

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 43

THURSDAY, 13 AUGUST 2009

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### 1. Meeting of Council

The Council assembled at 11.00am pursuant to order.

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

### 2. Petitions

Hon Alison Xamon presented a petition from 182 petitioners requesting the Legislative Council to oppose uranium mining in Western Australia. (Tabled paper 1036).

Hon Colin Holt presented a petition from 1 672 petitioners requesting the Legislative Council to support the construction of a new Busselton Hospital. (Tabled paper 1037).

### 3. Paper

The following Paper was laid on the Table by -

#### Leader of the House

##### *Reports -*

Interstate and Overseas Travel undertaken by Members of Parliament Funded by the  
Imprest System for the three months ended 31 March 2009..... 1035

### 4. Standing Committee on Estimates and Financial Operations - Twenty-Second Report - Budget Estimates 2008-09

Hon Giz Watson presented the Twenty-Second Report of the Standing Committee on Estimates and Financial Operations in relation to the *Budget Estimates 2008-09*. (Tabled paper 1038).

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

Question - put and passed.

### 5. Appropriate Resourcing for Western Australian Not-for-Profit Sector

Motion No. 1 having been called, debate resumed on the amendment of the Minister for Child Protection as follows -

To delete all words after “notes the” and insert —

“ impact that the Global Financial Crisis is having upon the community, and notes the Government’s continued work towards providing appropriate resources to the not-for-profit sector. ”

to the motion of Hon Sue Ellery as follows -

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.

Debate resumed.

*Interruption of Debate* [SO 195].

## **6. Consideration of Committee Reports**

Pursuant to Standing Orders for the consideration of Committee Reports.

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### **In Committee**

(Hon Matt Benson-Lidholm in the Chair)

#### **Joint Standing Committee on the Corruption and Crime Commission - Report No. 2 - Report on the Relationship Between the Parliamentary Inspector and the Commissioner of the Corruption and Crime Commission**

The Order of the Day having been read, Hon Sue Ellery moved, That further consideration be postponed until the next sitting.

Question - put and passed.

#### **Joint Standing Committee on Delegated Legislation - Report No. 28 - Local Laws Regulating Signs and Advertising Devices**

The Order of the Day having been called, Hon Robin Chapple moved, That the Report be noted.

Question - put and passed.

#### **Joint Standing Committee on Delegated Legislation - Report No. 29 - City of Armadale - Signs Amendment Local Law 2008**

The Order of the Day having been called, Hon Robin Chapple moved, That the Report be noted.

Question - put and passed.

#### **Standing Committee on Estimates and Financial Operations - Report No. 17 - Budget Estimates 2007/08**

The Order of the Day having been called, Hon Giz Watson moved, That the Report be noted.

Question - put and passed.

#### **Joint Standing Committee on the Corruption and Crime Commission - Report No. 3 - Robert Bilos**

The Order of the Day having been called, Hon Nick Goiran moved, That the Report be noted.

Debate ensued.

Question - put and passed.

#### **Standing Committee on Estimates and Financial Operations - Report No. 19 - Follow-Up to Report 12 - Balga Works Program**

The Order of the Day having been called, Hon Giz Watson moved, That the Report be noted.

*Interruption of Debate* [SO 61A].

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The President resumed the Chair.

The Chairman of Committees reported that the Committee of the Whole House had considered the -

- (1) Joint Standing Committee on Delegated Legislation - Report No. 28 - Local Laws Regulating Signs and Advertising Devices and had noted same.

- (2) Joint Standing Committee on Delegated Legislation - Report No. 29 - City of Armadale - Signs Amendment Local Law 2008 and had noted same.
- (3) Standing Committee on Estimates and Financial Operations - Report No. 17 - Budget Estimates 2007/08 and had noted same.
- (4) Joint Standing Committee on the Corruption and Crime Commission - Report No. 3 - Robert Bilos and had noted same.
- (5) Standing Committee on Estimates and Financial Operations - Report No. 19 - Follow-Up to Report 12 - Balga Works Program, made progress, and asked leave to sit again.

Report adopted.

## 7. Order of Business

Ordered - That Orders of the Day Nos 2, *City of Joondalup Cats Local Law 2008 - Disallowance*, 3, *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009 - Disallowance*, 4, *City of Wanneroo - Private Property Amendment Local Law 2008 - Disallowance*, and 5, *City of Stirling - Thoroughfares and Public Places Local Law 2009 - Disallowance*, be taken after Order of the Day No. 17, *Fisheries Adjustment Schemes Amendment Bill 2009*. (Leader of the House).

