

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 212

THURSDAY, 24 MAY 2012

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The Deputy President, Hon Matt Benson-Lidholm, took the Chair and read prayers.

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

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

21 May 2012 — Message No. 5	Act No.
Road Traffic (Vehicles) Bill 2011	7 of 2012
Road Traffic Legislation Amendment Bill 2011	8 of 2012
Criminal Appeals Amendment (Double Jeopardy) Bill 2011	9 of 2012
Legal Deposit Bill 2011	10 of 2012

3. Petition

Hon Brian Ellis presented a petition from 155 petitioners requesting the Legislative Council recommend to the Government that blood donation centre services be provided in all regional hospitals in Western Australia. (Tabled Paper 4555).

4. Ministerial Statement — Varanus Island Incident Final Investigation Report

The Minister for Mines and Petroleum made a Ministerial Statement with respect to the findings of the final phase of the State's investigation into the pipeline explosion incident that occurred on Varanus Island on 3 June 2008.

The Minister for Mines and Petroleum moved, That the 'Bills-Agostini' Report, *Offshore Petroleum Safety Regulation: Varanus Island Incident Investigation* (June 2009) do lie upon the table and be printed. (Tabled Paper 4556).

Question — put and passed.

The Minister for Mines and Petroleum moved, That the Department of Mines and Petroleum response to the *Offshore Petroleum Safety Regulation: Varanus Island Incident Investigation* do lie upon the table and be printed. (Tabled Paper 4557).

5. Ministerial Statement — Local Content Report

The Minister for Commerce made a Ministerial Statement with respect to the tabling of the Government's third *Local Content Report*.

The Minister for Commerce tabled the *Local Content Report* (May 2012), by the Department of Commerce. (Tabled Paper 4558).

6. Ministerial Statement — Broome Mental Health Unit

The Minister for Mental Health made a Ministerial Statement with respect to the opening of the Broome Mental Health Unit on 4 May 2012.

7. Papers

The following Papers were laid on the Table by —

Minister for Energy on behalf of the Minister for Child Protection

Annual Reports —

Local Government Grants Commission of WA (2011) (Date received 23/05/2012)..... 4552

Minister for Mental Health

Determinations —

Planning and Development Act 2005 — in relation to Ministerial Direction in Hanson
Construction Materials Pty Ltd v City of Vincent 4553

Planning and Development Act 2005 — in relation to Ministerial Direction in Holcim
Australia Pty Ltd v City of Vincent 4554

8. Transport Infrastructure — Planning and Expenditure

Non-Government Business No. 1 having been called, Hon Ken Travers moved, without notice —

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.

Debate ensued.

Motion lapsed.

9. Order of Business

Ordered — That Bills for Introduction be now taken. (Leader of the House).

10. Mining Amendment Bill 2011

Hon Giz Watson, pursuant to notice, moved —

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

Question — put and passed.

Bill read a first time.

Hon Giz Watson moved, That the Bill be read a second time.

Hon Giz Watson tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 4559).

Debate stands adjourned.

11. 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*, 10, *Hospitals (Services Charges) Amendment Regulations (No. 7) 2011 — Disallowance*, 11, *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 — Disallowance*, 12, *Fremantle Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 13, *Osborne Park Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 14, *Royal Perth Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 15, *Women’s and Children’s Hospitals*

Amendment By-laws (No. 2) 2011 — Disallowance, 16, Liquor Control Amendment Regulations (No. 10) 2011 — Disallowance, 17, Children's Court (Fees) Amendment Regulations (No. 2) 2011 — Disallowance, 18, Civil Judgments Enforcement Amendment Regulations (No. 2) 2011 — Disallowance, 19, Coroners Amendment Regulations (No. 2) 2011 — Disallowance, 20, District Court (Fees) Amendment Regulations (No. 2) 2011 — Disallowance, 21, Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2011 — Disallowance, 22, Magistrates Court (Fees) Amendment Regulations (No. 2) 2011 — Disallowance, 23, State Administrative Tribunal Amendment Regulations (No. 5) 2011 — Disallowance, 24, Supreme Court (Fees) Amendment Regulations (No. 2) 2011 — Disallowance, 25, Town of Bassendean Repeal Local Law 2010 — Disallowance, 26, Town of Bassendean Dust and Sand Local Law 2011 — Disallowance, and 27, City of Busselton Busselton Regional Airport Local Law 2012 — Disallowance, be taken after Order of the Day No. 31, Evidence and Public Interest Disclosure Legislation Amendment Bill 2011. (Leader of the House).

12. 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.

13. 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 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 Finance moved, That the Bill be now read a third time.

Debate ensued.

14. Questions Without Notice

Questions without notice were taken.

The Minister for Mental Health, in accordance with Standing Order No. 107(2), advised that answers to questions on notice Nos 5384 and 5385 asked by Hon Ljiljanna Ravlich will be provided on 12 June 2012.

15. Bank of Western Australia Amendment Bill 2012

Debate resumed on the third reading of this Bill (*see item 13 above*).

Question — put and passed.

Bill read a third time and passed.

16. Order of Business

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

17. Members' Statements

Statements were taken.

18. Adjournment

The Council adjourned at 5.53pm until Tuesday, 12 June 2012 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Robyn McSweeney and Hon Max Trenorden.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council