

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 83

THURSDAY, 22 APRIL 2010

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 - Roe Highway Extension

The Minister for Transport made a Ministerial Statement with respect to the progress of the Roe Highway Extension.

The Minister for Transport tabled the *Main Roads WA - Roe Highway Strategic Review Final Report (October 2009)* by GHD Meyrick. (Tabled paper 1957).

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

3. Ministerial Statement - Foetal Alcohol Spectrum Disorder

The Minister for Community Services made a Ministerial Statement with respect to raising awareness of foetal alcohol spectrum disorder.

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

4. Paper

The following Paper was laid on the Table by -

President

Reports -

Misconduct Handling Procedures in the Western Australian Public Sector: WA Health

(Date received 22/04/2010)..... 1956

5. Standing Committee on Uniform Legislation and Statutes Review - Approvals and Related Reforms (No. 1) (Environment) Bill 2009 - 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 *Approvals and Related Reforms (No. 1) (Environment) Bill 2009*, seeking -

- (a) an extension of time for the committee to report from Thursday, 22 April 2010 to Wednesday, 28 April 2010; and
- (b) that the report be presented to the Clerk and deemed tabled and ordered to be printed.

(Tabled paper 1958).

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

Question - put and passed.

6. Joint Standing Committee on Delegated Legislation - Thirty-Eighth Report - Issues of Concern Raised by the Committee between 1 May 2009 and 31 December 2009 with Respect to Local Laws

Hon Robin Chapple presented the Thirty-Eighth Report of the Joint Standing Committee on Delegated Legislation in relation to the *Issues of Concern Raised by the Committee between 1 May 2009 and 31 December 2009 with Respect to Local Laws*. (Tabled paper 1959).

Hon Robin Chapple moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

7. Joint Standing Committee on the Commissioner for Children and Young People - Third Report - Review of the 2008-2009 Annual Report of the Commissioner for Children and Young People

Hon Nick Goiran presented the Third Report of the Joint Standing Committee on the Commissioner for Children and Young People in relation to the *Review of the 2008-2009 Annual Report of the Commissioner for Children and Young People*. (Tabled paper 1960).

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

Question - put and passed.

8. Appointment of Members to Standing Committees

Hon Sue Ellery moved, without notice, That -

- (1) Hon Helen Bullock be discharged as a Member of the Standing Committee on Uniform Legislation and Statutes Review;
- (2) Hon Helen Bullock be appointed as a Member of the Joint Standing Committee on Delegated Legislation; and
- (3) Hon Linda Savage be appointed as a Member of the Standing Committee on Uniform Legislation and Statutes Review.

Question - put and passed.

9. Non-Government Business - Greyhound Bus Service between Perth and Broome

Hon Ken Travers moved, without notice -

That this House calls on the Liberal National Government to take immediate action to ensure that the Greyhound Bus Service between Perth and Broome continues to operate on a regular basis to service the people living in the State's North West.

Debate ensued.

Motion lapsed pursuant to Temporary Orders.

10. Order of Business

Ordered - That Orders of the Day Nos 1, *Genetically Modified Crops Free Areas Exemption Order - Disallowance*, 2, *Betting Control Amendment Regulations (No. 4) 2009 - Disallowance*, 3, *Casino Control Amendment Regulations 2009 - Disallowance*, 4, *Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations (No. 2) 2009 - Disallowance*, 5, *Gaming and Wagering Commission Amendment Regulations 2009 - Disallowance*, 6, *Hospitals (Licensing and Conduct of Private Hospitals) Amendment Regulations 2009 - Disallowance*, 7, *Hospitals (Licensing and Conduct of Private Psychiatric Hostels) Amendment Regulations 2009 - Disallowance*, 8, *Racing and Wagering Western Australia Amendment Regulations 2009 - Disallowance*, 9, *Racing Penalties (Appeals) Amendment Regulations 2009 - Disallowance*, 10, *Waste Avoidance and Resource Recovery Levy Amendment Regulations 2009 - Disallowance*, and 11, *Agriculture and Related Resources Protection (European House Borer) Amendment Regulations 2010 - Disallowance*, be taken after Order of the Day No. 16, *Road Traffic Amendment Bill 2010*. (Leader of the House).