## 8. Order of Business

Ordered - That Order of the Day No. 1, *Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009 - Disallowance*, be taken at a later stage of this day's sitting. (Leader of the House).

## 9. Local Government Amendment (Elections) Bill 2009

The Order of the Day having been read for the third reading of this Bill.

The Minister for Energy moved, That the Bill be now read a third time.

The Deputy President having reported that the 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.

Debate ensued.

Question - put.

The House divided.

### Ayes (16)

Hon Jim Chown  
Hon Mia Davies  
Hon Wendy Duncan  
Hon Phil Edman  
Hon Donna Faragher  
Hon Philip Gardiner  
Hon Nick Goiran  
Hon Alyssa Hayden

Hon Col Holt  
Hon Robyn McSweeney  
Hon Michael Mischin  
Hon Norman Moore  
Hon Helen Morton  
Hon Simon O'Brien  
Hon Max Trenorden  
Hon Ken Baston (*Teller*)

### Noes (11)

Hon Matt Benson-Lidholm  
Hon Helen Bullock  
Hon Robin Chapple  
Hon Kate Doust  
Hon Sue Ellery  
Hon Adele Farina

Hon Jock Ferguson  
Hon Ljiljanna Ravlich  
Hon Giz Watson  
Hon Alison Xamon  
Hon Ed Dermer (*Teller*)

Question thus passed.

Bill read a third time and passed.

## 10. Order of Business

Ordered - That Order of the Day No. 1, *Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009 - Disallowance*, be now taken. (Leader of the House).

## 11. Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009 - Disallowance

Order of the Day No. 1 having been called, Hon Giz Watson, pursuant to notice, moved -

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.

Debate ensued.

## 12. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Attorney General tabled, and by leave incorporated into Hansard, letters in relation to the employment of Mr Ken Bates, in response to a question without notice asked by Hon Ljiljanna Ravlich. (Tabled paper 1039).

The Leader of the House representing the Minister for Sport and Recreation tabled documents in relation to the 2018 Commonwealth Games expression of interest bid, including letters from the Premier and Mr P. Crosswhite AM, in response to a question without notice asked by Hon Adele Farina. (Tabled paper 1040).

The Minister for Child Protection representing the Minister for Forestry tabled, and by leave incorporated into Hansard, documents in relation to base native forests stumpages and base plantations forests stumpages, in response to a question without notice asked by Hon Alison Xamon. (Tabled paper 1041).

The Leader of the House representing the Minister for State Development tabled documents in relation to a memorandum of intent between Western Australian Trade and Investment Promotion Shanghai Representative Office and China Industrial Overseas Development and Planning Association - downstream processing of iron ore, in response to a question without notice asked by Hon Jock Ferguson. (Tabled paper 1042).

## 13. Genetically Modified Crops Free Areas Exemption Order (No. 2) 2009 - Disallowance

Debate resumed on the motion of Hon Giz Watson (cf item 10 above).

Question - put.

The House divided.

### Ayes (11)

Hon Matt Benson-Lidholm  
Hon Helen Bullock  
Hon Robin Chapple  
Hon Kate Doust  
Hon Sue Ellery  
Hon Adele Farina

Hon Jock Ferguson  
Hon Ljiljanna Ravlich  
Hon Giz Watson  
Hon Alison Xamon  
Hon Ed Dermer (*Teller*)

**Noes (15)**

Hon Jim Chown  
 Hon Mia Davies  
 Hon Wendy Duncan  
 Hon Phil Edman  
 Hon Brian Ellis  
 Hon Philip Gardiner  
 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.

**14. Adjournment**

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

Debate ensued.

Hon Nick Goiran, by leave, tabled a report produced by the National Marriage Coalition entitled *Marriage Manifesto*. (Tabled paper 1043).

Question - put and passed.

The House adjourned at 5.39pm until Tuesday, 18 August 2009 at 3.30pm.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Jon Ford, Hon Lynn MacLaren, Hon Sally Talbot and Hon Ken Travers.

**MALCOLM PEACOCK**  
 Clerk of the Legislative Council

**HON BARRY HOUSE**  
 President of the Legislative Council