

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 120

WEDNESDAY, 20 OCTOBER 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. Petition

Hon Matt Benson-Lidholm presented a petition, by delivery to the Clerk, [SO 130], from 26 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 2745).

3. Papers

The following Papers were laid on the Table by -

Leader of the House

Annual Reports -

Builders Registration Board (2009-2010) (Date received 19/10/2010) 2740

Land Valuers Licensing Board (2009-2010) (Date received 19/10/2010) 2741

Occupational Safety and Health, Commission for (2009-2010) (Date received 19/10/2010).... 2742

Minister for Energy

Reports -

Terrorism (Preventative Detention) Act 2006 - Quarterly Report (30 September 2010)
(Date received 19/10/2010)..... 2743

Minister for Environment

Annual Reports -

Waste Authority (2009-2010) (Date received 20/10/2010)..... 2744

4. Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 142

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution -

That the Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts be disestablished as it has completed its review of those Acts and reported on 14 October 2010.

and requests the Legislative Council to agree to a similar resolution.

Hon G.A. Woodhams

Speaker

Legislative Assembly Chamber

Perth, 20 October 2010

Ordered - That consideration of Message No. 142 be made an Order of the Day for the next sitting.

5. Government Small Business Policy

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

- (1) That this House condemns the Minister for Commerce for his failure to produce a small business policy and calls on the Minister to outline what he will do to assist small businesses and Western Australian workers who have been adversely impacted by the global financial crisis.
- (2) That this House calls on the Minister to explain -
 - (a) his Government's policies to deal with the impact of the global financial crisis on small business and the thousands of workers who lose their jobs and require retraining;
 - (b) what strategies he has put in place to protect small business and their workers;
 - (c) what practical assistance is available to small businesses that go bust and the thousands of workers who lose their jobs; and
 - (d) why he has been asleep at the wheel whilst small business in Western Australia go under.

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 Matt Benson-Lidholm in the Chair)

Cost of Living Rebate Scheme - Ministerial Statement and Tabled Paper

The Leader of the House moved, That consideration of the Ministerial Statement and Tabled Paper be postponed to the next sitting of the House.

Question - put and passed.

Standing Committee on Environment and Public Affairs - Seventeenth Report - Overview of Petitions

Hon Brian Ellis moved, That the Report be noted.

Debate ensued.

7. Questions Without Notice

Questions without notice were taken.

The Minister for Energy on behalf of the Minister for Child Protection representing the Minister for Planning tabled, and by leave incorporated into Hansard, documents in relation to the conditions of approval for the Brigadoon Stage 3 development, in response to a question without notice asked by Hon Alison Xamon. (Tabled paper 2746).

The Leader of the House representing the Minister for Housing tabled, and by leave incorporated into Hansard, documents in relation to the housing management agreement for the community of Yandeyarra, in response to a question without notice asked by Hon Helen Bullock. (Tabled paper 2747).

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)

Standing Committee on Environment and Public Affairs - Seventeenth Report - Overview of Petitions

Debate resumed on the motion of Hon Brian Ellis, That the Report be noted.

Question - put and passed.

Minerals and Petroleum - Exploration Incentive Scheme - Ministerial Statement

Debate resumed on the motion of the Minister for Mines and Petroleum, That the Ministerial Statement be noted.

Question - put and passed.

Standing Committee on Environment and Public Affairs - Eighteenth Report - Inquiry into Deep Sewerage in the Cockburn Area

Hon Brian Ellis moved, That the Report be noted.

Interruption pursuant to Temporary Orders.

The Deputy President resumed the Chair.

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

- (1) Standing Committee on Environment and Public Affairs - Seventeenth Report - Overview of Petitions and had noted same.
- (2) Minerals and Petroleum - Exploration Incentive Scheme - Ministerial Statement and had noted same.
- (3) Standing Committee on Environment and Public Affairs - Eighteenth Report - Inquiry into Deep Sewerage in the Cockburn Area, made progress, and asked leave to sit again.

Report adopted.

9. Order of Business

Ordered - That Orders of the Day Nos 1, *Shire of Roebourne Parking and Parking Facilities Local Law 2010 - Disallowance*, 2, *Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2010 - Disallowance*, and 3, *Occupational Safety and Health Amendment Regulations (No. 5) 2010 - Disallowance*, be taken after Order of the Day No. 8, *Police Amendment Bill 2010*. (Leader of the House).

10. Environmental Protection Amendment Bill 2010

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

The Leader of the House on behalf of the Minister for Environment 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.

11. Agriculture and Related Resources Protection Amendment Bill 2010

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

Debate resumed.

Question - put and passed.

Bill read a second time.

The Deputy President left the Chair.

In Committee

(Hon Helen Morton in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 71 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Child Protection representing the Minister for Agriculture and Food 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.

12. Fair Trading Bill 2010

The Deputy President reported the receipt of Message No. 140 from the Legislative Assembly forwarding the Bill for concurrence.

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

Debate stands adjourned and Bill referred to the Standing Committee on Uniform Legislation and Statutes Review.

13. Acts Amendment (Fair Trading) Bill 2010

The Deputy President reported the receipt of Message No. 141 from the Legislative Assembly forwarding the Bill for concurrence.

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

Debate stands adjourned and Bill referred to the Standing Committee on Uniform Legislation and Statutes Review.

14. Prohibited Behaviour Orders Bill 2010

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

Debate resumed.

Hon Kate Doust, by leave, tabled a list of offences related to the *Prohibited Behaviour Orders Bill 2010*. (Tabled paper 2748).

Debate resumed.

Interruption pursuant to Temporary Orders.

15. Members' Statements

Statements were taken.

16. Adjournment

The House adjourned at 10.12pm until Thursday, 21 October 2010 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Wendy Duncan, Hon Sue Ellery and Hon Max Trenorden.

NIGEL LAKE
Acting Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council