11. Appropriation (Consolidated Account) Recurrent 2007-08 and 2008-09 (Supplementary) Bill 2009 and Appropriation (Consolidated Account) Capital 2007-08 and 2008-09 (Supplementary) Bill 2009

The Orders of the Day for the further consideration of these Bills, in Committee, having been read.

The Deputy President left the Chair.

In Committee

(Hon Max Trenorden in the Chair)

Appropriation (Consolidated Account) Recurrent 2007-08 and 2008-09 (Supplementary) Bill 2009

Postponed Clause 3.

Debate resumed.

The Parliamentary Secretary representing the Treasurer moved, That progress be reported and leave asked to sit again at a later stage of this day's sitting.

Question - put and passed.

The Deputy 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 at a later stage of this day's sitting.

Ordered - That the Committee have leave to sit again at a later stage of this day's sitting.

12. Approvals and Related Reforms (No. 3) (Crown Land) Bill 2009

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.

The Deputy President left the Chair.

In Committee

(Hon Michael Mischin in the Chair)

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5 and 6 agreed to.

Clause 7.

Debate ensued.

13. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Premier tabled documents in relation to hospital and health reform key deliverables relating to the Prime Minister's National Health Plan, in response to a question without notice asked by Hon Sue Ellery. (Tabled paper 1961).

The Minister for Training and Workforce Development tabled documents in relation to advice received by the Minister relating to the objectives of the Skills West Expo, in response to a question without notice asked by Hon Ljiljanna Ravlich. (Tabled paper 1962).

President's Ruling

The President ruled as follows -

On a previous occasion I interrupted a Member asking a question on behalf of another Member who was present in the Chamber. It is fair enough if the Member is in the Chamber for the Member to ask his own questions. Seeing that the Member is halfway through the question I will let it go this time, but, in future, that will be the reasoning behind calling a Member.

The Leader of the House representing the Premier, in accordance with Standing Order No 138(d), advised that answers to questions on notice Nos 1929 and 1930 asked by Hon Ken Travers will be provided on 19 May 2010.

The Leader of the House representing the Premier and the Minister for State Development, in accordance with Standing Order No 138(d), advised that answers to questions on notice Nos 1696, 1698, 1699, 1740, 1741, 1786, 1787, 1832 and 1833, asked by Hon Ljiljanna Ravlich will be provided on 18 May 2010.

The Parliamentary Secretary representing the Treasurer sought leave of the House to incorporate into Hansard an answer to a question without notice asked by Hon Ed Dermer.

Leave denied.

14. Approvals and Related Reforms (No. 3) (Crown Land) Bill 2009

The President left the Chair.

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Clause 7.

Debate resumed.

Interruption pursuant to Temporary Orders.

The Deputy President resumed the Chair.

The 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.

15. Standing Committee on Uniform Legislation and Statutes Review - Forty-Seventh Report - Petroleum and Energy Legislation Amendment Bill 2009

Hon Adele Farina presented the Forty-Seventh Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Petroleum and Energy Legislation Amendment Bill 2009*. (Tabled paper 1963).

Hon Adele Farina moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

16. Members' Statements

Statements were taken.

17. Credit (Commonwealth Powers) Bill 2010

The Deputy President reported the receipt of Message No. 91 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary 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 Parliamentary Secretary representing the Minister for Commerce moved, That the Bill be now read a second time.

Debate stands adjourned and the Bill referred to the Standing Committee on Uniform Legislation and Statutes Review.

18. Credit (Commonwealth Powers) (Transitional and Consequential Provisions) Bill 2010

The Deputy President reported the receipt of Message No. 92 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary 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 Parliamentary Secretary representing the Minister for Commerce moved, That the Bill be now read a second time.

Debate stands adjourned and the Bill referred to the Standing Committee on Uniform Legislation and Statutes Review.

19. Special Adjournment

The Leader of the House moved, without notice -

That the House at its rising adjourn until Tuesday, 4 May 2010 at 3.00pm.

Question - put and passed.

20. Adjournment

The House adjourned at 6.28pm until Tuesday, 4 May 2010 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ken Baston and Hon Jon Ford.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council