

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 96

WEDNESDAY, 23 JUNE 2010

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### 1. Meeting of Council

The Council assembled at 2.00pm pursuant to Temporary Orders.

The President, Hon Barry House, took the Chair and read prayers.

### 2. Petitions

Hon Matt Benson-Lidholm presented a petition from 50 petitioners requesting the Legislative Council investigate ways to ensure a competitive rail system in relation to the Tier 3 Narrow Gauge Rail Lines in the Wheatbelt. (Tabled paper 2174).

Hon Sally Talbot presented a petition from 200 petitioners requesting the Legislative Council take immediate action to stop emissions from Cockburn Cement Ltd, Munster. (Tabled paper 2175).

Hon Giz Watson presented a petition from 1,451 petitioners requesting the Legislative Council support the preservation from further logging of the Warrup Forest Block. (Tabled paper 2176).

Hon Lynn MacLaren presented a petition from 3,398 petitioners requesting the Legislative Council investigate the live animal trade with a view to recommending a timeframe for its permanent discontinuation. (Tabled paper 2177).

Hon Lynn MacLaren presented a petition from 269 petitioners requesting the Legislative Council investigate the live animal trade with a view to recommending a timeframe for its permanent discontinuation. (Tabled paper 2178).

### 3. Papers

The following Papers were laid on the Table by -

#### **President**

##### *Auditor General's Papers -*

Fiona Stanley Hospital Project (Report No. 5) (June 2010)..... 2172

#### **Parliamentary Secretary representing the Minister for Regional Development**

##### *Annual Reports -*

Land Surveyors Licensing Board (2009-2010) (Date received 22/06/2010) ..... 2173

#### 4. Lobbyists Register

Motion No. 1 having been called, debate resumed on the motion of Hon Ljiljana Ravlich as follows -

That this House condemns the Premier for breaking a key election commitment on accountability by not introducing legislation to create a public register for lobbyists in his first 100 days of government, and calls on the Premier to explain –

- (a) why he has not met this commitment and when will he introduce legislation to create a public register for lobbyists;
- (b) how the proposed legislation will be applied to different classes of lobbyists, consultants, consultant-lobbyists, in-house corporate consultants and in-house lobbyists employed by organizations;
- (c) what are the registration requirements for lobbyists before being permitted to be on the register -
  - (i) business registration details;
  - (ii) names of owners;
  - (iii) partner and major shareholders; and
  - (iv) names and positions of those employed and the names of their clients;
- (d) what is the set of principles of ethical conduct relating to a lobbyist before being placed on the register;
- (e) what will be the reporting requirements of lobbyists, including but not limited to -
  - (i) what has to be reported;
  - (ii) when it has to be reported;
  - (iii) who will lobbyists be required to report to; and
  - (iv) whether or not any lobbyists will be banned from being placed on the register and who they might be;
- (f) the means by which a lobbyist can be removed from the Register;
- (g) the appeal mechanisms for a lobbyist who is removed from the register; and
- (h) the frequency that the code will be reviewed and who will have the responsibility for such a function.

Question - put.

The House divided.

#### Ayes (14)

Hon Helen Bullock  
 Hon Robin Chapple  
 Hon Kate Doust  
 Hon Sue Ellery  
 Hon Adele Farina  
 Hon Jon Ford  
 Hon Lynn MacLaren

Hon Ljiljana Ravlich  
 Hon Linda Savage  
 Hon Sally Talbot  
 Hon Ken Travers  
 Hon Giz Watson  
 Hon Alison Xamon  
 Hon Ed Dermer (*Teller*)

**Noes (19)**

Hon Liz Behjat  
 Hon Jim Chown  
 Hon Peter Collier  
 Hon Mia Davies  
 Hon Wendy Duncan  
 Hon Phil Edman  
 Hon Brian Ellis  
 Hon Donna Faragher  
 Hon Philip Gardiner  
 Hon Nick Goiran

Hon Nigel Hallett  
 Hon Alyssa Hayden  
 Hon Col Holt  
 Hon Michael Mischin  
 Hon Norman Moore  
 Hon Helen Morton  
 Hon Simon O'Brien  
 Hon Max Trenorden  
 Hon Ken Baston (*Teller*)

Question thus negatived.

