

LEGISLATIVE COUNCIL
THURSDAY, 10 SEPTEMBER 2009

11.00am

Prayers

11.00AM - ORDER OF BUSINESS

Petitions

(Hon Jon Ford)

Statements by Ministers and Parliamentary Secretaries

(Minister for Energy)

(Minister for Child Protection representing the Minister for Planning) x 2

(Parliamentary Secretary representing the Minister for Water)

Papers for Tabling

(Hon Adele Farina)

(Hon Robin Chapple)

((Hon Helen Bullock))

Notice of Questions

Notices of Motions for Disallowance

Notices of Motions to Introduce Bills

Notices of Motions

Motions without Notice

(Leader of the House)

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. **Child Death Review Committee - Recommendations** (*Notice given 3 December 2008*)

Continuation of introductory remarks Hon Sue Ellery (Wednesday, 9 September 2009) in moving the following motion -

That this House notes the recommendations of the *Group Analysis of Aboriginal Child Death Review Cases in which Chronic Neglect is Present* report of the Child Death Review Committee and calls on the Minister for Child Protection to provide quarterly reports to the House on the implementation of those recommendations.

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

Hon Jon Ford: To move -

- (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.

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. 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.

CONSIDERATION OF COMMITTEE REPORTS

1. Standing Committee on Estimates and Financial Operations - Report No. 19 - Follow-Up to Report 12 - Balga Works Program (*Tabled 7 May 2009*)

Continuation of remarks Hon Peter Collier (Thursday, 20 August 2009) on motion of Hon Giz Watson that the report be noted. *See Tabled paper No. 724.*

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

Consideration. *See Tabled paper No. 723.*

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

Consideration. *See Tabled paper No. 765.*

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

Consideration. *See Tabled paper No. 770.*

5. 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.*

6. 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.*

7. 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.*

- 8. 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.*

- 9. 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.*

- 10. 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.*

ORDERS OF THE DAY

- 1. City of Joondalup Cats Local Law 2008 - Disallowance**

Moved *pro forma* (SO 152(b)) (Wednesday, 24 June 2009) on the motion of Hon Robin Chapple (Question to be put at the next day's sitting)

That the *City of Joondalup Cats Local Law 2008* published in the *Gazette* on 2 April 2009 and tabled in the Legislative Council on 8 April 2009 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 664).

- 2. Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009 - Disallowance**

Moved *pro forma* (SO 152(b)) (Thursday, 25 June 2009) on the motion of Hon Lynn MacLaren (Days remaining 1 after today)

That the *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009* published in the *Gazette* on 22 May 2009 and tabled in the Legislative Council on 2 June 2009 under the *Genetically Modified Crops Free Areas Act 2003*, be and is hereby disallowed. (Tabled paper 820).

- 7. *Criminal Code Amendment Bill 2008 [LA 014-2] Parliamentary Secretary representing the Attorney General**

Third reading (Wednesday, 9 September 2009). *cf SNP 14 Issue 4 - 20 August 2009.*

- 4. *Tobacco Products Control Amendment Bill 2008 [LA 017-2A] Hon Giz Watson**

Third reading (Wednesday, 9 September 2009). *cf SNP 17 Issue 1 - 18 August 2009.*

- 5. *Co-operatives Bill 2009 [LA 024-1B] Parliamentary Secretary representing the Minister for Commerce**

Second reading resumption of debate adjourned Leader of the House (Wednesday, 9 September 2009). *cf SNP 24 Issue 2 - 8 September 2009.*

(SO 230A no longer applies).

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6. *National Environment Protection Council (Western Australia) Amendment Bill 2009 [LC 038-1] Minister for Environment

Second reading adjourned (Tuesday, 5 May 2009). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 37 (Tabled 21 May 2009)*

3. *Major Events (Aerial Advertising) Bill 2009 [LA 029-1] Leader of the House representing the Minister for Sport and Recreation

Committee (Wednesday, 17 June 2009). *cf SNP 29 Issue 1 - 17 June 2009.*

8. Fisheries Adjustment Schemes Amendment Bill 2009 [LC 067-1] Minister for Fisheries

Second reading adjourned (Thursday, 25 June 2009).

10. Road Traffic Amendment (Hoons) Bill 2009 [LA 063-2] Minister for Energy representing the Minister for Police

Second reading adjourned (Thursday, 20 August 2009).

9. *First Home Owner Grant Amendment Bill 2009 [LA 021-2] Parliamentary Secretary representing the Treasurer

Second reading adjourned (Tuesday, 11 August 2009). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 38 (Tabled 3 July 2009). cf SNP 21 Issue 1 - 15 July 2009.*

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

MALCOLM PEACOCK

Clerk of the Legislative Council