

**LEGISLATIVE COUNCIL**

**MINUTES OF PROCEEDINGS**

**No. 149**

**THURSDAY, 14 APRIL 2011**

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**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. Papers**

The following Papers were laid on the Table by -

**President**

*Reports -*

Work of the Legislative Council in 2010 (Date published 14/04/2011) ..... 3242

**Leader of the House**

*Reports -*

Consultants Engaged by Government (For the six months ended 30 June 2010)..... 3243

Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and  
Officers on Official Business (For the three months ended 30 June 2010) ..... 3244

Ministerial Resourcing Report (as at 21/03/2010)..... 3245

**Minister for Finance**

*Reports -*

Economic Regulation Authority (Final Report) Inquiry into Funding Arrangements of  
Horizon Power..... 3246

**Minister for Energy on behalf of the Minister for Child Protection**

*Reports -*

Genetically Modified Canola Audit Program in Western Australia (2010) -  
Department of Agriculture and Food ..... 3247

**3. Standing Committee on Environment and Public Affairs - Report No. 21 - Shack Sites in Western Australia**

Hon Brian Ellis presented Report No. 21 of the Standing Committee on Environment and Public Affairs in relation to *Shack Sites in Western Australia*. (Tabled paper 3248).

Hon Brian Ellis moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

Hon Brian Ellis, by leave, made a short statement in relation to the Report.

Hon Ed Dermer moved, That the Statement be made an Order of the Day for the next sitting of the House.

Question - put and passed.

**4. Standing Committee on Uniform Legislation and Statutes Review - Report No. 61 - Occupational Licensing National Law (WA) Bill 2010**

Hon Adele Farina presented Report No. 61 of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Occupational Licensing National Law (WA) Bill 2010*. (Tabled paper 3249).

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

Question - put and passed.

**5. Standing Committee on Estimates and Financial Operations - Special Report - Advising of the 2011/12 Budget Estimates Hearings**

Hon Giz Watson presented a Special Report of the Standing Committee on Estimates and Financial Operations in relation to the 2011/12 Budget Estimate Hearings.

Hon Giz Watson moved, That the Report do lie upon the Table and be printed and be adopted and agreed to.

Debate ensued.

Question - put and passed.

**6. City of Perth Parking Local Law 2010 - Disallowance**

Hon Jim Chown: To move on the next day of sitting -

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Perth Parking Local Law 2010* published in the *Gazette* on 15 February 2011 and tabled in the Legislative Council on 22 February 2011 under the *Local Government Act 1995*, be and is hereby disallowed.

**7. City of Mandurah Waste Management Local Law 2010 - Disallowance**

Hon Jim Chown: To move on the next day of sitting -

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Mandurah Waste Management Local Law 2010* published in the *Gazette* on 18 February 2011 and tabled in the Legislative Council on 22 February 2011 under the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed.

**8. Renewable Energy Feed-in Tariff (REFiT WA) Bill 2010**

Non-Government Business No. 1 having been called for the adjourned debate on the second reading of this Bill.

Debate resumed.

*Interruption pursuant to Temporary Orders.*

## 9. Order of Business

Ordered - That Orders of the Day Nos 1, *Metropolitan Region Scheme Amendment No. 1161/41 - Parks and Recreation Reservations for Public Lands - Disallowance*, and 2, *Metropolitan Region Scheme Amendment No. 1186/41 - Wandu Transit Oriented Development Precinct - Disallowance*, be taken after Order of the Day No. 16, *Commonwealth Heads of Government Meeting (Special Powers) Bill 2011*. (Leader of the House).

## 10. Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010 and Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010

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

The Deputy President left the Chair.

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### In Committee

(Hon Max Trenorden in the Chair)

#### *Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010*

Schedule 1.

Debate resumed.

Schedule agreed to.

Title agreed to.

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The Deputy President resumed the Chair.

Bills reported without amendment.

Report adopted.

Ordered - That the third reading of the Bills be made an Order of the Day at a later stage of this day's sitting.

## 11. Hope Valley-Wattleup Redevelopment Amendment Bill 2010

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

Debate resumed.

