

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 211

WEDNESDAY, 23 MAY 2012

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Barry House, took the Chair and read prayers.

2. Ministerial Statement — Armadale Family Support Network

The Minister for Child Protection made a Ministerial Statement with respect to the Armadale Family Support Network.

3. Select Committee into Blind Cords and other Similar Products Installed in Residential Premises — Establishment — Withdrawn from Notice Paper

Hon Wendy Duncan withdrew Motion No. 3, *Select Committee into Blind Cords and other Similar Products Installed in Residential Premises — Establishment*, from the Notice Paper.

4. Uranium Mining — Environmental Management

Motion No. 1 having been called, debate resumed 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.

Amendment — put.

The Council divided.

Ayes (14)

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

Hon Ljiljanna Ravlich
 Hon Linda Savage
 Hon Sally Talbot
 Hon Ken Travers
 Hon Giz Watson
 Hon Alison Xamon
 Hon Ed Dermer (*Teller*)

Noes (19)

Hon Liz Behjat
 Hon Jim Chown
 Hon Peter Collier
 Hon Mia Davies
 Hon Wendy Duncan
 Hon Phil Edman
 Hon Donna Faragher
 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*)

Amendment thus negatived.

Debate resumed.

Hon Wendy Duncan moved, without notice —

To amend the motion as follows —

Lines 2 and 3 — to delete “the same minimum” and insert —

equivalent or better

Debate ensued.

Amendment — put and passed.

Motion, as amended, agreed to.

5. Unconventional Gas Exploration and Mining — Moratorium

Motion No. 2 having been called, Hon Alison Xamon, pursuant to notice, moved —

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;

- (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.

Interruption pursuant to order.

6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Brian Ellis in the Chair)

Standing Committee on Public Administration — Report No. 14 — Unassisted Failure — Committee Report

Hon Ken Travers moved, That the Report be noted.

7. Questions Without Notice

Questions without notice were taken.

The Minister for Finance representing the Minister for Transport, in accordance with Standing Order No. 107(2), advised that an answer to question on notice No. 5367 asked by Hon Lynn MacLaren will be provided on 12 June 2012.

The Minister for Mental Health, in accordance with Standing Order No. 107(2), advised that an answer to questions on notice Nos 5361, 5363, 5364, 5365 and 5366 asked by Hon Ljiljanna Ravlich will be provided on 12 June 2012.

8. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports (*see item 6 above*).

In Committee

(Hon Brian Ellis in the Chair)

Standing Committee on Public Administration — Report No. 14 — Unassisted Failure

Hon Ken Travers continued his introductory remarks in moving, That the Report be noted.

Debate ensued.

Point of Order

Hon Ed Dermer raised the following Point of Order —

I may have raised this before. In terms of the committee that looks at Standing Orders, I think this situation in which such a debate is cut off, if that is the case, is entirely inappropriate. I seek advice about what can be done to further extend the effective time for this debate.

Deputy President's Ruling

The Deputy President ruled as follows —

Members, under Standing Orders, we cannot extend the time beyond the hour that we have here. The hour has finished, but it will be six minutes at the next sitting.

The Deputy President resumed the Chair.

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

Standing Committee on Public Administration — Report No. 14 — Unassisted Failure, made progress, and seeks to sit again.

Report adopted.

9. Order of Business

Ordered — That Orders of the Day Nos 1, *Town of Kwinana Extractive Industries Local Law 2011 — Disallowance*, 2, *Shire of Kellerberrin Parking and Parking Facilities Local Law 2011 — Disallowance*, 3, *Mining Amendment Regulations (No. 5) 2011 — Disallowance*, 4, *Women's and Children's Hospitals Amendment By-laws (No. 2) 2011 — Disallowance*, 5, *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 — Disallowance*, 6, *Royal Perth Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 7, *Metropolitan Health Service Amendment By-laws (No. 2) 2011 — Disallowance*, 8, *Fremantle Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 9, *Osborne Park Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, and 10, *Hospitals (Services Charges) Amendment Regulations (No. 7) 2011 — Disallowance*, be taken after Order of the Day No. 14, *Evidence and Public Interest Disclosure Legislation Amendment Bill 2011*. (Leader of the House).

10. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2012–2013

The Order of the Day having been read for the adjourned debate 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 Council on Thursday, 17 May 2012.

Debate resumed.

On the motion of Hon Ken Baston the debate was adjourned to the next sitting.

11. Bank of Western Australia Amendment Bill 2012

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

Debate ensued.

Interruption pursuant to order.

12. Members' Statements

Statements were taken.

13. Adjournment

The Council adjourned at 10.24pm until Thursday, 24 May 2012 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council