

LEGISLATIVE COUNCIL  
THURSDAY, 24 MAY 2012

10.00am

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Prayers

**10.00AM - ORDER OF BUSINESS**

Condolence Motions

Message from the Governor No. 5

Petitions

(Hon Brian Ellis)

Statements by Ministers and Parliamentary Secretaries

(Minister for Mines and Petroleum)

(Minister for Commerce)

Papers for Tabling

(Minister for Mines and Petroleum)

(Minister for Child Protection)

(Minister for Mental Health)

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

Non-Government Business

Private Members Business

Orders of the Day

4.30pm Questions without Notice

5.00pm Orders of the Day (continued)

5.20pm Members' Statements

6.00pm House adjourns

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## NON-GOVERNMENT BUSINESS

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### 1. Transport infrastructure – planning and expenditure

Hon Ken Travers to move -

That this Council condemns the Barnett Government for its failure to budget to ensure adequate transport infrastructure for the future due to its —

- (a) insufficient planning and expenditure on public transport; and
- (b) misplaced priorities for state-wide infrastructure establishment.

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## PRIVATE MEMBERS' BUSINESS

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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 2 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 2 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).

### 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 2 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).

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

Moved *pro forma* (SO 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 15 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 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 15 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 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 15 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 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 15 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 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 15 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 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 15 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 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 15 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. Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, 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).

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

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, 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).

**13. Osborne Park Hospital Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, 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).

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

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, 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).

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

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, 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).

**16. Liquor Control Amendment Regulations (No. 10) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Liquor Control Amendment Regulations (No. 10) 2011* published in the *Gazette* on 6 January 2012 and tabled in the Legislative Council on 6 March 2012 under the *Liquor Control Act 1988*, be and are hereby disallowed. (Tabled paper 4167).

**17. Children's Court (Fees) Amendment Regulations (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Children's Court (Fees) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Children's Court of Western Australia Act 1988*, be and are hereby disallowed. (Tabled paper 4247).

**18. Civil Judgements Enforcement Amendment Regulations (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Civil Judgements Enforcement Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Civil Judgements Enforcement Act 2004*, be and are hereby disallowed. (Tabled paper 4248).

**19. Coroners Amendment Regulations (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Coroners Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Coroners Act 1996*, be and are hereby disallowed. (Tabled paper 4249).

**20. District Court (Fees) Amendment Regulations (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *District Court (Fees) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *District Court of Western Australia Act 1969*, be and are hereby disallowed. (Tabled paper 4250).

**21. Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Evidence Act 1906*, be and are hereby disallowed. (Tabled paper 4251).

**22. Magistrates Court (Fees) Amendment Regulations (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Magistrates Court (Fees) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Magistrates Court Act 2004*, be and are hereby disallowed. (Tabled paper 4253).

**23. State Administrative Tribunal Amendment Regulations (No. 5) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *State Administrative Tribunal Amendment Regulations (No. 5) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *State Administrative Tribunal Act 2004*, be and are hereby disallowed. (Tabled paper 4256).

**24. Supreme Court (Fees) Amendment Regulations (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Supreme Court (Fees) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Supreme Court Act 1935*, be and are hereby disallowed. (Tabled paper 4257).

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**25. Town of Bassendean Repeal Local Law 2010 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Bassendean Repeal Local Law 2010* published in the *Gazette* on 20 January 2012 and tabled in the Legislative Council on 6 March 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4212).

**26. Town of Bassendean Dust and Sand Local Law 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Bassendean Dust and Sand Local Law 2011* published in the *Gazette* on 6 March 2012 and tabled in the Legislative Council on 21 March 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4329).

**27. City of Busselton Busselton Regional Airport Local Law 2012 – Disallowance**

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 17 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Busselton Busselton Regional Airport Local Law 2012* published in the *Gazette* on 24 February 2012 and tabled in the Legislative Council on 6 March 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4209).

**28. 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 (Wednesday, 23 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 7 after today)

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

Second reading continuation of remarks Hon Lynn MacLaren (Wednesday, 23 May 2012).

**32. [\\*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 4 – 27 March 2012.

**33. [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).

**37. [\\*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).

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

Second reading adjourned (Wednesday, 2 May 2012).

35. [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).

36. [\\*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.

31. [\\*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.

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## BILLS FOR INTRODUCTION

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2. **Mining Amendment Bill 2011** (Notice given 22 September 2011)

Hon Giz Watson: To move -

That a Bill for “An Act to amend the *Mining Act 1978*.” be introduced and read a first time.

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

**MALCOLM PEACOCK**

Clerk of the Legislative Council

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