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 Mental Health representing the Minister for Planning moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

## 12. Electoral and Constitution Amendment Bill 2011

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

Debate resumed.

Question - put.

The Deputy President having counted the House, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

Question passed.

Bill read a second time.

Ordered - That consideration of the Bill, in Committee, be made an Order of the Day for the next sitting.

### **13. Questions Without Notice**

Questions without notice were taken.

The Minister for Finance on behalf of the Leader of the House representing the Minister for State Development, in accordance with Standing Order No. 138(d), advised that answers to questions on notice Nos 3702 and 3703 asked by Hon Jon Ford will be provided on 17 May 2011.

The Minister for Finance representing the Minister for Transport, in accordance with Standing Order No. 138(d), advised that an answer to question on notice No. 3704 asked by Hon Matt Benson-Lidholm will be provided on 17 May 2011.

The Minister for Energy tabled documents in relation to details of proposed Western Power substations in the north metropolitan area that will be required in the next ten years, in response to question on notice No. 3725 asked by Hon Ken Travers. (Tabled paper 3250).

The Minister for Mental Health, in accordance with Standing Order No. 138(d), advised that answers to questions on notice Nos 3713, 3714 and 3718 asked by Hon Ljiljana Ravlich will be provided on 17 May 2011.

### **14. Order of Business**

Ordered - That Orders of the Day Nos 6, *Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010*, and 7, *Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010*, be taken forthwith. (Minister for Finance).

### **15. Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010 and Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010**

The Orders of the Day having been read for the third reading of these Bills.

The Minister for Finance moved, That the *Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010* be now read a third time.

Debate ensued.

Question - put and passed.

Bill read a third time and passed.

The Minister for Finance moved, That the *Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010* be now read a third time.

Question - put and passed.

Bill read a third time and passed.

### **16. Members' Statements**

Statements were taken.

Hon Robin Chapple, by leave, tabled the WA Nuclear Free Alliance conference statement entitled *We can't close the gap by digging a deeper hole*. (Tabled paper 3251).

### **17. Building Bill 2010**

The President reported the receipt of Message No. 175 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question - put and passed.

Bill read a first time.

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

Debate stands adjourned.

**18. Criminal Investigation (Identifying People) Amendment Bill 2011**

The President reported the receipt of Message No. 176 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Energy representing the Minister for Police moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

*Want of Quorum*

There not being a quorum present, the President gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

The Minister for Energy representing the Minister for Police moved, That the Bill be now read a second time.

Debate stands adjourned

**19. Police Amendment Bill 2010**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 177

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Police Amendment Bill 2010*.

Joe Francis

Acting Speaker

Legislative Assembly Chamber

Perth, 14 April 2011

**20. Criminal Code Amendment (Infringement Notices) Bill 2010**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 178

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendment made by the Legislative Council in the *Criminal Code Amendment (Infringement Notices) Bill 2010*.

Joe Francis

Acting Speaker

Legislative Assembly Chamber

Perth, 14 April 2011

**21. Criminal Investigation Amendment Bill 2010**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 179

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Criminal Investigation Amendment Bill 2010*.

Andrea Mitchell  
Acting Speaker

Legislative Assembly Chamber  
Perth, 14 April 2011

**22. Charitable Trusts Amendment Bill 2010**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 180

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Charitable Trusts Amendment Bill 2010* without amendment.

Michael Sutherland  
Deputy Speaker

Legislative Assembly Chamber  
Perth, 14 April 2011

**23. Juries Legislation Amendment Bill 2010**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 181

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Juries Legislation Amendment Bill 2010*

Michael Sutherland  
Deputy Speaker

Legislative Assembly Chamber  
Perth, 14 April 2011

**24. Special Adjournment**

The Minister for Finance moved, without notice -

That the House at its rising adjourn until Tuesday, 17 May 2011.

Question - put and passed.

**25. Adjournment**

The House adjourned at 6.18pm until Tuesday, 17 May 2011 at 3.00pm.

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

Attendance: Present all Members except Hon Jon Ford and Hon Robyn McSweeney.

**NIGEL LAKE**  
Acting Clerk of the Legislative Council

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