

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 126

WEDNESDAY, 17 NOVEMBER 2010

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. Petitions

Hon Robin Chapple presented a petition, by delivery to the Clerk, [SO 130], from 85 petitioners requesting the Legislative Council undertake a review of the consultation process, reporting and public comment period for the strategic assessment in relation to the Liquefied Natural Gas hub at James Price Point. (Tabled paper 2828).

Hon Ken Travers presented a petition from 59 petitioners requesting the Legislative Council inquire into the changes made to Yokine Bus Route No. 19. (Tabled paper 2827).

Hon Ken Travers presented a petition from 48 petitioners requesting the Legislative Council inquire into whether there are sufficient bus services to meet growing demand for the suburbs of Ashby, Tapping, Singara, Carramar and Banksia Grove. (Tabled paper 2826).

3. Papers

The following Papers were laid on the Table by -

Leader of the House

Reports -

Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and
Officers on Official Business (For the three months ended 31 March 2010)..... 2824

Parliamentary Secretary representing the Minister for Regional Development

Proposals -

Land Administration Act 1997 - Amendment of Class A Reserve 46 under Section
42(4) of the *Land Administration Act 1997* to change the purpose of Class A
Reserve 46 to Landscape Protection and Recreation 2825

4. Standing Committee on Uniform Legislation and Statutes Review - Fair Trading Bill 2010 and Acts Amendment (Fair Trading) Bill 2010 - Extension of Reporting Time

Hon Adele Farina presented a Special Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Fair Trading Bill 2010* and *Acts Amendment (Fair Trading) Bill 2010* seeking an extension of time for the Committee to report from 23 November 2010 to 17 February 2011.

Hon Adele Farina moved, That the Report do lie upon the Table and be adopted and agreed to.

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

5. Associations Incorporation (Transfer of Incorporation) Amendment Bill 2010

Hon Sue Ellery: To move on the next day of sitting -

That a Bill for “An Act to amend the *Associations Incorporation Act 1987*.” be introduced and read a first time.

6. Local Government Amendment (Regional Subsidiaries) Bill 2010

Hon Max Trenorden: To move on the next day of sitting -

That a Bill for “An Act to amend the *Local Government Act 1995*.” be introduced and read a first time.

7. Household Fees and Charges

Hon Ken Travers: To move on the next day of sitting -

That this House condemns the Barnett/Grylls Government for the savage increases in household fees and charges and the abolition of assistance payments to families such as the \$400 “It pays to learn allowance” which has resulted in families being up to \$1 400 worse off.

We note that the savage 46 percent increase in electricity and 30 percent increase in water charges over two years has resulted in an increase in the dividends the State Government is receiving from the power and water utilities.

We say ‘enough is enough’ and call on the Barnett/Grylls Government to keep future increases to below the rate of inflation.

8. Climate Change Adaptation and Mitigation Strategy

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

That this House condemns the Government for entering its third year of office without the Climate Change Adaptation and Mitigation Strategy promised by the Liberals before the 2008 election.

9. Government Tourism Policy

Motion No. 1 having been called, Hon Ljiljanna Ravlich continued her introductory remarks in moving the following motion -

- (1) That this House condemns the Minister for Tourism for her failure to produce a tourism policy at a time of economic uncertainty and calls on the Minister to outline what she will do to assist tourism businesses and Western Australian workers who are adversely impacted by the global financial crisis.
- (2) That this House calls on the Minister to explain -
 - (a) her Government’s policies to deal with the impact of the global financial crisis on tourism operators in Western Australia and the thousands of workers that are being retrenched in the tourism and hospitality sector;

- (b) what strategies she has put in place to protect small business and their workers;
- (c) what practical assistance is available to tourism operators that go bust and the thousands of workers who lose their jobs; and
- (d) why she has been asleep at the wheel whilst tourism operators in Western Australia go under.

Debate ensued.

Interruption pursuant to Temporary Orders.

10. Consideration of Committee Reports and Ministerial Statements

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

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Cost of Living Rebate Scheme - Ministerial Statement and Tabled Paper

Debate resumed on the motion of Hon Sue Ellery, That the Ministerial Statement and Tabled Paper be noted.

Question - put and passed.

Standing Committee on Environment and Public Affairs - Eighteenth Report - Inquiry into Deep Sewerage in the Cockburn Area

Hon Brian Ellis continued his introductory remarks in moving, That the Report be noted.

11. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Water tabled a graph in relation to monitoring results from the Department of Water for Dongara Line DL5W (70119309), in response to a question without notice asked by Hon Robin Chapple. (Tabled paper 2829).

The Minister for Child Protection tabled documents in relation to the number of applicants for the Hardship Utility Grant Scheme (HUGS) provided with financial assistance to pay utility bills for various Perth suburbs in August 2009 and August 2010, in response to question on notice No. 2918 asked by Hon Sue Ellery. (Tabled paper 2830).

The Minister for Child Protection tabled documents in relation to the number of applicants for the Hardship Utility Grant Scheme (HUGS) provided with financial assistance to pay utility bills for various Perth suburbs in September 2009 and September 2010, in response to question on notice No. 2919 asked by Hon Sue Ellery. (Tabled paper 2831).

The Minister for Transport representing the Minister for Health tabled, and by leave incorporated into Hansard, documents in relation to the proposed expansion of the emergency department at the Bunbury Regional Hospital, in response to a question without notice asked by Hon Adele Farina. (Tabled paper 2832).

12. Consideration of Committee Reports and Ministerial Statements

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

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Standing Committee on Environment and Public Affairs - Eighteenth Report - Inquiry into Deep Sewerage in the Cockburn Area

Hon Brian Ellis continued his introductory remarks in moving, That the Report be noted.

