

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 169

WEDNESDAY, 31 AUGUST 2011

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. Ministerial Statement - Family and Domestic Violence Mid-Term Progress Report 2009-2013

The Minister for Child Protection made a Ministerial Statement with respect to the development and implementation of the *Western Australia Strategic Plan for Family and Domestic Violence 2009-2013*.

The Minister for Child Protection, tabled *Western Australia Strategic Plan for Family and Domestic Violence 2009-2013 (Mid Term Progress Report)*. (Tabled paper 3650).

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

3. Papers

The following Papers were laid on the Table by -

President

Auditor General's Papers -

Right Teacher, Right Place, Right Time: Teacher Placement in Public Schools
(Report No. 6) (August 2011) 3639

Leader of the House

Regulations -

Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations
(No. 10) 2011 G.G. 24/08/2011) 3640

Reports -

Interstate and Overseas Travel undertaken by Members of Parliament Funded by the
Imprest System (For the three months ended 31 March 2011) 3641

Minister for Finance*Regulations -*

Building Services (Complaint Resolution and Administration) Act 2011 (Building Services (Complaint Resolution and Administration) Regulations 2011 G.G. 26/08/2011)	3642
Building Services (Registration) Act 2011 (Building Services (Registration) Regulations 2011 G.G. 26/08/2011).....	3643
Home Building Contracts Act 1991 (Home Building Contracts Amendment Regulations 2011 G.G. 26/08/2011).....	3644
Local Government (Miscellaneous Provisions) Act 1960 (Building Amendment Regulations (No. 3) 2011 G.G. 26/08/2011)	3645

Minister for Child Protection*Annual Reports -*

Local Government Advisory Board (2010-2011) (Date received 30/08/2011).....	3646
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Local Laws -

Local Government Act 1995 (City of Kalgoorlie-Boulder Local Government Property Local Law 2010 G.G. 15/08/2011 and Correction - Shire of Quairading Extractive Industries Local Law 2011 G.G. 26/08/2011)	3647
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Regulations -

Local Government Act 1995 (Local Government (Administration) Amendment Regulations (No. 2) 2011 G.G. 26/08/2011).....	3648
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Reports -

Forest Products Commission - Statement of Corporate Intent (2011-2012) (Date received 30/08/2011).....	3649
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4. Standing Committee on Uniform Legislation and Statutes Review - Report No. 64 - Information Report on Uniform Scheme Structures

Hon Adele Farina presented Report No. 64 of the Standing Committee on Uniform Legislation and Statutes Review in relation to an *Information Report on Uniform Scheme Structures*. (Tabled paper 3651).

Hon Adele Farina moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

5. Beverage Container Deposit and Recovery Scheme Bill 2011

Hon Robin Chapple: To move on the next day of sitting -

That a Bill for "An Act to establish a Beverage Container Deposit and Recovery Scheme." be introduced and read a first time.

6. Orders of the Day - Discharge from Notice Paper

The Leader of the House moved, without notice -

That Orders of the Day Nos 11, *Daylight Savings Amendment Bill 2009*, 12, *Referendums (Implementation of Result) Amendment Bill 2009*, 21, *Standing Committee on Estimates and Financial Operations, Report No. 16 - Public Sector Inquiry - Interim Report*, 24, *Standing Committee on Uniform Legislation and Statutes Review - Fair Trading Bill 2010 and Acts Amendment (Fair Trading) Bill 2010 - Extension of Reporting Time*, and 32, *Select Committee into the Iron Ore Industry of Western Australia - Establishment*, be discharged from the Notice Paper.

Debate ensued.

Question - put and passed.

7. Renewable Energy Sources - Development

Motion No. 1 having been called, debate resumed on the motion of Hon Kate Doust, as follows -

That this House calls on the Government to stop taking a half-hearted approach to encouraging and supporting the development and uptake of renewable energy sources and take immediate steps to make sure Western Australia is at the cutting edge of the use of wind, solar, geothermal and wave and tidal power.

Question - put.

The House divided.

