

LEGISLATIVE COUNCIL
WEDNESDAY, 3 JUNE 2009

4.00pm

Prayers

4.00PM - ORDER OF BUSINESS

Petitions

Statements by Ministers and Parliamentary Secretaries

Papers for Tabling

(Minister for Energy)

(Minister for Child Protection)

Notice of Questions

Notices of Motions for Disallowance

Notices of Motions to Introduce Bills

Notices of Motions

Motions without Notice

4.00pm Motions on Notice

5.00pm Questions without Notice

5.30pm Orders of the Day

10.00pm House adjourns

MOTIONS ON NOTICE

1. **Select Committee into the Iron Ore Industry of Western Australia - Establishment** (*Notice given 11 November 2008*)

Continuation of introductory remarks Hon Anthony Fels (Thursday, 14 May 2009) in moving the following motion -

That -

- (1) A select committee of three members is appointed, any two of whom constitute a quorum.
- (2) The committee is to inquire into and report on -
 - (a) the content and terms of the iron ore policy including and in relation to -
 - (i) the allocation and grant of iron ore tenure;
 - (ii) the grant of certificates of exemption under section 102A of the *Mining Act 1978 (WA)*;
 - (iii) the grant of extensions of term under section 61(2) of the *Mining Act 1978 (WA)* in respect of exploration licences which are authorised for iron ore under section 111 of the *Mining Act 1978 (WA)*; and
 - (iv) the basis upon which exploration licences authorised for iron ore under section 111 of the *Mining Act 1978 (WA)* have been permitted to be utilised as holding titles;
 - (b) the relationship between the iron ore policy and the use of state agreements to facilitate the development of iron ore projects;
 - (c) the extent to which the iron ore policy has been the subject of review and variation including by the Department of Industry and Resources;
 - (d) whether the existence and terms of the iron ore policy have been adequately disclosed, including to new entrants and potential new entrants into the iron ore industry;
 - (e) the current operation of the iron ore policy including -
 - (i) the impact of the iron ore policy upon -
 - (A) investment in iron ore exploration in the State; and
 - (B) iron ore royalties and other revenues received by the State (in relation to both quantum and time of receipt);
 - (ii) whether the iron ore policy is anti-competitive in the current market in that it prevents the turn-over of ground and thereby -

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- (A) preserves the market power of existing members of the iron ore industry; and
 - (B) operates as a barrier to entry to new entrants into the market;
 - (f) whether the original rationale for the iron ore policy remains applicable today;
 - (g) whether there is still any need to treat iron ore differently to other mineral commodities under the *Mining Act 1978 (WA)*; and
 - (h) whether it is still necessary and appropriate to use government agreements to facilitate the development of iron ore resources or whether the *Mining Act 1978 (WA)* provides an adequate and appropriate vehicle.
- (3) The committee is to report to the House no later than 12 March 2009.

2. Water Catchments - South West Recovery Program (*Notice given 11 November 2008*)

Hon Giz Watson: To move -

That in the light of the declining rainfall and catastrophic decline in surface water inflow to our dams, and the impact of salinity on our South West water catchments this House calls on the government to implement as a matter of priority a comprehensive upper catchment recovery program based on farm forestry that aims to restore water and salt balance in the six key water catchments in the region.

3. Appropriate Resourcing for Western Australian Not-for-Profit Sector (*Notice given 3 December 2008*)

Hon Sue Ellery: To move -

That this House notes the changing demands for assistance on the Western Australian not-for-profit sector and calls on the Barnett Government to ensure the sector has appropriate resources and capacity to meet demand.

4. Child Death Review Committee - Recommendations (*Notice given 3 December 2008*)

Hon Sue Ellery: To move -

That this House notes the recommendations of the *Group Analysis of Aboriginal Child Death Review Cases in which Chronic Neglect is Present* report of the Child Death Review Committee and calls on the Minister for Child Protection to provide quarterly reports to the House on the implementation of those recommendations.

ORDERS OF THE DAY

1. **State Administrative Tribunal Amendment Rules (No. 2) 2008 - Disallowance**

Moved *pro forma* (SO 152(b)) (Thursday, 9 April 2009) on the motion of Hon Kim Chance

(Question to be put at this day's sitting)

That the *State Administrative Tribunal Amendment Rules (No. 2) 2008* published in the *Gazette* on 29 August 2008 and tabled in the Legislative Council on 25 November 2008 under the *State Administrative Tribunal Act 2004*, be and are hereby disallowed. (Tabled paper 337).

