

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 186

TUESDAY, 8 NOVEMBER 2011

1. Meeting of Council

The Council assembled at 3.00pm pursuant to Temporary Orders.

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

2. Papers

The following Papers were laid on the Table by -

Leader of the House

Management Plans -

Fish Resources Management Act 1994 (West Coast Estuarine Fishery (Interim) Management Plan Amendment 2011 G.G. 04/11/2011)..... 4037

Regulations -

Betting Control Act 1954 (Betting Control Amendment Regulations 2011 G.G. 04/11/2011) 4038

Casino Control Act 1984 (Casino Control Amendment Regulations 2011 G.G. 04/11/2011 and Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations (No. 2) 2011 G.G. 04/11/2011) 4039

Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations (No. 9) 2011 G.G. 02/11/2011) 4040

Gaming and Wagering Commission Act 1987 (Gaming and Wagering Commission Amendment Regulations (No. 2) 2011 G.G. 04/11/2011)..... 4041

Liquor Control Act 1988 (Liquor Control Amendment Regulations (No. 9) 2011 G.G. 04/11/2011).... 4042

Racing and Wagering Western Australia Act 2003 (Racing and Wagering Western Australia Amendment Regulations 2011 G.G. 04/11/2011) 4043

Racing Penalties (Appeals) Act 1990 (Racing Penalties (Appeals) Amendment Regulations 2011 G.G. 04/11/2011)..... 4044

Minister for Finance

Regulations -

Shipping and Pilotage Act 1967 (Navigable Waters Amendment Regulations (No. 3) 2011 G.G. 04/11/2011)..... 4045

Minister for Child Protection*Local Laws -*

Dog Act 1976 (Shire of Bridgetown-Greenbushes Dogs Amendment Local Law 2011
G.G. 04/11/2011)..... 4046

Minister for Mental Health*Regulations -*

Armadale Redevelopment Act 2001 (Armadale Redevelopment (Subtracted Area) Regulations
2011 G.G. 01/11/2011) 4047

3. Standing Committee on Uniform Legislation and Statutes Review - Report No. 67 - Commercial Arbitration Bill 2011

Hon Adele Farina presented Report No. 67 of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Commercial Arbitration Bill 2011*. (Tabled paper 4048).

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

Question - put and passed.

4. Standing Committee on Uniform Legislation and Statutes Review - Special Report - Late Submission by the Commissioner for Children and Young People - Residential Tenancies Amendment Bill 2011

Hon Adele Farina presented a Special Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to a late submission received from the Commissioner for Children and Young People to the Committee's Inquiry into the *Residential Tenancies Amendment Bill 2011*. (Tabled paper 4049).

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

Question - put and passed.

5. Order of Business

Ordered - That Orders of the Day Nos 1, *City of Gosnells Waste Local Law 2011 - Disallowance*, 2, *Town of Cottesloe Dogs Local Law 2011 - Disallowance*, 3, *City of South Perth Dog Local Law 2011 - Disallowance*, 4, *Taxi Amendment Regulations (No. 3) 2011 - Disallowance*, 5, *Building Services (Complaint Resolution and Administration) Regulations 2011 - Disallowance*, and 6, *Building Services (Registration) Regulations 2011 - Disallowance*, be taken after Committee Report No. 18, *Joint Standing Committee on the Corruption and Crime Commission - Report No. 19 - Annual Report 2010-2011*. (Leader of the House).

6. Petroleum (Submerged Lands) Amendment Bill 2011

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

Debate resumed.

7. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Premier, in accordance with Standing Order No. 138(d), advised that an answer to question on notice No. 4701 asked by Hon Jon Ford will be provided on 10 November 2011.

The Leader of the House representing the Minister for State Development, in accordance with Standing Order No. 138(d), advised that an answer to question on notice No. 4711 asked by Hon Ken Travers will be provided on 10 November 2011.

The Minister for Energy representing the Minister for Police tabled documents in relation to a correction to question on notice No. 4547 asked by Hon Robin Chapple on 17 August 2011. (Tabled paper 4050).

The Minister for Energy representing the Minister for Police tabled documents in relation to increases in tariffs, fees or charges greater than the consumer price index in agencies under the Police portfolio since 23 September 2008, in response to question on notice No. 4764 asked by Hon Ken Travers. (Tabled paper 4051).

The Minister for Child Protection representing the Minister for Tourism tabled documents in relation to increases in tariffs, fees or charges greater than the consumer price index in agencies under the Tourism portfolio since 23 September 2008, in response to question on notice No. 4734 asked by Hon Ken Travers. (Tabled paper 4052).

The Minister for Child Protection representing the Minister for Tourism tabled documents in relation to new tariffs, fees or charges implemented in agencies under the Tourism portfolio since 23 September 2008, in response to question on notice No. 4735 asked by Hon Ken Travers. (Tabled paper 4053).

The Minister for Mental Health representing the Minister for Health tabled documents in relation to increases in tariffs, fees or charges greater than the consumer price index in agencies under the Health portfolio since 23 September 2008, in response to question on notice No. 4731 asked by Hon Ken Travers. (Tabled paper 4054).

The Minister for Mental Health, in accordance with Standing Order No. 138(d), advised that an answer to question on notice No. 4698 asked by Hon Lynn MacLaren will be provided on 22 November 2011.

The Minister for Mental Health representing the Minister for Water tabled documents in relation to the location of state ground water investigations as part of a planned 15 year program, in response to question on notice No. 4769 asked by Hon Alison Xamon. (Tabled paper 4055).

The Parliamentary Secretary representing the Attorney General tabled documents in relation to reviews of fees and charges in agencies under the Attorney General portfolio since 23 September 2008, in response to question on notice No. 4748 asked by Hon Ken Travers. (Tabled paper 4056).

The Parliamentary Secretary representing the Attorney General tabled documents in relation to increases in tariffs, fees or charges greater than the consumer price index in agencies under the Attorney General portfolio since 23 September 2008, in response to question on notice No. 4749 asked by Hon Ken Travers. (Tabled paper 4057).

The Parliamentary Secretary representing the Attorney General tabled documents in relation to new tariffs, fees or charges implemented in agencies under the Attorney General portfolio since 23 September 2008, in response to question on notice No. 4750 asked by Hon Ken Travers. (Tabled paper 4058).

8. Petroleum (Submerged Lands) Amendment Bill 2011

Debate resumed on the second reading of this Bill (cf item 6 above).

Question - put and passed.

Bill read a second time.

The Deputy President left the Chair.

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In Committee

(Hon Col Holt in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 35 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Mines and Petroleum moved, That the Bill be now read a third time.

The Deputy President having reported that the Deputy Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

9. Manslaughter Legislation Amendment Bill 2011

The Deputy President reported the receipt of Message No. 225 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary representing the Attorney General moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Attorney General moved, That the Bill be now read a second time.

Debate stands adjourned.

10. Evidence and Public Interest Disclosure Legislation Amendment Bill 2011

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

Debate resumed.

Hon Sue Ellery, by leave, tabled correspondence received from the Clerk in relation to the *Evidence and Public Interest Disclosure Legislation Amendment Bill 2011*. (Tabled paper 4059).

Debate resumed.

Interruption pursuant to Temporary Orders.

11. Members' Statements

Statements were taken.

12. Adjournment

The House adjourned at 10.18pm until Wednesday, 9 November 2011 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Phil Edman.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council