

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 41

TUESDAY, 11 AUGUST 2009

1. Meeting of Council

The Council assembled at 3.30pm pursuant to order.

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

2. Message from His Excellency the Governor - Assent to Bills

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bills -

29 June 2009 - Message No. 54	Act No.
Parliamentary Commissioner Amendment Bill 2009	10 of 2009
Transfer of Incorporation (HBF and HIF) Bill 2009	11 of 2009
Appropriation (Consolidated Account) Recurrent 2009-10 Bill 2009	12 of 2009
Appropriation (Consolidated Account) Capital 2009-10 Bill 2009	13 of 2009
Loan Bill 2009	14 of 2009

3. Petitions

Hon Giz Watson presented a petition, by delivery to the Clerk, [SO 130], from 1558 petitioners requesting the Legislative Council oppose the development of a LNG processing hub on the Kimberley Coast. (Tabled paper 999).

Hon Alison Xamon presented a petition from 492 petitioners requesting the Legislative Council inquire, report and recommend opposition to the use of depleted uranium munitions. (Tabled paper 1000).

4. Ministerial Statement - Public Transport Bus Network - Additional Security Measures

The Minister for Transport made a Ministerial Statement with respect to a package of measures to enhance security on the public transport bus network.

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

5. Ministerial Statement - Gorgon Gas Project, Barrow Island - Environmental Approval

The Minister for Environment made a Ministerial Statement with respect to the final environmental approval for the revised and expanded Gorgon Gas proposal on Barrow Island.

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

6. Papers

The following Papers were laid on the Table by -

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7. Dampier Archipelago - World Heritage Listing

Hon Robin Chapple: To move on the next day of sitting -

That this House calls on the Premier to protect the most unique and largest collection of rock art in the world by nominating the Dampier Archipelago to the Federal Government for inclusion in the World Heritage List.

8. Criminal Injuries Compensation - Law Reforms

Hon Nick Goiran: To move on the next day of sitting -

That this House condemns the former Attorney General for the gross inadequacies of the Criminal Injuries Compensation law reforms which have not only resulted in the denial of compensation for deserving victims such as the recent case of Police Constable Butcher, but have also reflected a failure on the part of the former Attorney General to place the needs of the victim at the forefront of any such reform.

9. Matter of Urgency - Redress WA - Reduced Financial Compensation

The President read the following letter -

Dear Mr President

At today's sitting it is my intention to move under SO 72 that the Council consider, as a matter of urgency, its grave concern at the blatant disregard the Government has shown toward the victims of abuse in State and non-government institutions by reducing the amount of financial compensation they are able to claim under Redress WA.

Yours sincerely

Hon Sue Ellery

Member for South Metropolitan Region

Four members having risen in support.

Hon Sue Ellery moved the motion.

Debate ensued.

Point of Order

Hon Kate Doust raised the following Point of Order -

I ask that the Minister table the letter that she quoted from and identify it.

President's Ruling

The President ruled as follows -

Hon Kate Doust can ask, but Ministers are not required to table documents, although they can if they wish to. It is up to the Minister.

The Minister for Child Protection tabled an email dated 31 July 2009 to Judy Tennant containing an opinion relating to advice sent to the previous Minister regarding claims under the Redress WA scheme [SO 47]. (Tabled paper 1001).

Debate resumed.

Statement by President

The President made the following Statement -

A point of order was taken during that debate requesting the tabling of a document. My explanation probably did not help clarify the situation. I refer Members to Standing Orders 47 and 48, which explain that Ministers, upon request for the tabling of a document, can assert some confidentiality, which will prevent the tabling of that document. However, in other cases Members are obliged to table the documents.

Motion lapsed.

10. Order of Business

Ordered - That Orders of the Day Nos 1, *Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009 - Disallowance*, 3, *City of Joondalup Cats Local Law 2008 - Disallowance*, and 4, *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009 - Disallowance*, be taken after Order of the Day No. 17, *Fisheries Adjustment Schemes Amendment Bill 2009*. (Leader of the House).

11. City of Gosnells - Local Government Property Local Law 2009 - Disallowance - Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice -

That Order of the Day No. 2, *City of Gosnells - Local Government Property Local Law 2009 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

12. Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2009-2010

The Order of the Day having been called, debate resumed on the motion of the Parliamentary Secretary representing the Treasurer, as follows -

That pursuant to Standing Order No. 49(1)(c) the Legislative Council take note of Tabled Paper No. 773A-H (2009-2010 Budget Statements), laid upon the Table of the House on 14 May 2009.

On the motion of the Leader of the House the debate was adjourned to the next sitting.

13. Local Government Amendment (Elections) Bill 2009

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

Debate ensued.

14. Questions Without Notice

Questions without notice were taken.

The Minister for Transport representing the Minister for Health tabled documents in relation to details of lobbyists that have met with the Minister for Health, in response to question on notice No. 836 asked by Hon Ljiljanna Ravlich. (Tabled paper 1002).

The Parliamentary Secretary representing the Treasurer tabled documents in relation to Shared Services Contracts with the Department of Treasury and Finance, in response to question on notice No. 764 asked by Hon Anthony Fels. (Tabled paper 1004).

The Parliamentary Secretary representing the Minister for Mental Health tabled documents in relation to Mental Health bed category details, in response to question on notice No. 773 asked by Hon Anthony Fels. (Tabled paper 1003).

15. Local Government Amendment (Elections) Bill 2009

Debate resumed on the second reading of this Bill (cf item 13 above).

Interruption of Debate [SO 61(b)].

16. Adjournment

The Leader of the House moved, That the House do now adjourn.

Debate ensued.

Question - put and passed.

The House adjourned at 10.39pm until Wednesday, 12 August 2009 at 4.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Lynn MacLaren and Hon Ken Travers.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council