

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 99

WEDNESDAY, 30 JUNE 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. Message from His Excellency the Governor - Assent to Bills

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bills -

28 June 2010 - Message No. 104	Act No.
Rail Safety Bill 2009	18 of 2010
Standardisation of Formatting Bill 2009	19 of 2010

3. Petitions

Hon Sue Ellery presented a petition, by delivery to the Clerk [SO 130], from 1,164 petitioners requesting the Legislative Council oppose the proposed banning of cannabis smoking implements. (Tabled paper 2233).

Hon Sally Talbot presented a petition from 260 petitioners requesting the Legislative Council take immediate action to stop emissions from Cockburn Cement Ltd, Munster. (Tabled paper 2234).

Hon Adele Farina presented a petition from 407 petitioners requesting the Legislative Council support the preservation of Bunbury's timber jetty. (Tabled paper 2235).

Hon Mia Davies presented a petition from 48 petitioners requesting the Legislative Council support the installation of fixed speed cameras on the Great Northern Highway, Bindoon. (Tabled paper 2236).

Hon Philip Gardiner presented a petition from 57 petitioners requesting the Legislative Council support the installation of a zebra crossing on the Great Northern Highway, Bindoon. (Tabled paper 2237).

4. Paper

The following Paper was laid on the Table by -

President

Auditor General's Papers -

Energy Smart Government (Report No. 6) (June 2010)..... 2232

5. Suspension of Standing and Temporary Orders

The Leader of the House moved, without notice -

That so much of the Standing and Temporary Orders be suspended as to enable Orders of the Day to be taken forthwith.

The motion requiring the concurrence of an absolute majority.

Question - put.

The President having counted the House, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

6. Order of Business

Ordered - That Orders of the Day Nos 1, *State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2009 - Disallowance*, 2, *State Trading Concerns (Authorisation) Amendment Regulations 2009 - Disallowance*, 3, *Mining Amendment Regulations 2009 - Disallowance*, 4, *Shire of Busselton - Local Government Property Local Law 2010 - Disallowance*, 5, *Shire of Augusta - Margaret River - Cemeteries Local Law 2010 - Disallowance*, 6, *Shire of Augusta - Margaret River - Activities in Thoroughfares and Public Places and Trading Local Law 2010 - Disallowance*, 7, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations (No. 2) 2009 - Disallowance*, 8, *Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations 2010 - Disallowance*, and 9, *Shire of Dardanup Standing Orders Local Law 2009 - Disallowance*, be taken after Order of the Day No. 18, *Health Practitioner Regulation National Law (WA) Bill 2010*. (Leader of the House).

7. Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2010-2011

The Order of the Day having been read for the adjourned debate on the motion of the Parliamentary Secretary representing the Treasurer as follows -

That pursuant to Standing Order No. 49(1)(c), the Legislative Council take note of Tabled Paper No. 2044A-H (2010-2011 Budget Statements), laid upon the Table of the House on 20 May 2010.

Debate resumed.

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

8. Retail Trading Hours Amendment (Joondalup Special Trading Precinct) Bill 2009

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 Matt Benson-Lidholm in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 4 agreed to.

Clause 5.

Hon Robin Chapple moved -

Page 3, lines 5 and 6 — To delete the lines.

Debate ensued.

Amendment - put and negatived.

Question, That the clause stand as printed - put and passed.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Parliamentary Secretary representing the Minister for Commerce 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.

Bill read a third time and passed.

9. Cognate Debate - Appropriation (Consolidated Account) Recurrent 2010-11 Bill 2010 and Appropriation (Consolidated Account) Capital 2010-11 Bill 2010

The Parliamentary Secretary representing the Treasurer sought leave of the House to debate Order of the Day No. 14, *Appropriation (Consolidated Account) Recurrent 2010-11 Bill 2010* and Order of the Day No. 15, *Appropriation (Consolidated Account) Capital 2010-11 Bill 2010* cognately [SO 228].

Leave granted.

10. Appropriation (Consolidated Account) Recurrent 2010-11 Bill 2010 and Appropriation (Consolidated Account) Capital 2010-11 Bill 2010

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills.

Debate resumed.

11. Questions Without Notice

Questions without notice were taken.

The Minister for Child Protection representing the Minister for Planning tabled an artist's impression in relation to building heights in the Fine China Precinct at Lot No. 207, Subiaco, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 2238).

The Minister for Environment tabled maps relating to the encroachment in State Forests of Western Australia Blue Metal Land Swap Proposals in Whitby, in response to a question without notice asked by Hon Alison Xamon. (Tabled paper 2239).

The Minister for Energy representing the Minister for Police tabled police manuals, guidelines and procedures in relation to the discretionary use of police issued tactical equipment, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 2240).

12. Appropriation (Consolidated Account) Recurrent 2010-11 Bill 2010 and Appropriation (Consolidated Account) Capital 2010-11 Bill 2010

Cognate debate resumed on the second reading of these Bills (cf item 10 above).

Question - put and passed.

Bills read a second time.

Leave was granted to proceed forthwith to the third reading of these Bills.

The Parliamentary Secretary representing the Treasurer moved, That the *Appropriation (Consolidated Account) Recurrent 2010-11 Bill 2010* be now read a third time.

Question - put and passed.

Bill read a third time and passed.

The Parliamentary Secretary representing the Treasurer moved, That the *Appropriation (Consolidated Account) Capital 2010-11 Bill 2010* be now read a third time.

Question - put and passed.

Bill read a third time and passed.

13. Railway (Tilley to Karara) Bill 2010

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

Debate ensued.

Hon Ken Travers, by leave, tabled the Oakajee Rail Corridor - Strategic Rail Network Study including mineral deposits. (Tabled paper 2241).

Hon Ken Travers, by leave, tabled the Oakajee Rail Corridor - Strategic Rail Network Study including mineral deposits, with further uranium deposits and companies' holding tenements and exploration licenses. (Tabled paper 2242).

Question - put.

The House divided.

Ayes (27)

Hon Liz Behjat
Hon Matt Benson-Lidholm
Hon Helen Bullock
Hon Jim Chown
Hon Peter Collier
Hon Mia Davies
Hon Ed Dermer
Hon Wendy Duncan
Hon Phil Edman
Hon Sue Ellery
Hon Brian Ellis
Hon Adele Farina
Hon Jon Ford
Hon Philip Gardiner

Hon Nick Goiran
Hon Nigel Hallett
Hon Alyssa Hayden
Hon Robyn McSweeney
Hon Norman Moore
Hon Helen Morton
Hon Simon O'Brien
Hon Ljiljanna Ravlich
Hon Linda Savage
Hon Sally Talbot
Hon Ken Travers
Hon Max Trenorden
Hon Ken Baston (*Teller*)

Noes (4)

Hon Robin Chapple
Hon Lynn MacLaren

Hon Giz Watson
Hon Alison Xamon (*Teller*)

Question thus passed.

Bill read a second time.

Ordered - That consideration of the Bill, in Committee, be made an Order of the Day for the next sitting.

14. Members' Statements

Statements were taken.

15. Adjournment

The House adjourned at 10.14pm until Thursday, 1 July 2010 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Colin Holt and Hon Michael Mischin.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council