

LEGISLATIVE COUNCIL  
WEDNESDAY, 23 MAY 2012

2.00pm

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Prayers

**2.00PM - ORDER OF BUSINESS**

Condolence Motions

Petitions

Statements by Ministers and Parliamentary Secretaries

(Minister for Child Protection)

(Minister for Disability Services)

Papers for Tabling

(Minister for Mental Health)

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

Motions on Notice

4.30pm Questions without Notice

5.00pm Committee Reports

7.30pm Orders of the Day

9.45pm Members' Statements

10.25pm House adjourns

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**MOTIONS ON NOTICE**

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**1. Uranium Mining - Environmental Management** (*Notice given 24 February 2011*)

Continuation of remarks the Minister for Mines and Petroleum – 4 mins (Wednesday, 16 May 2012) on the amendment of Hon Jon Ford as follows –

- (1) To delete “, should” in the first line.
- (2) To insert after “Government” in the first line —

should not

- (3) To delete all words of the motion after “Western” in the second line and insert —

Australia.

to the motion of Hon Alison Xamon as follows –

That this House recommend that, should the Government proceed with its intention to licence uranium mining in Western Australia, it adopts the same minimum environmental management regulatory requirements for any future uranium mine in Western Australia as exists under Commonwealth and Northern Territory legislation for the operation of the Ranger uranium mine in the Northern Territory with regard to the disposal of radioactive tailings, including the requirements that -

- (a) the tailings are physically isolated from the environment for at least 10 000 years; and
- (b) any contaminants arising from the tailings do not result in any detrimental environmental impacts for at least 10 000 years.

*Total time remaining on motion – 1hrs 50mins.*

**2. Unconventional Gas Exploration and Mining - Moratorium** (*Notice given 15 March 2011, amended 21 September 2011*)

Hon Alison Xamon: To move -

That this House demands that the Government place a moratorium on all unconventional gas exploration and mining in Western Australia until such time as it can be assured that such activities will -

- (1) Have no impact on local land users, including -
  - (a) no reduction of available agricultural land;
  - (b) no reduction in local groundwater levels;
  - (c) no saltwater contamination of groundwater;
  - (d) no chemical contamination of groundwater; and
  - (e) no uncontrolled methane leakage from drilled locations.
- (2) Be governed by Government regulations that ensure that -
  - (a) absolute transparency is provided to the public about which chemicals are used in all unconventional gas drilling and hydraulic fracturing (‘fracking’) activities;

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- (b) rigorous independent testing is conducted on all chemicals before they are used in unconventional gas exploration, drilling and fracking operations to ensure no adverse impacts on groundwater, human health and the environment; and
- (c) that any liability for contamination of ground water, land or community assets be borne by the company conducting the operations rather than the State and people of Western Australia.

**3. Select Committee into Blind Cords and other Similar Products Installed in Residential Premises - Establishment** (*Notice given 23 March 2011*)

Hon Wendy Duncan: To move -

- (1) That a select committee of three members is appointed.
- (2) The committee is to inquire into and report on —
  - (a) what blind cords and other similar products are currently on sale in Western Australia and whether they are subject to any safety regulations or standards;
  - (b) testing already done (in Australia and world-wide) on the products sold in Western Australia and results of these tests on the safety of these products;
  - (c) instances of deaths to children caused by blinds cords and similar products in Western Australia and world-wide; and
  - (d) instances of deaths to children caused by the faulty workmanship of a tradesperson installing blind cords and other corded window products in Western Australia.
- (3) The committee is to make recommendations to the House, including the following —
  - (a) the best way to affect a ban on corded blinds and other similar products found to be unsafe in tests; and
  - (b) the best way to remove existing corded and unsafe products from residential premises and require appropriate restraining devices to be installed as an interim measure prior to removal.
- (4) The committee is to report to the House no later than 1 November 2011.

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**CONSIDERATION OF COMMITTEE REPORTS**

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**1. [Standing Committee on Public Administration – Report No. 14 – Unassisted Failure](#) – Committee Report** (*Deemed Tabled 20 January 2012*)

On the motion of Hon Max Trenorden (Wednesday, 16 May 2012) debate was adjourned to the next sitting. *See Tabled paper No. 4159.*

**2. [Joint Standing Committee on the Corruption and Crime Commission – Report No. 24 – The intention of the Parliamentary Inspector of the Corruption and Crime Commission to retire](#) – Committee Report** (*Tabled 21 March 2012*)

Continuation of introductory remarks Hon Nick Goiran - 8 mins (Wednesday, 16 May 2012) on the motion that the report be noted.

*Total time remaining on motion – 58 mins.*

*See Tabled paper No. 4340.*

3. [Joint Standing Committee on the Corruption and Crime Commission – Report No. 25 – The use of Public Examinations by the Corruption and Crime Commission – Committee Report](#) (Tabled 27 March 2012)

Consideration. See Tabled paper No. 4369.

4. [Joint Standing Committee on the Corruption and Crime Commission – Report No. 26 – Exceptional Powers Revocation – Committee Report](#) (Tabled 29 March 2012)

Consideration. See Tabled paper No. 4382.

5. [Joint Standing Committee on the Commissioner for Children and Young People – Report No. 9 – Amendment of Finding 5 and Finding 6 from Report No. 8 – Committee Report](#) (Tabled 29 March 2012)

Consideration. See Tabled paper No. 4383.

6. [Standing Committee on Environment and Public Affairs – Report No. 25 – Overview of Petitions – Committee Report](#) (Tabled 3 May 2012)

Consideration. See Tabled paper No. 4475.