**5. Public Sector Expenditure - New Government Agencies**

Motion No. 2 having been called, Hon Ljiljana Ravlich, pursuant to notice, moved -

- (1) That this House condemns the Premier as Minister for Public Sector Management for wasting taxpayers' money in creating new government agencies, boards, committees and taskforces, at the same time as asking agencies to find savings of three percent resulting in the cuts to front-line services in health, education and law and order.
- (2) That this House calls on the Premier to explain why a three percent savings target is not a "big ask" for government agencies, as he stated to the recent Committee for Economic Development Australia conference, given that the 2009-2010 mid-year review projected no savings and an expense growth of 13%.

Debate ensued.

*Interruption pursuant to Temporary Orders.*

**6. Consideration of Committee Reports and Ministerial Statements**

Pursuant to Temporary Orders for the consideration of Committee Reports and Ministerial Statements.

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**In Committee**

(Hon Matt Benson-Lidholm in the Chair)

**Kimberley Science and Conservation Strategy - Ministerial Statement**

Debate resumed on the motion of Hon Sally Talbot, That the Ministerial Statement be noted.

**7. Questions Without Notice**

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Water tabled, and by leave incorporated into Hansard, a corrected answer in relation to details of contaminated groundwater in Mirrabooka, in response to a question without notice asked by Hon Alison Xamon. (Tabled paper 2179).

**8. Consideration of Committee Reports and Ministerial Statements**

Pursuant to Temporary Orders for the consideration of Committee Reports and Ministerial Statements.

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**In Committee**

(Hon Matt Benson-Lidholm in the Chair)

**Kimberley Science and Conservation Strategy - Ministerial Statement**

Debate resumed on the motion of Hon Sally Talbot, That the Ministerial Statement be noted.

Hon Sally Talbot, by leave, tabled a map of the Ord Valley Airborne Electromagnetic Interpretation Project - Salinity Hazard Unsaturated Zone. (Tabled paper 2180).

Hon Sally Talbot, by leave, tabled a document relating to the Ord Valley Airborne Electromagnetic Interpretation Project - Predicted Salinity Hazard for Individual Sub-areas. (Tabled paper 2181).

Question - put and passed.

The President resumed the Chair.

The Chairman of Committees reported that the Committee of the Whole House had considered the -  
Kimberley Science and Conservation Strategy - Ministerial Statement and had noted same.

Report adopted.

## **9. Order of Business**

Ordered - That Orders of the Day Nos 1, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations (No. 2) 2009 - Disallowance*, 2, *State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2009 - Disallowance*, 3, *State Trading Concerns (Authorisation) Amendment Regulations 2009 - Disallowance*, 4, *Mining Amendment Regulations 2009 - Disallowance*, 5, *Shire of Busselton - Local Government Property Local Law 2010 - Disallowance*, 6, *Shire of Augusta - Margaret River - Cemeteries Local Law 2010 - Disallowance*, 7, *Shire of Augusta - Margaret River - Activities in Thoroughfares and Public Places and Trading Local Law 2010 - Disallowance*, 8, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations 2010 - Disallowance*, and 9, *Shire of Dardanup Standing Orders Local Law 2009 - Disallowance*, be taken after Order of the Day No. 11, *Retail Trading Hours Amendment (Joondalup Special Trading Precinct) Bill 2009*. (Leader of the House).

## **10. Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2010-2011**

The Order of the Day having been read for the adjourned debate 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. 2044A-H (2010-2011 Budget Statements), laid upon the Table of the House on 20 May 2010.

Debate resumed.

On the motion of Hon Ken Baston the debate was adjourned to the next sitting.

## **11. Suspension of Standing Order 153(c)**

The Leader of the House moved, without notice -

That Standing Order 153(c) be suspended for the purposes of Order of the Day No. 1, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations (No. 2) 2009 - Disallowance*, until Thursday, 12 August 2010.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question - put.

The 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.

## **12. Approvals and Related Reforms (No. 4) (Planning) Bill 2009**

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

Debate resumed.

*Interruption pursuant to Temporary Orders.*

**13. Members' Statements**

Statements were taken.

**14. Adjournment**

The House adjourned at 10.20pm until Thursday, 24 June 2010 at 10.00am.

**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