the *Planning and Development Act 2005*, be and is hereby disallowed. (Tabled papers 801 and 802A-B).

5. **Bush Fires Amendment Bill 2009** [LA 073-1] *Minister for Energy representing the Minister for Emergency Services*

Second reading adjourned (Tuesday, 22 September 2009).

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

MALCOLM PEACOCK
 Clerk of the Legislative Council