

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

---

## MINUTES OF PROCEEDINGS

No. 94

THURSDAY, 17 JUNE 2010

---

### 1. Meeting of Council

The Council assembled at 10.00am pursuant to Temporary Orders.

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

### 2. Petition

Hon Alison Xamon presented a petition from 55 petitioners requesting the Legislative Council oppose the decision to restrict endorsement of the Community Psychology and Health Psychology practices under the National Registration and Accreditation Scheme. (Tabled paper 2133).

### 3. Papers

The following Papers were laid on the Table by -

**Parliamentary Secretary representing the Attorney General on behalf of the  
Parliamentary Secretary representing the Minister for Regional Development**

*Proposals -*

Land Administration Act 1997 - Submission No. 08/2010 - Excision from Class A  
Reserve No. 19673 - The Pass Road, City of Albany ..... 2131

*Reports -*

Landgate - Statement of Corporate Intent 2010/11 ..... 2132

### 4. Statement by President - Amended Seating Arrangements

The President made the following Statement -

Before we move into the main business of the day, Members will note that Hon Liz Behjat has changed her seating in the Chamber, with my approval, to improve her line of sight to, in particular, the Chairman when the Committee of the Whole is operating.

### 5. Resource Safety Division - Department of Mines and Petroleum

Non-Government Business No. 1 having been called, Hon Jon Ford moved, without notice -

That this House calls on the Government to initiate an open and comprehensive inquiry into the effectiveness of the Resource Safety Division of the Department of Mines and Petroleum and its inspectorate in protecting Western Australian workers employed in the frontline of resource development.

Debate ensued.

*Point of Order*

Hon Sue Ellery raised the following Point of Order -

I take objection to the reference to “union thugs over there”. I take personal exception to that remark and I object to it.

The Minister for Mines and Petroleum withdrew the remark.

Debate resumed.

Motion lapsed pursuant to Temporary Orders.

## **6. Ministerial Statement - Miners’ Promise - Western Australia Resource Workers’ Legacy Scheme**

The Minister for Mines and Petroleum, by leave, made a Ministerial Statement with respect to the creation of the Western Australia Resource Workers’ Legacy Scheme Incorporated, known as the Miners’ Promise, established to support the families of deceased persons in the mining industry.

The Minister for Mines and Petroleum tabled a media release relating to the Miners’ Promise. (Tabled paper 2134).

## **7. 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, *State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2009 - Disallowance*, 5, *Mining Amendment Regulations 2009 - Disallowance*, 6, *Shire of Busselton - Local Government Property Local Law 2010 - Disallowance*, 7, *Shire of Augusta - Margaret River - Cemeteries Local Law 2010 - Disallowance*, 8, *Shire of Augusta - Margaret River - Activities in Thoroughfares and Public Places and Trading Local Law 2010 - Disallowance*, and 9, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations 2010 - Disallowance*, be taken after Order of the Day No. 14, *Approvals and Related Reforms (No. 4) (Planning) Bill 2009*. (Leader of the House).

## **8. 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.

## **9. Petroleum and Energy Legislation Amendment Bill 2009**

The Order of the Day having been read for the consideration of the Committee’s report upon this Bill.

The Minister for Mines and Petroleum moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

## **10. Approvals and Related Reforms (No. 1) (Environment) Bill 2009**

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

Debate ensued.

### **11. Questions Without Notice**

Questions without notice were taken.

The Leader of the House representing the Premier tabled a contract of employment between Tourism WA and Ms Stephanie Buckland, in response to a question without notice asked by Hon Ljiljana Ravlich. (Tabled paper 2135).

The Minister for Mines and Petroleum tabled a document in relation to environmental bond payments on mining projects, in response to question on notice No. 2429 asked by Hon Robin Chapple. (Tabled paper 2136).

### **12. Approvals and Related Reforms (No. 1) (Environment) Bill 2009**

Debate resumed on the second reading of this Bill (cf item 10 above).

