

LEGISLATIVE COUNCIL  
THURSDAY, 23 JUNE 2011

10.00am

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Prayers

**10.00AM - ORDER OF BUSINESS**

Petitions

Statements by Ministers and Parliamentary Secretaries

(Minister for Mental Health representing the Minister for Planning)

Papers for Tabling

(President)

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

(Hon Sally Talbot x 3)

Notices of Motions

Motions without Notice

Non-Government Business

Orders of the Day

4.30pm Questions without Notice

5.00pm Orders of the Day (continued)

5.20pm Members' Statements

6.00pm House adjourns

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## NON-GOVERNMENT BUSINESS

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**[Maximum debating time on any motion: 1:20:00]**

**1. Criminal Code Amendment Bill (No. 2) 2011** (*Notice given 25 May 2011*)

Hon Alison Xamon: To move -

That a Bill for “An Act to amend *The Criminal Code* so that mandatory sentencing provisions for doing grievous bodily harm to or assaulting certain officers do not apply to persons whose judgement or behaviour at the time of the offence was impaired to a significant extent by mental impairment.” be introduced and read a first time.

**2. Appropriate development of the Kimberley**

Hon Robin Chapple: To move -

That this Council criticises the Barnett-Grylls Government for failing to commit to genuine protection of the Kimberley, and for demonstrating that they clearly prioritise industrialisation over the appropriate protection and the sustainable economic development of the Kimberley.

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## ORDERS OF THE DAY

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**1. Metropolitan Region Scheme Amendment No. 1186/41 - Wandi Transit Oriented Development Precinct - Disallowance**

Moved *pro forma* (SO 152(b)) Thursday, 14 April 2011 on the motion of Hon Lynn MacLaren (Days remaining 1 after today)

That the *Metropolitan Region Scheme Amendment No. 1186/41 - Wandi Transit Oriented Development Precinct* published in the *Gazette* on 15 February 2011 and tabled in the Legislative Council on 17 February 2011 under the *Planning and Development Act 2005*, be and is hereby disallowed. (Tabled paper Nos 3023 and 3030).

**2. City of Mandurah Waste Management Local Law 2010 - Disallowance**

Moved *pro forma* (SO 152(b)) Thursday, 19 May 2011 on the motion of Hon Jim Chown (Days remaining 4 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Mandurah Waste Management Local Law 2010* published in the *Gazette* on 18 February 2011 and tabled in the Legislative Council on 22 February 2011 under the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled paper 3055).

The business listed for today's sitting and sequence in which it is to be considered may be altered by the House without notice. Members and other persons are advised to check the status of an item in which they have an interest in the course of today's sitting. Electronic version available on the Parliament's Internet site at [www.parliament.wa.gov.au](http://www.parliament.wa.gov.au).

**3. Metropolitan Region Scheme Amendment No. 1180/41 - Cockburn Coast District Structure Plan - Disallowance**

Moved *pro forma* (SO 152(b)) Wednesday, 25 May 2011 on the motion of Hon Lynn MacLaren (Days remaining 6 after today)

That the *Metropolitan Region Scheme Amendment No. 1180/41 - Cockburn Coast District Structure Plan* published in the *Gazette* on 22 February 2011 and tabled in the Legislative Council on 16 March 2011 under the *Planning and Development Act 2005*, be and is hereby disallowed.

**4. Schedule 1 of the Prohibited Behaviour Orders Regulations 2011 - Disallowance**

Moved *pro forma* (SO 152(b)) Wednesday, 25 May 2011 on the motion of Hon Giz Watson (Days remaining 6 after today)

That the following words in *Schedule 1 of the Prohibited Behaviour Orders Regulations 2011* published in the *Gazette* on 23 February 2011 and tabled in the Legislative Council on 15 March 2011 under the *Prohibited Behaviour Orders Act 2010*, -

- s. 70A Trespass;
- s. 74A Disorderly behaviour in public;
- s. 172 Obstructing public officers;
- s. 153 Failure to comply with an officer's order under the *Criminal Investigation Act 2006*;
- s. 115(6) Remaining in an area adjacent to licensed premises after having been refused entry to, or required to leave, the premises;
- s. 115(7) Re-entering licensed premises within 24 hours of being refused entry to, or required to leave, the premises;
- s. 119(1) Consuming liquor in a place or premises without the consent of the occupier or person having control of the place or premises;
- s. 119(2) Bringing liquor into, or possessing or consuming liquor in, a sports ground or stadium;
- s. 119(4) Consuming liquor in a public place except under an exemption, licence or permit;
- s. 123(1) Juvenile purchasing, obtaining or consuming liquor on, or bringing liquor onto, licensed or regulated premises;
- s. 123(2) Juvenile possessing liquor in a public place;
- s. 126(4) Re-entering licensed or regulated premises within 24 hours of being required to leave, or removed from, the premises under section 126;
- s. 126(5) Remaining in an area adjacent to licensed premises after having been required to leave, or being removed from, the premises;
- s. 5 Offences concerned with prohibited drugs and prohibited plants in relation to premises and utensils;
- s. 6 Offences concerned with prohibited drugs generally;
- s. 7 Offences concerned with prohibited plants generally;
- s. 5 Seeking prostitute in or in view or within hearing of public place;
- s. 6 Seeking client in or in view or within hearing of public place
- s. 64B Contravention of a prohibition order; and
- r. 40 Obstructing an authorised person

be and are hereby disallowed.

**5. Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2011-2012** (*Notice given 19 May 2011*) *Minister for Finance representing the Treasurer*

Resumption of debate adjourned Hon Ken Baston (Wednesday, 22 June 2011) on the motion of the Minister for Finance representing the Treasurer as follows -

That pursuant to Standing Order No. 49(1)(c) the Legislative Council take note of Tabled Paper No. 3310A-F (2011-2012 Budget Statements), laid upon the Table of the House on 19 May 2011.

(Days remaining 6 after today)

**11. [Small Business and Retail Shop Legislation Amendment Bill 2011](#)** [LA 193-1B] *Minister for Small Business*

Second reading adjourned (Wednesday, 13 April 2011).

**14. [Fish Resources Management Amendment \(Fees\) Bill 2010](#)** [LA 180-1] *Minister for Fisheries*

Second reading adjourned (Tuesday, 17 May 2011).

**15. [Fish Resources Management Amendment \(Fees\) Bill \(No. 2\) 2010](#)** [LA 179-1] *Minister for Fisheries*

Second reading adjourned (Tuesday, 17 May 2011).

**9. \*[Electronic Transactions Bill 2011](#)** [LC 187-1] *Parliamentary Secretary representing the Attorney General*

Second reading adjourned (Wednesday, 23 February 2011). See [Standing Committee on Uniform Legislation and Statutes Review Report No. 60](#) (Tabled 22 March 2011).

**12. [Young Offenders Legislation Amendment \(Research Information\) Bill 2010](#)** [LA 181-1] *Parliamentary Secretary representing the Attorney General*

Second reading adjourned (Wednesday, 13 April 2011).

**10. [Child Care Services Amendment Bill 2011](#)** [LC 195-1] *Minister for Community Services*

Second reading adjourned (Wednesday, 6 April 2011).

\* For amendments see Supplementary Notice Paper and/or Committee Report

**MALCOLM PEACOCK**

Clerk of the Legislative Council

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