

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 111

WEDNESDAY, 15 SEPTEMBER 2010

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 Sue Ellery presented a petition, by delivery to the Clerk, [SO 130], from 240 petitioners requesting the Legislative Council oppose the banning of cannabis smoking implements. (Tabled paper 2446).

Hon Sue Ellery presented a petition, by delivery to the Clerk, [SO 130], from 456 petitioners requesting the Legislative Council oppose the banning of cannabis smoking implements. (Tabled paper 2447).

Hon Matt Benson-Lidholm presented a petition, by delivery to the Clerk, [SO 130], from 173 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 2448).

Hon Kate Doust presented a petition from 164 petitioners requesting the Legislative Council oppose the use of drinking water for dust suppression in Karratha. (Tabled paper 2449).

3. Papers

The following Papers were laid on the Table by -

President

Reports -

Information Commissioner, Office of the - The Administration of Freedom of Information in Western Australia - Comprehensive Report - Review by the Information Commissioner (31 August 2010) 2437

Minister for Transport

Annual Reports -

Health Promotion Foundation [HEALTHWAY] (2009-2010) (Date received 14/09/2010)..... 2438
Queen Elizabeth II Medical Centre Trust (2009-2010) (Date received 14/09/2010) 2439

Minister for Environment

Leases -

CALM Lease No. 1652/97 - Between CALM and Michael Kevin Fox and James Sylvester Fox - Portion of State Forest No. 39.....	2440
CALM Lease No. 1953/97 - Between CALM and Electricity Networks Corporation - Portion of State Forest No. 23	2441
CALM Lease No. 1954/97 - Between CALM and Electricity Networks Corporation - Portion of Timber Reserve No. 148/25	2442
CALM Lease No. 1955/97 - Between CALM and Electricity Networks Corporation - Portion of State Forest No. 15	2443
CALM Lease No. 1956/97 - Between CALM and Electricity Networks Corporation - Portion of State Forest No. 26	2444
CALM Lease No. 2131/97 - Between CALM and the Shire of Collie - Portion of State Forest No. 15	2445

4. Charitable Trusts Amendment Bill 2010

The Parliamentary Secretary representing the Attorney General: To move on the next day of sitting -
That a Bill for “An Act to amend the *Charitable Trusts Act 1962.*” be introduced and read a first time.

5. Small Business Development Corporation

Motion No. 1 having been called, Hon Ljiljanna Ravlich continued her introductory remarks in moving the following motion -

- (1) That this House calls on the Minister for Commerce and the Minister for Regional Development to make public their positions on the future of the Small Business Development Corporation (SBDC), in light of the uncertainty in the small business community and given the Chamber of Commerce and Industry’s position as outlined in their 2009/10 pre-budget submission to Government which states that -
“The Chamber of Commerce and Industry (CCI) believes that there are significant opportunities for the core functions of the SBDC to be absorbed by other agencies.”
- (2) That this House calls on the Minister for Commerce and the Minister for Regional Development to -
 - (a) allay the concern of the small business sector and guarantee that the SBDC will not be privatised in full or part or carved up and its functions distributed to other agencies as part of the Government’s three per cent efficiency dividend; and
 - (b) confirm that the future of the small business centres around the state is assured and that they will not be privatised in full or part or carved up and their functions distributed to other agencies as part of the Government’s three per cent efficiency dividend.

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.

In Committee

(Hon Jon Ford in the Chair)

Joint Standing Committee on Delegated Legislation - Thirty-Sixth Report - Tabling of Subsidiary Legislation in the Legislative Council

Debate resumed on the motion of Hon Robin Chapple, That the Report be noted.

Question - put and passed.

Synergy - Offshore Jobs - Ministerial Statement

The Minister for Energy moved, That the Ministerial Statement be noted.

7. Questions Without Notice

Questions without notice were taken.

The Minister for Environment tabled documents in relation to a basic summary of records of contaminated ground water in the Mirrabooka/Dianella area, in response to a question without notice asked by Hon Ed Dermer. (Tabled paper 2450).

