

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 38

TUESDAY, 23 JUNE 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. Ministerial Statement - Landfill Levy

The Minister for Environment made a Ministerial Statement with respect to an increase in landfill levy charges from 1 January 2010.

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

3. Papers

The following Papers were laid on the Table by -

President

Financial Statements -

Members of Parliament (Financial Interest) Act 1992 - Primary Returns 886

Joint Standing Committee on Treaties (Commonwealth of Australia) -

Report No. 101 - Treaties tabled on 3 February 2009 887

Reports -

Corruption and Crime Commission - Report on the Investigation of Alleged Misconduct by Employees of Landgate as a Result of Associations with External Clients Involved in the Property Development Industry (18 June 2009) (Deemed tabled 18/06/2009) 888

Leader of the House

Management Plans -

Fish Resources Management Act 1994 (Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2009 [912] G.G. 16/06/2009) 889

Regulations -

Dangerous Goods Safety Act 2004 (Dangerous Goods Safety (Explosives) Amendment Regulations (No. 3) 2009 G.G. 16/06/2009, Dangerous Goods Safety (Major Hazard Facilities) Amendment Regulations (No. 2) 2009 G.G. 16/06/2009, Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Amendment Regulations (No. 2) 2009 G.G. 16/06/2009 and Dangerous Goods Safety (Storage and Handling of Non-explosives) Amendment Regulations (No. 2) 2009 G.G. 16/06/2009)	890
Industrial Relations Act 1979 (Industrial Relations Commission Amendment Regulations (No. 2) 2009 G.G. 16/06/2009)	891
Mines Safety and Inspection Act 1994 (Mines Safety and Inspection Amendment Regulations (No. 2) 2009 G.G. 16/06/2009)	892
Pay-roll Tax Assessment Act 2002 (Pay-roll Tax Assessment Amendment Regulations 2009 G.G. 19/06/2009)	893

Minister for Transport*Regulations -*

Young Offenders Act 1994 (Young Offenders Amendment Regulations 2009 G.G. 19/06/2009)	894
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Response to Reports -

Standing Committee on Estimates and Financial Operations - Follow-up to Report No. 12 on Balga Works Program (Report No. 19) (Attorney General)	895
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Minister for Energy*Local Laws -*

Local Government Act 1995 (City of Perth Alfresco Dining Local Law 2009 G.G. 16/06/2009 and Shire of Mundaring Parking Local Law 2009 G.G. 17/06/2009)	896
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Minister for Child Protection*Regulations -*

Children and Community Services Act 2004 (Children and Community Services Amendment Regulations 2009 G.G. 19/06/2009)	897
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Planning and Development Act 2005 (Planning and Development Regulations 2009 G.G. 19/06/2009)	898
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Parliamentary Secretary representing the Minister for Regional Development*Regulations -*

Registration of Deeds Act 1856 (Registration of Deeds Amendment Regulations 2009 G.G. 19/06/2009)	900
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Strata Titles Act 1985 (Strata Titles General Amendment Regulations 2009 G.G. 19/06/2009)	901
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Transfer of Land Act 1893 (Transfer of Land Amendment Regulations (No. 2) 2009 G.G. 19/06/2009)	902
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Valuation of Land Act 1978 (Valuation of Land Amendment Regulations (No. 2) 2009 G.G. 19/06/2009)	903
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Parliamentary Secretary to the Minister for Water*By-laws -*

Water Agencies (Powers) Act 1984 (Water Agencies (Charges) Amendment By-laws 2009 G.G. 19/06/2009)	904
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4. Joint Standing Committee on the Corruption and Crime Commission - Fourth Report - Corruption and Crime Commission's Response to the Select Committee into the Police Raid on *The Sunday Times* Report No. 1

Hon Nick Goiran presented the Fourth Report of the Joint Standing Committee on the Corruption and Crime Commission in relation to the Corruption and Crime Commission's Response to the Select Committee into the Police Raid on *The Sunday Times* Report No. 1. (Tabled paper 899).

Hon Nick Goiran moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

5. Standardisation of Formatting Bill 2009

The Minister for Transport: To move on the next day of sitting -

That a Bill for "An Act to amend various written laws to standardise the formatting of certain aspects of those laws." be introduced and read a first time.

6. Matter of Urgency -Aboriginal Deaths in Custody

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, as a matter of urgency, recommends that the Government immediately implement the recommendations of the State Coroner on the Record of the Investigation into the Death of Mr Ward, and that the House note the connection of this death with the recommendations of the Royal Commission into Aboriginal Deaths in Custody.

Yours sincerely

Hon Giz Watson
Member for North Metropolitan Region

Four members having risen in support.

Hon Giz Watson moved the motion.

Debate ensued.

Motion lapsed.

7. Parliamentary Commissioner Amendment Bill 2009

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 37

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Parliamentary Commissioner Amendment Bill 2009*.

Mr P.B. Watson
Acting Speaker

Legislative Assembly Chamber
Perth, 18 June 2009

8. Order of Business

Ordered - That Orders of the Day Nos 2, *Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009 - Disallowance*, and 5, *City of Gosnells - Local Government Property Local Law 2009 - Disallowance*, be taken after Order of the Day No. 23, *Revenue Laws Amendment (Taxation) Bill 2009*. (Leader of the House).

9. Children and Community Services Amendment Regulations 2008 - Disallowance - 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. 1, *Children and Community Services Amendment Regulations 2008 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

10. Fish Resources Management Amendment Regulations (No. 3) 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. 3, *Fish Resources Management Amendment Regulations (No. 3) 2009 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

11. City of Joondalup - Local Government and Public Property Amendment Local Law (No. 2) 2008 - 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. 4, *City of Joondalup - Local Government and Public Property Amendment Local Law (No. 2) 2008 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

12. City of Stirling - Fencing Local Law 2008 - 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. 6, *City of Stirling - Fencing Local Law 2008 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

13. 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 a later stage of this day's sitting.

14. Loan Bill 2009

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

Debate ensued.

15. Questions Without Notice

Questions without notice were taken.

The Minister for Transport representing the Minister for Corrective Services tabled, and by leave incorporated into Hansard, documents in relation to government initiatives to address the overrepresentation of indigenous prisoners incarcerated in Western Australia in response to a question without notice asked by Hon Giz Watson. (Tabled paper 905).

The Minister for Fisheries tabled, and by leave incorporated into Hansard, an answer in relation to the Fisheries Adjustment Schemes Special Purpose Account, breakdown in the 2009-2010 Budget, in response to a question without notice asked by Hon Jon Ford. (Tabled paper 906).

16. Loan Bill 2009

Debate resumed on the second reading of this Bill (cf item 14 above).

Interruption of Debate [SO 61(b)].

17. Special Adjournment

The Leader of the House moved, without notice -

That the House at its rising adjourn until Wednesday, 24 June 2009 at 2.00pm.

Question - put and passed.

18. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 10.37pm until Wednesday, 24 June 2009 at 4.00pm.

Members present during the day's proceedings

Attendance: Present all Members.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council