

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 105

WEDNESDAY, 18 AUGUST 2010

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### 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 Matt Benson-Lidholm presented a petition, by delivery to the Clerk, [SO 130], from 22 petitioners requesting the Legislative Council investigate ways to ensure a competitive rail system in relation to the Tier 3 Narrow Gauge Rail Lines in the Wheatbelt. (Tabled paper 2355).

Hon Matt Benson-Lidholm presented a petition, by delivery to the Clerk, [SO 130], from 42 petitioners requesting the Legislative Council investigate ways to ensure a competitive rail system in relation to the Tier 3 Narrow Gauge Rail Lines in the Wheatbelt. (Tabled paper 2356).

Hon Matt Benson-Lidholm presented a petition, by delivery to the Clerk, [SO 130], from 77 petitioners requesting the Legislative Council investigate ways to ensure a competitive rail system in relation to the Tier 3 Narrow Gauge Rail Lines in the Wheatbelt. (Tabled paper 2357).

### 3. Paper

The following Paper was laid on the Table by -

#### **Minister for Child Protection**

##### *Ministerial Approvals*

Midland Redevelopment Act 1999 - Disposal of land with value in excess of  
\$1 million - Lot 499 Yelverton Drive, Midland..... 2354

### 4. Public Sector Expenditure - New Government Agencies

Motion No. 1 having been called, debate resumed on the motion of Hon Ljiljanna Ravlich as follows -

- (1) That this House condemns the Premier as Minister for Public Sector Management for wasting taxpayers' money in creating new government agencies, boards, committees and taskforces, at the same time as asking agencies to find savings of three percent resulting in the cuts to front-line services in health, education and law and order.
- (2) That this House calls on the Premier to explain why a three percent savings target is not a "big ask" for government agencies, as he stated to the recent Committee for Economic Development Australia conference, given that the 2009-2010 mid-year review projected no savings and an expense growth of 13%.

Question - put.

The House divided.

**Ayes (12)**

Hon Matt Benson-Lidholm  
Hon Helen Bullock  
Hon Robin Chapple  
Hon Sue Ellery  
Hon Adele Farina  
Hon Lynn MacLaren

Hon Ljiljanna Ravlich  
Hon Linda Savage  
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 Phil Edman  
Hon Brian Ellis  
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 Simon O'Brien  
Hon Max Trenorden  
Hon Ken Baston (*Teller*)

Question thus negatived.

**5. Ministerial Offices - Staffing**

Motion No. 2 having been called, Hon Ljiljanna Ravlich, pursuant to notice, moved -

That this House condemns the Premier and his Ministers for breaking the Premier's promise on the staffing cap in ministerial offices and calls on the Premier to explain how he can expect government agencies to cap their staff numbers while at the same time he condones the growth in staff numbers in ministerial offices, and calls on the Premier to -

- (a) reaffirm his commitment to the promise he made during the election campaign to cap the number of staff in ministerial offices at 150 full time equivalent; and
- (b) explain why he is amongst the worst offenders with his current staffing level of 17 employees and a driver rather than the 8.8 FTEs that he is entitled to under his own election promise.

Debate ensued.

*Interruption pursuant to Temporary Orders.*

**6. 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)

**Joint Standing Committee on the Corruption and Crime Commission - Fifth Report - Annual Report 2008-2009**

Hon Nick Goiran moved, That the Report be noted.

**7. Questions Without Notice**

Questions without notice were taken.

## 8. Consideration of Committee Reports and Ministerial Statements

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

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### In Committee

(Hon Matt Benson-Lidholm in the Chair)

#### **Joint Standing Committee on the Corruption and Crime Commission - Fifth Report - Annual Report 2008-2009**

Hon Nick Goiran continued his introductory remarks in moving, That the Report be noted.

Question - put and passed.

#### **Taxi - Optional Extension of Peak Period Operating Hours Trial - Ministerial Statement and Tabled Paper**

The Order of the Day having been called.

On the motion of Hon Sue Ellery the debate was adjourned to the next sitting.

#### **Joint Standing Committee on the Corruption and Crime Commission - Sixth Report - Parliamentary Inspector's Report into Alleged Unauthorised Disclosure by the Corruption and Crime Commission**

Hon Nick Goiran moved, That the Report be noted.

Question - put and passed.

#### **Fatalities at BHP Billiton Iron Ore sites - Ministerial Statement**

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

Debate ensued.

*Interruption pursuant to Temporary Orders.*

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The Deputy President resumed the Chair.

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

- (1) Joint Standing Committee on the Corruption and Crime Commission - Fifth Report - Annual Report 2008-2009 and had noted same.
- (2) Joint Standing Committee on the Corruption and Crime Commission - Sixth Report - Parliamentary Inspector's Report into Alleged Unauthorised Disclosure by the Corruption and Crime Commission and had noted same.
- (3) Fatalities at BHP Billiton Iron Ore sites - Ministerial Statement, made progress, and asked leave to sit again.

Report adopted.

## 9. Order of Business

Ordered - That Orders of the Day Nos 1, *Shire of Dardanup Standing Orders Local Law 2009 - Disallowance*, 2, *Shire of Capel - Keeping and Welfare of Cats Amendment Local Law 2009 - Disallowance*, 3, *Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2010 - Disallowance*, 4, *Petroleum and Geothermal Energy Resources (Occupational Safety and Health) Regulations 2010 - Disallowance*, and 5, *Petroleum Pipelines (Occupational Safety and Health) Regulations 2010 - Disallowance*, be taken after Order of the Day No. 6, *Approvals and Related Reforms (No. 1) (Environment) Bill 2009*. (Leader of the House).

**10. Health Practitioner Regulation National Law (WA) Bill 2010**

The Order of the Day having been read for the consideration of the Committee's report upon this Bill.

The Leader of the House on behalf of the Minister for Transport representing the Minister for Health moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

**11. Pharmacy Bill 2010**

The Order of the Day having been read for the consideration of the Committee's report upon this Bill.

The Leader of the House on behalf of the Minister for Transport representing the Minister for Health moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

**12. Hairdressers Registration (Amendment and Expiry) Bill 2010**

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

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

The Leader of the House representing the Minister for Commerce moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

**13. Grain Marketing Repeal Bill 2010**

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

Debate ensued.

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 Child Protection representing the Minister for Agriculture and Food moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

**14. Interpretation and Reprints Amendment Bill 2008**

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

Debate ensued.

Question - put and passed.

Bill read a second time.

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

The Parliamentary Secretary representing the Attorney General moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

**15. Public Sector Reform 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 Hon Ken Baston the debate was adjourned to the next sitting.

**16. Retail Trading Hours Amendment (Armada Special Trading Precinct) Bill 2010**

The Deputy President reported the receipt of Message No. 123 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister for Commerce moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House representing the Minister for Commerce moved, That the Bill be now read a second time.

Debate stands adjourned.

**17. Retail Trading Hours Amendment (Midland Special Trading Precinct) Bill 2010**

The Deputy President reported the receipt of Message No. 124 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister for Commerce moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House representing the Minister for Commerce moved, That the Bill be now read a second time.

Debate stands adjourned.

**18. Order of Business**

Ordered - That Members' Statements be taken forthwith. (Leader of the House).

**19. Members' Statements**

Statements were taken.

**20. Adjournment**

The House adjourned at 9.21pm until Thursday, 19 August 2010 at 10.00am.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Jim Chown, Hon Kate Doust, Hon Wendy Duncan, Hon Donna Faragher and Hon Sally Talbot.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

**HON BARRY HOUSE**  
President of the Legislative Council