

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 119

TUESDAY, 19 OCTOBER 2010

1. Meeting of Council

The Council assembled at 3.00pm pursuant to Temporary Orders.

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

2. Papers

The following Papers were laid on the Table by -

Leader of the House

Regulations -

| | |
|--|------|
| Gas Standards Act 1972 (Gas Standards (Gas Supply and System Safety) Amendment Regulations 2010 G.G. 15/10/2010) | 2730 |
| Industrial Relations Act 1979 (Industrial Relations Commission Amendment Regulations (No. 2) 2010 G.G. 12/10/2010) | 2731 |
| Retail Trading Hours Act 1987 (Retail Trading Hours Amendment Regulations 2010 G.G. 15/10/2010)..... | 2732 |

Reports -

| | |
|---|------|
| Fisheries, Department of - State of the Fisheries and Aquatic Resources Report (2009 - 2010) (Date received 18/10/2010) | 2733 |
|---|------|

Minister for Environment

Local Laws -

| | |
|---|------|
| Waste Avoidance and Resource Recovery Act 2007 (Shire of Broomehill-Tambellup Waste Services Amendment Local Law 2010 G.G. 12/10/2010)..... | 2734 |
|---|------|

Regulations -

| | |
|--|------|
| Rottneest Island Authority Act 1987 (Rottneest Island Amendment Regulations 2010 G.G. 15/10/2010)..... | 2735 |
|--|------|

3. Standing Committee on Estimates and Financial Operations - Special Report - Resolution of the Committee to hold hearings in relation to Government Agency Annual Reports for 2009/10

Hon Giz Watson presented a Special Report of the Standing Committee on Estimates and Financial Operations in relation to a *Resolution of the Committee to hold hearings in relation to Government Agency Annual Reports for 2009/10*. (Tabled paper 2736).

Hon Giz Watson moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

4. Order of Business

Ordered - That Orders of the Day Nos 1, *Shire of Roebourne Parking and Parking Facilities Local Law 2010 - Disallowance*, 3, *Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2010 - Disallowance*, and 4, *Occupational Safety and Health Amendment Regulations (No. 5) 2010 - Disallowance*, be taken after Order of the Day No. 9, *Police Amendment Bill 2010*. (Leader of the House).

5. Surveillance Devices Amendment Regulations 2010 - Disallowance - Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice -

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 2, *Surveillance Devices Amendment Regulations 2010 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

6. Environmental 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 President left the Chair.

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Clause 1.

Debate ensued.

7. Questions Without Notice

Questions without notice were taken.

The Minister for Mines and Petroleum tabled documents in relation to the mining tenement register search for three new mining leases at Osmington, in response to a question without notice asked by Hon Adele Farina. (Tabled paper 2737).

The Minister for Environment tabled documents in relation to the sustainability of native sandalwood, in response to question on notice No. 2722 asked by Hon Giz Watson. (Tabled paper 2738).

The Minister for Environment tabled a list of *Bush Forever* sites and managers for each site, in response to question on notice No. 2784 asked by Hon Alison Xamon. (Tabled paper 2739).

8. Environmental Protection Amendment Bill 2010

The President left the Chair.

In Committee

(Hon Helen Morton in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clauses 5 to 7 agreed to.

Clause 8.

Debate ensued.

The Minister for Environment moved -

Page 5, lines 7 and 8 — To delete “in order to ascertain”.

Debate ensued.

Amendment - put and passed.

Clause, as amended, agreed to.

Clause 9.

Debate ensued.

Clause agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clause 11.

Hon Robin Chapple moved -

Page 6, after line 8, in the Table — To delete the rows and insert —

| | | | |
|-----|--------|-----------|----------|
| 1CA | 49A(2) | \$250 000 | \$60 000 |
| 1CB | 49A(3) | \$250 000 | \$60 000 |

Debate ensued.

Amendment - put and negatived.

Hon Robin Chapple moved -

Page 6, after line 11, in the Table — To delete the rows and insert —

| | | | |
|-----|--------|-------------|-----------|
| 1CA | 49A(2) | \$2 000 000 | \$100 000 |
| 1CB | 49A(3) | \$2 000 000 | \$100 000 |

Amendment - put and negatived.

Hon Robin Chapple moved -

Page 6, after line 14, in the Table — To delete the row and insert —

| | | | |
|-----|--------|----------|-----|
| 10A | 91A(2) | \$20 000 | Nil |
|-----|--------|----------|-----|

Amendment - put and negatived.

Question - That the clause stand as printed - agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported with amendment.

Ordered - That consideration of the Committee's Report be made an Order of the Day for the next sitting.

9. Telecommunications (Interception) Western Australia Amendment Bill 2010

The President reported the receipt of Message No. 139 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Child Protection on behalf of the Minister for Energy representing the Minister for Police moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Child Protection on behalf of the Minister for Energy representing the Minister for Police moved, That the Bill be now read a second time.

Debate stands adjourned.

10. Members' Statements

Statements were taken.

11. Adjournment

The House adjourned at 10.25pm until Wednesday, 20 October 2010 at 2.00pm.

Members present during the day's proceedings

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

NIGEL LAKE

Acting Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council