Ayes (13)

Hon Matt Benson-Lidholm
Hon Helen Bullock
Hon Robin Chapple
Hon Kate Doust
Hon Sue Ellery
Hon Adele Farina
Hon Lynn MacLaren

Hon Ljiljanna Ravlich
Hon Linda Savage
Hon Ken Travers
Hon Giz Watson
Hon Alison Xamon
Hon Ed Dermer (*Teller*)

Noes (18)

Hon Liz Behjat
Hon Jim Chown
Hon Peter Collier
Hon Mia Davies
Hon Wendy Duncan
Hon Phil Edman
Hon Donna Faragher
Hon Philip Gardiner
Hon Nick Goiran

Hon Alyssa Hayden
Hon Col Holt
Hon Robyn McSweeney
Hon Michael Mischin
Hon Norman Moore
Hon Helen Morton
Hon Simon O'Brien
Hon Max Trenorden
Hon Ken Baston (*Teller*)

Question thus negatived.

8. Culture and the Arts Funding

Motion No. 2 having been called, Hon Linda Savage, pursuant to notice, moved -

That this House calls on the Government to immediately increase funding for Culture and the Arts in Western Australia to compensate for cuts made in the 2009-10 and 2010-11 Budgets.

9. Questions Without Notice

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Environment tabled the 1992 policy statement of the former Department of Conservation and Land Management entitled *Policy Statement No. 46 - External Funds*, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 3652).

The Minister for Mines and Petroleum tabled a map published in 2006 showing stress fields for the Perth basin, in response to question on notice No. 4447 asked by Hon Alison Xamon. (Tabled paper 3653).

The Minister for Mental Health, in accordance with Standing Order No. 138(d), advised that an answer to question on notice No. 4341 asked by Hon Giz Watson will be provided on 20 September 2011.

The Minister for Disability Services, in accordance with Standing Order No. 138(d), advised that an answer to question on notice No. 4347 asked by Hon Sue Ellery will be provided on 6 September 2011.

The Minister for Child Protection tabled documents detailing the total funded full time equivalent allocations by directorate and district at the Department of Child Protection as at 31 May 2011, in response to question on notice No. 4361 asked by Hon Sue Ellery. (Tabled paper 3654).

10. Culture and the Arts Funding

Hon Linda Savage continued her introductory remarks in moving the motion as follows -

That this House calls on the Government to immediately increase funding for Culture and the Arts in Western Australia to compensate for cuts made in the 2009-10 and 2010-11 Budgets (cf item 8 above).

Interruption pursuant to Temporary Orders.

11. Suspension of Temporary Orders

The Leader of the House moved, without notice -

That so much of Temporary Order 6(3) be suspended to enable Consideration of Committee Reports and Ministerial Statements to be taken for 120 minutes.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question - put.

There being a dissentient voice, the President ordered the House to divide.

Ayes (20)

Hon Liz Behjat	Hon Nigel Hallett
Hon Jim Chown	Hon Alyssa Hayden
Hon Peter Collier	Hon Col Holt
Hon Mia Davies	Hon Robyn McSweeney
Hon Wendy Duncan	Hon Michael Mischin
Hon Phil Edman	Hon Norman Moore
Hon Brian Ellis	Hon Helen Morton
Hon Donna Faragher	Hon Simon O'Brien
Hon Philip Gardiner	Hon Max Trenorden
Hon Nick Goiran	Hon Ken Baston (<i>Teller</i>)

Noes (9)

Hon Matt Benson-Lidholm
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina
 Hon Lynn MacLaren

Hon Ljiljanna Ravlich
 Hon Linda Savage
 Hon Ken Travers
 Hon Ed Dermer (*Teller*)

Question thus passed with an absolute majority present.

12. Consideration of Committee Reports and Ministerial Statements

Pursuant to Order for the consideration of Committee Reports and Ministerial Statements.

In Committee

(Hon Michael Mischin in the Chair)

Joint Standing Committee on the Corruption and Crime Commission - Report No. 10 - How the Corruption and Crime Commission can best work together with the Western Australian Police Force to combat organised crime - Committee Report

Hon Nick Goiran continued his introductory remarks in moving, That the Report be noted.

Question - put and passed.

Question Without Notice No. 484 - Supplementary Information - Ministerial Statement

Debate resumed on the motion of Hon Sue Ellery, That the report be noted.

Question - put and passed.

Standing Committee on Uniform Legislation and Statutes Review - Report No. 54 - Annual Report 2009 - Committee Report

Hon Liz Behjat moved, That the Report be noted.

Question - put and passed.