2. **Occupational Safety and Health Amendment Regulations 2008 - Disallowance**

Moved *pro forma* (SO 152(b)) (Wednesday, 13 May 2009) on the motion of Hon Shelley Eaton (Days remaining 4 after today)

That the *Occupational Safety and Health Amendment Regulations 2008* published in the *Gazette* on 25 November 2008 and tabled in the Legislative Council on 9 December 2008 under the *Occupational Safety and Health Act 1984*, be and are hereby disallowed. (Tabled paper 421).

3. **Children and Community Services Amendment Regulations 2008 - Disallowance**

Moved *pro forma* (SO 152(b)) (Tuesday, 19 May 2009) on the motion of Hon Ray Halligan (Days remaining 6 after today)

That the *Children and Community Services Amendment Regulations 2008* published in the *Gazette* on 9 December 2008 and tabled in the Legislative Council on 11 March 2009 under the *Children and Community Services Act 2004*, be and are hereby disallowed. (Tabled paper 5107).

4. **Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009 - Disallowance**

Moved *pro forma* (SO 152(b)) (Thursday, 21 May 2009) on the motion of Hon Giz Watson (Days remaining 8 after today)

That the *Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009* published in the *Gazette* on 14 April 2009 and tabled in the Legislative Council on 14 May 2009 under the *Genetically Modified Crops Free Areas Act 2003*, be and is hereby disallowed. (Tabled paper 769).

5. **Fish Resources Management Amendment Regulations (No. 3) 2009 - Disallowance**

Moved *pro forma* (SO 152(b)) (Tuesday, 2 June 2009) on the motion of Hon Kim Chance (Days remaining 9 after today)

That the *Fish Resources Management Amendment Regulations (No. 3) 2009* published in the *Gazette* on 11 February 2009 and tabled in the Legislative Council on 18 March 2009 under the *Fish Resources Management Act 1994*, be and are hereby disallowed. (Tabled paper 550).

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6. Psychologists Amendment Regulations 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 2 June 2009) on the motion of Hon Kim Chance (Days remaining 9 after today)

That the *Psychologists Amendment Regulations 2009* published in the *Gazette* on 6 March 2009 and tabled in the Legislative Council on 18 March 2009 under the *Psychologists Act 2005*, be and are hereby disallowed. (Tabled paper 561).

7. City of Joondalup - Local Government and Public Property Amendment Local Law (No. 2) 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 2 June 2009) on the motion of Hon Kim Chance (Days remaining 9 after today)

That the *City of Joondalup - Local Government and Public Property Amendment Local Law (No. 2) 2008* published in the *Gazette* on 13 January 2009 and tabled in the Legislative Council on 18 March 2009 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 568).

8. Southern Metropolitan Regional Council Standing Orders Local Law 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 2 June 2009) on the motion of Hon Kim Chance (Days remaining 9 after today)

That the *Southern Metropolitan Regional Council Standing Orders Local Law 2008* published in the *Gazette* on 30 January 2009 and tabled in the Legislative Council on 18 March 2009 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 568).

9. City of Gosnells - Local Government Property Local Law 2009 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 2 June 2009) on the motion of Hon Kim Chance (Days remaining 9 after today)

That the *City of Gosnells - Local Government Property Local Law 2009* published in the *Gazette* on 24 February 2009 and tabled in the Legislative Council on 18 March 2009 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 568).

10. Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2009-2010 (*Notice given 14 May 2009*) *Parliamentary Secretary representing the Treasurer*

Resumption of debate adjourned Hon Ed Dermer (Tuesday, 2 June 2009) 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.

Takes precedence for 7 days after today.

15. *Parliamentary Commissioner Amendment Bill 2009 [LA 023-1] *Leader of the House representing the Premier*

Committee progress new clause 8A Amendment reference No. 3/NC8A (Tuesday, 2 June 2009). *cf SNP 23 Issue 2 - 2 June 2009.*

11. *National Gas Access (WA) Bill 2008 [LA 009-1] *Minister for Energy*

Second reading adjourned Minister for Energy (Wednesday, 13 May 2009). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 35 (Tabled 10 March 2009) - cf SNP 9 Issue 3 - Wednesday, 13 May 2009.*

- 16. Major Events (Aerial Advertising) Bill 2009 [LA 029-1]** *Leader of the House representing the Minister for Sport and Recreation*

Second reading adjourned (Thursday, 7 May 2009).

- 19. *National Environment Protection Council (Western Australia) Amendment Bill 2009 [LC 038-1]** *Minister for Environment*

Second reading adjourned (Tuesday, 5 May 2009). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 37 (Tabled 21 May 2009)*

- 20. *Child Exploitation Material and Classification Legislation Amendment Bill 2009 [LC 043-1]** *Minister for Transport representing the Attorney General*

Second reading adjourned (Wednesday, 6 May 2009). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 36 (Tabled 21 May 2009)*

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

MALCOLM PEACOCK

Clerk of the Legislative Council

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