*Interruption of Debate pursuant to Temporary Orders.*

### **13. Members' Statements**

Statements were taken.

### **14. Appropriation (Consolidated Account) Recurrent 2010-11 Bill 2010**

The President reported the receipt of Message No. 101 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister Assisting the Treasurer moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House representing the Minister Assisting the Treasurer moved, That the Bill be now read a second time.

Debate stands adjourned.

### **15. Appropriation (Consolidated Account) Capital 2010-11 Bill 2010**

The President reported the receipt of Message No. 102 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister Assisting the Treasurer moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House representing the Minister Assisting the Treasurer moved, That the Bill be now read a second time.

Debate stands adjourned.

# 16. Revenue Laws Amendment and Repeal Bill 2010

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 103

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Revenue Laws Amendment and Repeal Bill 2010*.

Hon G.A. Woodhams

Speaker

Legislative Assembly Chamber

Perth, 15 June 2010

# 17. Railway (Butler to Brighton) Bill 2009

The President reported the receipt of Message No. 104 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Transport moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Transport moved, That the Bill be now read a second time.

The Minister for Transport tabled a map in relation to the proposed construction of the Butler to Brighton Rail-line. (Tabled paper 2137).

The Minister for Transport tabled a letter, dated 24 October 2009, reporting on the proposed construction of the Butler to Brighton Rail-line. (Tabled paper 2138).

Debate stands adjourned.

# 18. Criminal Code Amendment (Identity Crime) Bill 2009

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 105

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendment made by the Legislative Council in the *Criminal Code Amendment (Identity Crime) Bill 2009*.

Hon G.A. Woodhams

Speaker

Legislative Assembly Chamber

Perth, 16 June 2010

# 19. Railway (Tilley to Karara) Bill 2010

The President reported the receipt of Message No. 106 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Transport moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Transport moved, That the Bill be now read a second time.

The Minister for Transport tabled a map in relation to the proposed construction of the Tilley to Karara Rail-line. (Tabled paper 2139).

The Minister for Transport tabled a letter, dated 4 May 2010, reporting on the proposed construction of the Tilley to Karara Rail-line. (Tabled paper 2140).

Debate stands adjourned.

## **20. Rail Safety Bill 2009**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 107

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Rail Safety Bill 2009*.

Mr J. Francis

Acting Speaker

Legislative Assembly Chamber

Perth, 17 June 2010

## **21. Partial Revocation of State Forest Nos 2, 12, 16, 38, 55 and 57**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 108

That in response to Legislative Council Message No. 71, the proposal for the partial revocation of State Forest Nos 2, 12, 16, 38, 55 and 57 laid on the Table of the Legislative Assembly on Tuesday, 10 November 2009 be carried out.

Ms L.L. Baker

Acting Speaker

Legislative Assembly Chamber

Perth, 17 June 2010

## **22. Partial Revocation of State Forest Nos 22, 23 and 25**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 109

That in response to Legislative Council Message No. 72, the proposal for the partial revocation of State Forest Nos 22, 23 and 25 laid on the Table of the Legislative Assembly on Tuesday, 10 November 2009 be carried out.

Ms L.L. Baker

Acting Speaker

Legislative Assembly Chamber

Perth, 17 June 2010

## **23. Partial Revocation of State Forest Nos 22 and 38**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 110

That in response to Legislative Council Message No. 73, the proposal for the partial revocation of State Forest Nos 22 and 38 laid on the Table of the Legislative Assembly on Tuesday, 10 November 2009 be carried out.

Ms L.L. Baker

Acting Speaker

Legislative Assembly Chamber

Perth, 17 June 2010

**24. Adjournment**

The House adjourned at 6.24pm until Tuesday, 22 June 2010 at 3.00pm.

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

Attendance: Present all Members except Hon Wendy Duncan and Hon Helen Morton.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

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