The Leader of the House representing the Minister for Science and Innovation tabled, and by leave incorporated into Hansard, documents in relation to the Western Australian Biotechnology Industry Development Strategy - Expenditure spent on implementation up to 30 June 2010, in response to a question without notice asked by Hon Kate Doust. (Tabled paper 2451).

The Minister for Environment, in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 2645 asked by Hon Giz Watson will be provided by Thursday, 23 September 2010.

The Parliamentary Secretary representing the Minister for Water tabled documents in relation to the proposed chlorination of the Busselton water supply, in response to question on notice No. 2658 asked by Hon Alison Xamon. (Tabled paper 2452).

8. Consideration of Committee Reports and Ministerial Statements

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

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Synergy - Offshore Jobs - Ministerial Statement

The Minister for Energy continued his introductory remarks in moving, That the Ministerial Statement be noted.

Debate ensued.

Question - put and passed.

Joint Standing Committee on Delegated Legislation - Thirty-Seventh Report - Unauthorised Disclosure of Confidential Committee Correspondence by the City of Joondalup

The Leader of the House moved, That the Report be noted.

Debate ensued.

Question - put and passed.

The Deputy 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 - Thirty-Sixth Report - Tabling of Subsidiary Legislation in the Legislative Council and had noted same.
- (2) Synergy - Offshore Jobs - Ministerial Statement and had noted same.
- (3) Joint Standing Committee on Delegated Legislation - Thirty-Seventh Report - Unauthorised Disclosure of Confidential Committee Correspondence by the City of Joondalup and had noted same.

Report adopted.

9. Order of Business

Ordered - That Orders of the Day Nos 1, *Shire of Capel - Keeping and Welfare of Cats Amendment Local Law 2009 - Disallowance*, 2, *Shire of Ravensthorpe Local Government Property Local Law 2010 - Disallowance*, 3, *Fish Resources Management Amendment Regulations (No. 4) 2010 - Disallowance*, 4, *Road Traffic Code Amendment Regulations (No. 2) 2010 - Disallowance*, and 5, *Shire of Koorda Standing Orders Local Law 2009 - Disallowance*, be taken after Order of the Day No. 13, *Railway (Roy Hill Infrastructure Pty Ltd) Agreement Bill 2010*. (Leader of the House).

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

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

The Minister for Environment 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 (19)

Hon Liz Behjat	Hon Alyssa Hayden
Hon Jim Chown	Hon Col Holt
Hon Peter Collier	Hon Robyn McSweeney
Hon Wendy Duncan	Hon Michael Mischin
Hon Phil Edman	Hon Norman Moore
Hon Brian Ellis	Hon Helen Morton
Hon Donna Faragher	Hon Simon O'Brien
Hon Philip Gardiner	Hon Max Trenorden
Hon Nick Goiran	Hon Ken Baston (<i>Teller</i>)
Hon Nigel Hallett	

Noes (14)

Hon Matt Benson-Lidholm	Hon Ljiljanna Ravlich
Hon Helen Bullock	Hon Linda Savage
Hon Robin Chapple	Hon Sally Talbot
Hon Sue Ellery	Hon Ken Travers
Hon Adele Farina	Hon Giz Watson
Hon Jon Ford	Hon Alison Xamon
Hon Lynn MacLaren	Hon Ed Dermer (<i>Teller</i>)

Question thus passed.

Bill read a third time and passed.

11. Public Sector Reform Bill 2009

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

The Leader of the House representing the Premier 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.

12. Cannabis Law Reform Bill 2009

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

Debate resumed.

Hon Nick Goiran, by leave, tabled a research paper entitled *Cannabis - suicide, schizophrenia and other ill-effects*, prepared for Drug Free Australia, First Edition (March 2009). (Tabled paper 2453).

Debate ensued.

Interruption pursuant to Temporary Orders.

13. Members' Statements

Statements were taken.

14. Prohibited Behaviour Orders Bill 2010

The President reported the receipt of Message No. 131 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.

15. Adjournment

The House adjourned at 10.40pm until Thursday, 16 September 2010 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members.

NIGEL LAKE

Acting Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council