7. [Joint Standing Committee on Delegated Legislation – Report No. 47 – Shire of Kellerberrin Parking and Parking Facilities Local Laws 2011 – Committee Report](#) (Tabled 3 May 2012)

Consideration. See Tabled paper No. 4477.

8. [Joint Standing Committee on Delegated Legislation – Report No. 48 – Town of Kwinana Extractive Industries Local Law 2011 – Committee Report](#) (Tabled 3 May 2012)

Consideration. See Tabled paper No. 4478.

9. [Joint Standing Committee on Delegated Legislation – Report No. 49 – Annual Report 2011 – Committee Report](#) (Tabled 3 May 2012)

Consideration. See Tabled paper No. 4479.

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## ORDERS OF THE DAY

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1. **Town of Kwinana Extractive Industries Local Law 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 8 March 2012 on the motion of Hon Sally Talbot (Days remaining 3 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Kwinana Extractive Industries Local Law 2011* published in the *Gazette* on 28 September 2011 and tabled in the Legislative Council on 18 October 2011 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 3948).

2. **Shire of Kellerberrin Parking and Parking Facilities Local Law 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 8 March 2012 on the motion of Hon Sally Talbot (Days remaining 3 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Kellerberrin Parking and Parking Facilities Local Law 2011* published in the *Gazette* on 14 October 2011 and tabled in the Legislative Council on 18 October 2011 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 3948).

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**3. Mining Amendment Regulations (No. 5) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 8 March 2012 on the motion of Hon Robin Chapple (Days remaining 3 after today)

That the *Mining Amendment Regulations (No. 5) 2011* published in the *Gazette* on 11 October 2011 and tabled in the Legislative Council on 18 October 2011 under the *Mining Act 1978*, be and are hereby disallowed. (Tabled paper 3939).

**4. Women’s and Children’s Hospitals Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 152(b)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 16 after today)

That the *Women’s and Children’s Hospitals Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

**5. Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 152(b)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 16 after today)

That the *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011* published in the *Gazette* on 9 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Queen Elizabeth II Medical Centre Act 1966*, be and are hereby disallowed. (Tabled paper 4222).

**6. Royal Perth Hospital Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 152(b)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 16 after today)

That the *Royal Perth Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

**7. Metropolitan Health Service Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 152(b)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 16 after today)

That the *Metropolitan Health Service Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

**8. Fremantle Hospital Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 152(b)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 16 after today)

That the *Fremantle Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

**9. Osborne Park Hospital Amendment By-laws (No. 2) 2011 – Disallowance**  
 Moved *pro forma* (SO 152(b)) 22 March 2012 on the motion of Hon Ken Travers  
 (Days remaining 16 after today)

That the *Osborne Park Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

**10. Hospitals (Services Charges) Amendment Regulations (No. 7) 2011 – Disallowance**

Moved *pro forma* (SO 152(b)) 22 March 2012 on the motion of Hon Ken Travers  
 (Days remaining 16 after today)

That the *Hospitals (Services Charges) Amendment Regulations (No. 7) 2011* published in the *Gazette* on 30 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4236).

**11. Estimates of Revenue and Expenditure – Consolidated Fund Estimates 2012–2013** (*Notice given 17 May 2012*) Minister for Finance representing the Treasurer

Resumption of debate adjourned Hon Ken Baston (Tuesday, 22 May 2012) on the motion of the Minister for Finance representing the Treasurer as follows –

That pursuant to Standing Order No. 68(1) the Legislative Council take note of Tabled Paper No. 4536A–F (2012–2013 Budget Statements), laid upon the Table of the House on Thursday, 17 May 2012.

(Days remaining 8 after today)

**21. [Bank of Western Australia Amendment Bill 2012](#) [LC 272–1] Minister for Finance**

Second reading adjourned (Wednesday, 16 May 2012).

**15. \*[Criminal Investigation \(Covert Powers\) Bill 2011](#)** [LA 210-2] Minister for Energy representing the Minister for Police

Committee (Tuesday, 22 May 2012). See *Standing Committee on Uniform Legislation and Statutes Review Report No. 69* (Tabled 6 March 2012). cf SNP 210 Issue 6 – 23 May 2012.

**16. [Retail Trading Hours Amendment Bill 2012](#)** [LA 263–1] Minister for Commerce

Second reading continuation of remarks Hon Nick Goiran – 24 mins (Tuesday, 22 May 2012).

**20. \*[Education and Care Services National Law \(WA\) Bill 2011](#)** [LA 247–1] Minister for Child Protection

Second reading adjourned (Tuesday, 6 March 2012). See *Standing Committee on Uniform Legislation and Statutes Review Report No. 71* (Tabled 3 May 2012).

**17. [Teacher Registration Bill 2011](#)** [LA 260–2] Minister for Energy representing the Minister for Education

Second reading adjourned (Wednesday, 2 May 2012).

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18. [Fines, Penalties and Infringement Notices Enforcement Amendment \(Taxation\) Bill 2012](#) [LA 265–1] Parliamentary Secretary representing the Attorney General

Second reading adjourned (Wednesday, 2 May 2012).

19. \*[Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2012](#) [LA 266–1] Parliamentary Secretary representing the Attorney General

Second reading adjourned (Wednesday, 2 May 2012). *cf* SNP 266 Issue 1 – 22 May 2012.

14. \*[Evidence and Public Interest Disclosure Legislation Amendment Bill 2011](#) [LC 232-1B] Parliamentary Secretary representing the Attorney General

Committee (Thursday, 10 November 2011). See [Standing Committee on Procedure and Privileges Report No. 23](#) (Tabled 29 November 2011). *cf* SNP 232 Issue 2 - 1 December 2011.

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

**MALCOLM PEACOCK**  
Clerk of the Legislative Council