Debate ensued.

Question - put and passed.

Northbridge Project - Ministerial Statement

Hon Kate Doust moved, That the Ministerial Statement be noted.

On the motion of Hon Kate Doust the debate was adjourned to the next sitting.

Joint Standing Committee on the Corruption and Crime Commission - Eighth Report - Corruption and Crime Commission Report on the Investigation of Alleged Public Sector Misconduct in Relation to the Activities of an Associate to a Judge of the District Court of Western Australia

Hon Nick Goiran moved, That the Report be noted.

Question - put and passed.

Review of the Mines Safety and Inspection Act 1994 - Ministerial Statement and Tabled Paper

Hon Jon Ford moved, That the Ministerial Statement and Tabled Paper be noted.

Debate ensued.

Question - put and passed.

Standing Committee on Estimates and Financial Operations - Twenty-Fourth Report - Annual Report 2009

Hon Ljiljana Ravlich moved, That the Report be noted.

Question - put and passed.

Interruption pursuant to Temporary Orders.

The Deputy President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee of the Whole House had considered the -

- (1) Cost of Living Rebate Scheme - Ministerial Statement and Tabled Paper and had noted same.
- (2) Standing Committee on Environment and Public Affairs - Eighteenth Report - Inquiry into Deep Sewerage in the Cockburn Area and had noted same.
- (3) Northbridge Project - Ministerial Statement, made progress, and asked leave to sit again.
- (4) Joint Standing Committee on the Corruption and Crime Commission - Eighth Report - Corruption and Crime Commission Report on the Investigation of Alleged Public Sector Misconduct in Relation to the Activities of an Associate to a Judge of the District Court of Western Australia and had noted same.
- (5) Review of the Mines Safety and Inspection Act 1994 - Ministerial Statement and Tabled Paper and had noted same.
- (6) Standing Committee on Estimates and Financial Operations - Twenty-Fourth Report - Annual Report 2009 and had noted same.

Report adopted.

13. Order of Business

Ordered - That Bills for Introduction be taken forthwith. (Leader of the House).

14. Conservation Legislation Amendment Bill 2010

The Parliamentary Secretary representing the Treasurer on behalf of the Minister for Environment, pursuant to notice, moved -

That a Bill for “An Act to amend the *Conservation and Land Management Act 1984* and the *Wildlife Conservation Act 1950*.” be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Treasurer on behalf of the Minister for Environment moved, That the Bill be now read a second time.

Debate stands adjourned.

15. Order of Business

Ordered - That Orders of the Day Nos 1, *Shire of Roebourne Parking and Parking Facilities Local Law 2010 - Disallowance*, 2, *Occupational Safety and Health Amendment Regulations (No. 5) 2010 - Disallowance*, 3, *Shire of Koorda Cemeteries Amendment Local Law 2010 - Disallowance*, and 4, *Fish Resources Management Amendment Regulations (No. 6) 2010 - Disallowance*, be taken after Order of the Day No. 7, *Police Amendment Bill 2010*. (Leader of the House).

16. Children and Community Services 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 Helen Morton in the Chair)

Clause 9.

Debate resumed.

Clause agreed to.

Clauses 10 to 16 agreed to.

Clause 17.

Debate ensued.

Clause agreed to.

Clauses 18 to 26 agreed to.

Clause 27.

Debate ensued.

Clause agreed to.

Clauses 28 and 29 agreed to.

Clause 30.

Debate ensued.

Clause agreed to.

Clauses 31 and 32 agreed to.

Clause 33.
 Debate ensued.
 Clause agreed to.
 Clause 34.
 Debate ensued.
 Clause agreed to.
 Clause 35 agreed to.
 Clause 36.
 Debate ensued.
 Clause agreed to.
 Clause 37.
 Debate ensued.
 Clause agreed to.
 Clause 38 agreed to.
 Clause 39.
 Debate ensued.
 Clause agreed to.
 Clauses 40 to 50 agreed to.
 Clause 51.
 Debate ensued.
 Clause agreed to.
 Clauses 52 to 57 agreed to.
 Clause 58.
 Debate ensued.
 Clause agreed to.
 Clauses 59 to 66 agreed to.
 Clause 67.
 Debate ensued.
 Clause agreed to.
 Clauses 68 to 71 agreed to.
 Clause 72.
 Debate ensued.
 Clause agreed to.
 Clauses 73 to 85 agreed to.
 Title agreed to.

The Deputy President resumed the Chair.
 Bill reported without amendment.
 Report adopted.
 The Minister for Child Protection moved, That the Bill be now read a third time.

The Deputy President having reported that the Deputy Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

17. Misuse of Drugs Amendment Bill (No. 2) 2010

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

Debate resumed.

Hon Alison Xamon, by leave, tabled a *Sydney Morning Herald* news article entitled *States reject ice pipe ban (14 December 2006)*. (Tabled paper 2833).

Debate resumed.

Question - put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Minister for Energy representing the Minister for Police moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

18. Road Traffic Legislation Amendment (Disqualification by Notice) Bill 2010

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

Debate resumed.

Interruption pursuant to Temporary Orders.

19. Members' Statements

Statements were taken.

20. Health, Safety and Civil Liability (Children in Schools and Child Care Services) Bill 2010

The President reported the receipt of Message No. 152 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Transport representing the Minister for Health moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Transport representing the Minister for Health moved, That the Bill be now read a second time.

Debate stands adjourned.

21. Adjournment

The House adjourned at 10.00pm until Thursday, 18 November 2010 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Donna Faragher and Hon Giz Watson.

NIGEL LAKE

Acting Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council