Vinalco Joint Venture to Redevelop Muja AB - Ministerial Statement

The Minister for Energy moved, That the Ministerial Statement be noted.

Debate ensued.

Question - put and passed.

Joint Standing Committee on the Commissioner for Children and Young People - Report No. 4 - Annual Report (2009-2010) - Committee Report

Hon Nick Goiran moved, That the Report be noted.

Debate ensued.

Question - put and passed.

Metropolitan Region Scheme Amendment No. 1035/33 - James Point Port Facility, Kwinana - Ministerial Statement and Tabled Papers

The Order of the Day having been called.

Consideration of the Ministerial Statement and Tabled Paper - lapsed.

Joint Standing Committee on Delegated Legislation - Report No. 42 - Shire of Capel Keeping and Welfare of Cats Amendment Local Law 2009 and Shire of Koorda Standing Orders Local Law 2009 - Committee Report

The Order of the Day having been called.

Consideration of the Committee Report - lapsed.

Metropolitan Region Scheme Amendment No.1152/41 - Jindalee (Jindee) Foreshore Rationalisation, City of Wanneroo - Ministerial Statement and Tabled Papers

The Order of the Day having been called.

Consideration of the Ministerial Statement and Tabled Paper - lapsed.

Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts - Report No. 1 - Annual Report 2009-2010 - Committee Report

The Order of the Day having been called.

Consideration of the Committee Report - lapsed.

Energy Consumption - Meter Trial - Ministerial Statement

The Minister for Energy moved, That the Ministerial Statement be noted.

Question - put and passed.

Standing Committee on Public Administration - Report No. 11 - Recreation Activities within Public Drinking Water Source Areas - Committee Report

The Order of the Day having been called.

Consideration of the Committee Report - lapsed.

Ministerial Council for Tertiary Education and Employment - Ministerial Statement

The Minister for Training and Workforce Development moved, That the Ministerial Statement be noted.

Question - put and passed.

Joint Standing Committee on the Corruption and Crime Commission - Report No. 11 - Annual Report 2009-2010 - Committee Report

Hon Nick Goiran moved, That the Report be noted.

Question - put and passed.

Metropolitan Region Scheme Amendment No. 1153/41 - Caversham Urban Cell - Ministerial Statement and Tabled Paper

The Order of the Day having been called.

Consideration of the Ministerial Statement and Tabled Paper - lapsed.

Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts - Report No. 2 - Inquiry into the Racing and Wagering Western Australia Acts - Committee Report

Hon Max Trenorden moved, That the Report be noted.

Debate ensued.

Question - put and passed.

Interruption pursuant to Order.

The Deputy President resumed the Chair.

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

- (1) Joint Standing Committee on the Corruption and Crime Commission - Report No. 10 - How the Corruption and Crime Commission can best work together with the Western Australian Police Force to combat organised crime - Committee Report and had noted same.
- (2) Question Without Notice No. 484 - Supplementary Information - Ministerial Statement and had noted same.

- (3) Standing Committee on Uniform Legislation and Statutes Review - Report No. 54 - Annual Report 2009 - Committee Report and had noted same.
- (4) Vinalco Joint Venture to Redevelop Muja AB - Ministerial Statement and had noted same.
- (5) Joint Standing Committee on the Commissioner for Children and Young People - Report No. 4 - Annual Report (2009-2010) - Committee Report and had noted same.
- (6) Energy Consumption - Meter Trial - Ministerial Statement and had noted same.
- (7) Ministerial Council for Tertiary Education and Employment - Ministerial Statement and had noted same.
- (8) Joint Standing Committee on the Corruption and Crime Commission - Report No. 11 - Annual Report 2009-2010 - Committee Report and had noted same.
- (9) Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts - Report No. 2 - Inquiry into the Racing and Wagering Western Australia Acts - Committee Report and had noted same.

Report adopted.

13. Metropolitan Redevelopment Authority Bill 2011

The Deputy President reported the receipt of Message No. 200 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Mental Health representing the Minister for Planning moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Mental Health representing the Minister for Planning moved, That the Bill be now read a second time.

Debate stands adjourned.

14. Order of Business

Ordered - That Members' Statements be taken forthwith. (Leader of the House).

15. Members' Statements

Statements were taken.

16. Adjournment

The House adjourned at 10.06pm until Thursday, 1 September 2011 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jon Ford.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council