

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 166

WEDNESDAY, 17 AUGUST 2011

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### 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 Bill

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

**16 August 2011 - Message No. 30**

**Act No.**

Road Safety Council Amendment Bill 2011

30 of 2011

### 3. Petition

Hon Linda Savage presented a petition, by delivery to the Clerk, [SO 130], from nine petitioners requesting the Legislative Council call on the Government to immediately fund the employment of six permanent full-time general inspectors in the Department of Local Government's animal welfare unit inspectorate. (Tabled paper 3606).

### 4. Ministerial Statement - Drug and Alcohol Interagency Strategic Framework 2011-2015

The Minister for Mental Health made a Ministerial Statement with respect to the Drug and Alcohol Interagency Strategic Framework for Western Australia.

The Minister for Mental Health, tabled a document entitled *Drug and Alcohol Interagency Strategic Framework for Western Australia 2011-2015*, by the Drug and Alcohol Office. (Tabled paper 3605).

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

### 5. Paper

The following Paper was laid on the Table by -

#### President

#### Letters -

Joint Standing Committee on the Corruption and Crime Commission - letter from the Committee to the President of the Legislative Council advising of the resignation of Acting Commissioner Michelle Hullett ..... 3604

## **6. Renewable Energy Sources - Development**

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

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.

Debate ensued.

*Interruption pursuant to Temporary Orders.*

## **7. Consideration of Committee Reports and Ministerial Statements**

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

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### **In Committee**

(Hon Michael Mischin in the Chair)

#### **Walpole and Nornalup Inlets Marine Park - Ministerial Statement**

Debate resumed on the motion of the Minister for Mental Health representing the Minister for Environment, That the Ministerial Statement be noted.

## **8. Questions Without Notice**

Questions without notice were taken.

The Minister for Indigenous Affairs tabled a document detailing additional information relating to the fees, gifts and gratuities register at the Department of Indigenous Affairs, in response to a question without notice asked by Hon Robin Chapple. (Tabled paper 3607).

The Minister for Training and Workforce Development, in accordance with Standing Order No. 138(d), advised that an answer to question on notice No. 4252 asked by Hon Alison Xamon will be provided on 18 August 2011.

The Minister for Energy, in accordance with Standing Order No. 138(d), advised that answers to questions on notice Nos 4209 to 4232 asked by Hon Kate Doust will be provided on 18 August 2011.

The Minister for Indigenous Affairs, in accordance with Standing Order No. 138(d), advised that answers to questions on notice Nos 4239 and 4241 asked by Hon Robin Chapple will be provided on 18 August 2011.

The Minister for Community Services tabled documents in relation to the Department of Communities' funding to a range of parenting services, in response to question on notice No. 4288 asked by Hon Linda Savage. (Tabled paper 3608).

The Minister for Mental Health tabled documents in relation to details of the number and location of current and future specialised mental health service beds for the years 2008, 2009, 2010 and 2011 to date, and the years 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16, in response to question on notice No. 4303 asked by Hon Ljiljana Ravlich. (Tabled paper 3609).

## **9. Consideration of Committee Reports and Ministerial Statements**

Pursuant to Temporary Orders for the consideration of Committee Reports and Ministerial Statements (cf item 7 above).

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### **In Committee**

(Hon Matt Benson-Lidholm in the Chair)

#### **Walpole and Nornalup Inlets Marine Park - Ministerial Statement**

Debate resumed on the motion of the Minister for Mental Health representing the Minister for Environment, That the Ministerial Statement be noted.

Question - put and passed.

#### **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 moved, That the Report be noted.

*Interruption pursuant to Temporary Orders.*

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The Deputy President resumed the Chair.

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

- (1) Walpole and Nornalup Inlets Marine Park - Ministerial Statement and had noted same.
- (2) 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, made progress, and asked leave to sit again.

Report adopted.

## **10. Order of Business**

Ordered - That Order of the Day No. 1, *City of Mandurah Jetties, Waterways and Marina Local Law 2010 - Disallowance*, be taken after Order of the Day No. 4, *Personal Property Securities (Consequential Repeals and Amendments) Bill 2011*. (Minister for Finance).

## **11. Fish Resources Management Amendment Bill 2011**

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

The Minister for Finance on behalf of the Minister for Fisheries 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.

## **12. Workers' Compensation and Injury Management Amendment Bill 2011**

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.

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**In Committee**

(Hon Matt Benson-Lidholm in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 95 agreed to.

Clause 96.

Debate ensued.

Hon Nick Goiran moved -

Page 70, lines 19 to 24 — To delete the lines and insert —

Delete section 93K(4)(c) and “and” after it.

Debate ensued.

Amendment - put and negatived.

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

Clauses 97 to 125 agreed to.

New Clause 78A.

Hon Alison Xamon moved -

Page 58, after line 15 — To insert —

**78A. Review of Part**

- (1) The Minister is to carry out a review of the operation and effectiveness of this Part as soon as practicable after the expiry of 3 years from the day on which this Act receives the Royal Assent.
- (2) The Minister is to prepare a report based on the review and, as soon as is practicable, is to cause it to be laid before each House of Parliament.

Debate ensued.

Amendment - put and negatived.

Title agreed to.

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The President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Commerce moved, That the Bill be now read a third time.

The 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.

**13. Members' Statements**

Statements were taken.

**14. Duties Amendment Bill 2011**

The President reported the receipt of Message No. 196 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Finance representing the Treasurer moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Finance representing the Treasurer moved, That the Bill be now read a second time.

The Minister for Finance representing the Treasurer tabled the explanatory memorandum to the *Duties Amendment Bill 2011*. (Tabled paper 3610).

Debate stands adjourned.

**15. Parliamentary Superannuation Amendment Bill 2011**

The President reported the receipt of Message No. 197 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Finance representing the Treasurer moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Finance representing the Treasurer moved, That the Bill be now read a second time.

Debate stands adjourned.

**16. Adjournment**

The House adjourned at 10.30pm until Thursday, 18 August 2011 at 10.00am.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Norman Moore.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

**HON BARRY HOUSE**  
President of the Legislative Council