

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 155

THURSDAY, 26 MAY 2011

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. Petitions

Hon Jon Ford presented a petition from 133 petitioners requesting the Legislative Council support the *Skilled Local Jobs Bill 2011* with the objective of ensuring that a greater share of skilled work for major resources projects is performed in Western Australia. (Tabled paper 3335).

Hon Jon Ford presented a petition from 395 petitioners requesting the Legislative Council support any legislation with the objective of ensuring that a greater share of skilled work for major resources projects is performed in Western Australia. (Tabled paper 3336).

Hon Alison Xamon presented a petition from 79 petitioners requesting the Legislative Council to call upon the Minister for Planning to decline approval of the *City of Swan Local Planning Scheme Amendment No. 40* and return it to the City of Swan for further consideration and community consultation. (Tabled paper 3337).

Hon Sally Talbot presented a petition from 98 petitioners requesting the Legislative Council to call upon the Government to immediately introduce a Western Australian container deposit scheme similar to the system that operates in South Australia. (Tabled paper 3338).

Hon Ken Travers presented a petition, by delivery to the Clerk, [SO 130], from 151 petitioners requesting the Legislative Council investigate the process for awarding Transperth Service Contracts for bus operators and whether any money will be saved under proposed new contracts. (Tabled paper 3341).

3. Ministerial Statement - Energy Security - Initiatives

The Minister for Energy made a Ministerial Statement with respect to initiatives to strengthen energy security and reliability in Western Australia.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

4. Standing Committee on Public Administration - Report No. 12 - Report on a Proposed Inquiry into Regional Prisons

Hon Max Trenorden presented Report No. 12 of the Standing Committee on Public Administration in relation to the *Report on a Proposed Inquiry into Regional Prisons*. (Tabled paper 3339).

Hon Max Trenorden moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

5. Paper

The following Paper was laid on the Table by -

President

Letters -

Letter dated 18 May 2011 from Hon Max Trenorden to the President of the Legislative Council, resigning from the role of Deputy President of the Chamber 3340

6. Shire of Busselton - Use of a Public Jetty Amendment Local Law 2011 - Disallowance

Hon Sally Talbot: To move on the next day of sitting -

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Busselton - Use of a Public Jetty Amendment Local Law 2011* published in the *Gazette* on 18 March 2011 and tabled in the Legislative Council on 23 March 2011 under the *Local Government Act 1995*, be and is hereby disallowed.

7. State Budget - Impact on Families

Non-Government Business No. 1 having been called, Hon Ljiljanna Ravlich moved, without notice -

That this House condemns the Barnett Grylls Government for its dishonest budget, which is harsh on families and drunk on debt.

Debate ensued.

Motion lapsed pursuant to Temporary Orders.

8. Order of Business

Ordered - That Orders of the Day Nos 1, *Metropolitan Region Scheme Amendment No. 1186/41 - Wandi Transit Oriented Development Precinct - Disallowance*, 2, *Offshore Minerals Regulations 2010 - Disallowance*, 3, *City of Mandurah Waste Management Local Law 2010 - Disallowance*, 4, *Metropolitan Region Scheme Amendment No. 1180/41 - Cockburn Coast District Structure Plan - Disallowance*, and 5, *Schedule 1 of the Prohibited Behaviour Orders Regulations 2011 - Disallowance*, be taken after Order of the Day No. 14, *Young Offenders Legislation Amendment (Research Information) Bill 2010*. (Leader of the House).

9. Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2011-2012

The Order of the Day having been read for the adjourned debate 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.

Debate resumed.

On the motion of Hon Ken Baston the debate was adjourned to the next sitting.

10. Commonwealth Heads of Government Meeting (Special Powers) Bill 2011

The Order of the Day for the consideration of this Bill, in Committee, having been read.

The Deputy President left the Chair.

In Committee

(Hon Michael Mischin in the Chair)

Clause 16.

Debate resumed.

Clause agreed to.

Clauses 17 to 38 agreed to.

Clause 39.

Debate ensued.

The Parliamentary Secretary representing the Premier moved -

Page 27, after line 8 — To insert —

- (1A) The Commissioner must take reasonable steps to contact a person in order to notify the person that the person is named in an excluded persons list.

Debate ensued.

Amendment - put and passed.

Debate ensued.

Hon Giz Watson moved -

Page 27, after line 17 — To insert —

- (3A) The published excluded persons list can only contain names of persons who cannot be notified of the decision after reasonable effort has been made.

Debate ensued.

Amendment - put and negatived.

The Parliamentary Secretary representing the Premier moved -

Page 27, line 18 — To insert after “the Commissioner” —

to notify a person that the person is named in an excluded persons list, or

Page 27, line 19 — To delete “list” and insert —

list,

Amendments - put and passed.

Debate ensued.

Clause, as amended, agreed to.

Clauses 40 to 52 agreed to.

Clause 53.

Debate ensued.

Clause agreed to.

Clauses 54 to 59 agreed to.

Clause 60.

Debate ensued.

Clause agreed to.

Clauses 61 and 62 agreed to.

Clause 63.

Debate ensued.

Clause agreed to.

Clause 64.

Debate ensued.

Clause agreed to.

Clauses 65 to 68 agreed to.

Clause 69.

Debate ensued.

Clause agreed to.

Clause 70.

Debate ensued.

Clause agreed to.

Clause 71.

The Parliamentary Secretary representing the Premier moved, That consideration of Clause 71 be postponed until after consideration of proposed New Clause 13A.

Question - put and passed.

Clause 72.

Debate ensued.

11. Questions Without Notice

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Environment tabled a table of costs associated with the prescribed burn at Layman Ballan BS120 in Wiltshire-Butler National Parks, conducted by the Department of Environment and Conservation in October 2010, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 3342).

The Minister for Mental Health representing the Minister for Environment tabled, and by leave incorporated into Hansard, a document in relation to air quality monitoring along the main road routes used to access Fremantle Ports and a report entitled *Perth Traffic Corridor Study 2007-2008*, in response to a question without notice asked by Hon Lynn MacLaren. (Tabled paper 3343).

12. Paper

The following Paper was laid on the Table by -

President

Letters -

Letter from the Chairman of the Joint Standing Committee on the Corruption and Crime Commission - Noting the extension of reporting time of its *Inquiry into Corruption Risks of Controlled Operations and Informants* to 16 June 2011 3344

13. Commonwealth Heads of Government Meeting (Special Powers) Bill 2011

The Order of the Day for the further consideration of this Bill, in Committee, having been read (cf item 10 above).

The President left the Chair.

In Committee

(Hon Michael Mischin in the Chair)

Clause 72.

Debate resumed.

Clause agreed to.

Clause 73.

Debate ensued.

Clause agreed to.

Clauses 74 to 77 agreed to.

Clause 78.

Debate ensued.

Interruption pursuant to Temporary Orders.

The Deputy President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered - That the Committee have leave to sit again.

14. Members' Statements

Statements were taken.

15. Special Adjournment

The Minister for Finance moved, without notice -

That the House at its rising adjourn until Tuesday, 21 June 2011.

Question - put and passed.

16. Adjournment

The House adjourned at 5.50pm until Tuesday, 21 June 2011 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council