

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 31

THURSDAY, 21 MAY 2009

1. Meeting of Council

The Council assembled at 11.00am pursuant to order.

The President, Hon Nick Griffiths, took the Chair and read prayers.

2. Statement by President - Retiring Members

The President made the following Statement -

I request Members to remove all material from their desks at the conclusion of today's proceedings in order to assist with the swearing-in of Members this Friday.

As this will be the last sitting day for retiring Members of the Legislative Council, there will be a small function for all Members at the rising of the House today. I hope you will join me and the Clerk to thank those retiring Members for their significant contribution to this House and the State of Western Australia.

3. Petition

Hon Wendy Duncan, by leave, presented a non-conforming petition from 653 petitioners requesting the Legislative Council support the widening of Pinjarra and Williams Road, Boddington, at the BHP Worsley Alumina Bauxite Mine. (Tabled paper 798).

4. Ministerial Statement - Metropolitan Region Scheme Amendment No. 1035/33 - James Point Port Facility

The Minister for Child Protection made a Ministerial Statement with respect to the Metropolitan Region Scheme Amendment No. 1035/33, James Point Port Facility.

The Minister for Child Protection tabled the plans for the Metropolitan Regional Scheme Amendment 1035/33 - James Point Port Facility. (Tabled paper 799).

The Minister for Child Protection tabled the Reports on Submissions for the Metropolitan Regional Scheme Amendment 1035/33 - James Point Port Facility. (Tabled paper 800A-C).

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

5. Ministerial Statement - Metropolitan Region Scheme Amendment No. 1152/41 - Jindalee (Jindee) Foreshore Rationalisation

The Minister for Child Protection made a Ministerial Statement with respect to the Metropolitan Region Scheme Amendment No. 1152/41 - Jindalee (Jindee) Foreshore Rationalisation.

The Minister for Child Protection tabled the plans for the Metropolitan Regional Scheme Amendment 1152/41 - Jindalee (Jindee) Foreshore Rationalisation. (Tabled paper 801).

The Minister for Child Protection tabled the Report on Submissions for the Metropolitan Regional Scheme Amendment 1152/41 - Jindalee (Jindee) Foreshore Rationalisation. (Tabled paper 802A-B).

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

6. Papers

The following Papers were laid on the Table by -

President

Reports -

Work of the Legislative Council in 2008 (Date published 21/05/2009).....	803
Overview - Legislative Council Strategic Plan and 2009 Business Plan	804

Parliamentary Secretary representing the Minister for Water

Reports -

Water Corporation - Statement of Corporate Intent (2008-2009)	796
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Parliamentary Secretary representing the Minister for Housing and Works

Response to Reports -

Local Laws Regulating Signs and Advertising Devices - Recommendation No. 2 (Report No. 28) (Minister for Housing and Works).....	797
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7. Joint Standing Committee on Delegated Legislation - Thirty-third Report - State Administrative Tribunal Rules Amendment (No. 2) 2008

Hon Kim Chance presented the Thirty-third Report of the Joint Standing Committee on Delegated Legislation in relation to the *State Administrative Tribunal Rules Amendment (No. 2) 2008*. (Tabled paper 805).

Hon Kim Chance moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

8. Standing Committee on Uniform Legislation and Statutes Review - Thirty-sixth Report - Child Exploitation Material and Classification Legislation Amendment Bill 2009

Hon Adele Farina presented the Thirty-sixth Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Child Exploitation Material and Classification Legislation Amendment Bill 2009*. (Tabled paper 806).

Hon Adele Farina moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

9. Standing Committee on Uniform Legislation and Statutes Review - Thirty-seventh Report - National Environment Protection Council (Western Australia) Amendment Bill 2009

Hon Adele Farina presented the Thirty-seventh Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *National Environment Protection Council (Western Australia) Amendment Bill 2009*. (Tabled paper 807).

Hon Adele Farina moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

10. Standing Committee on Uniform Legislation and Statutes Review - First Home Owner Grant Amendment Bill 2009 - Extension of Reporting Time

Hon Adele Farina presented a Special Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *First Home Owner Grant Amendment Bill 2009*, seeking an extension of time for the Committee to report to the House from 4 June 2009 to 30 June 2009. (Tabled paper 808).

Hon Adele Farina moved, That the Report do lie upon the Table and be adopted and agreed to.

Question - put and passed.

11. Standing Committee on Estimates and Financial Operations - Special Report - Annual Budget Estimates Hearings

Hon Giz Watson presented a Special Report of the Standing Committee on Estimates and Financial Operations in relation to the resolution of the Committee to conduct the 2009-2010 Budget Estimates Hearings on 18 June 2009. (Tabled paper 809).

Hon Giz Watson moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

12. City of Stirling - Fencing Local Law 2008 - Disallowance

Hon Kim Chance: To move on the next day of sitting -

That the *City of Stirling - Fencing Local Law 2008* published in the *Gazette* on 12 March 2009 and tabled in the Legislative Council on 1 April 2009 under the *Dividing Fences Act 1961*, be and is hereby disallowed.

13. Order of Business

The Leader of the House moved, without notice -

That Orders of the Day be taken forthwith.

Question - put and passed.

14. Order of Business

Ordered - That Order of the Day No. 14, *Valedictory Remarks*, be taken before Order of the Day No. 1, *State Administrative Tribunal Amendment Rules (No. 2) 2008 - Disallowance*. (Leader of the House).

15. Valedictory Remarks

The Order of the Day having been called, debate resumed on the motion of the Leader of the House as follows -

That this House expresses its appreciation to retiring Members for their significant contribution to the Legislative Council and the State of Western Australia.

Question - put and passed.

16. Questions Without Notice

Questions without notice were taken.

The Minister for Mines and Petroleum tabled the Report on the *Feasibility Study of Resources Safety in Western Australia (2007)* in response to question on notice No. 688 asked by Hon Jon Ford. (Tabled paper 810).

The Parliamentary Secretary representing the Minister for Regional Development tabled documents in relation to a letter dated 18 May 2009 from the Minister for Regional Development to the Treasurer regarding the Busselton Foreshore Steering Committee in response to question on notice No. 723 asked by Hon Adele Farina. (Tabled paper 811).

17. Order of Business

The Leader of the House moved, without notice -

That Order of the Day No. 5, *Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2009-2010*, be taken forthwith.

Question - put and passed.

18. 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.

Interruption of Debate [SO 61(b)].

19. Special Adjournment

The Leader of the House moved, without notice -

That the House at its rising adjourn until Friday, 22 May 2009 at 11.00am.

Question - put and passed.

20. Suspension of Standing Orders

The Leader of the House moved, without notice -

That the Standing Orders be suspended on Friday, 22 May 2009, other than for the purpose of electing a President and Chairman of Committees.

The motion requiring the concurrence of an absolute majority.

Question - put.

The Deputy 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.

21. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 5.17pm until Friday, 22 May 2009 at 11.00am.

Members present during the day's proceedings

Attendance: Present all Members.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council