

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 178

WEDNESDAY, 23 MARCH 2016

1. Meeting of Council

The Council assembled at 1.00pm pursuant to Temporary Orders.

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

2. Petition

Hon Nick Goiran presented a petition from 2,139 petitioners requesting the Legislative Council to advocate for the life of the unborn. (Tabled Paper 3927).

3. Paper

The following Paper was laid on the Table by —

Attorney General

Annual Reports — Extension of Time —

Anzac Day Trust (2015) extension of time (Date received 22/03/2016) 3926

4. Select Committee into the Operations of the Royal Society for the Prevention of Cruelty to Animals Western Australia (Inc) — Interim Report — Extension of Time

Hon Rick Mazza presented an Interim Report of the Select Committee into the Operations of the Royal Society for the Prevention of Cruelty to Animals Western Australia (Inc), *Extension of Time*. (Tabled Paper 3928).

Hon Rick Mazza moved, without notice —

That the reporting date for the Select Committee's inquiry into the *Operations of the Royal Society for the Prevention of Cruelty to Animals Western Australia (Inc)* be extended from 6 April 2016 to no later than 19 May 2016.

The Leader of the House moved, without notice —

That the Order of the Day in relation to the *Select Committee into the Operations of the Royal Society for the Prevention of Cruelty to Animals Western Australia (Inc) – Interim Report – Extension of Time*, be adjourned until the next sitting of the House.

Question — put and passed.

5. Muresk Facility

Motion No. 1 having been called, debate resumed on the motion, as amended, of Hon Darren West as follows —

That this Council recognises the significant investment through \$20 million from the Royalties for Regions fund that the Liberal National Government has made in ensuring that the facilities at Muresk continue as a “Centre for Excellence”, particularly for agriculture.

Question — put and passed.

6. Children's Hospital — Planning and Analysis

Motion No. 2 having been called, Hon Amber-Jade Sanderson, pursuant to notice, moved —

That the Council calls on the Government to engage in thorough analysis and planning regarding the potential demands on the New Children's Hospital. Noting that with the significant population growth in Western Australia, it is incumbent on the Government to review current plans and estimates with a view to increasing bed capacity in the new hospital.

Debate ensued.

Interruption pursuant to order.

7. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Adele Farina in the Chair)

Standing Committee on Environment and Public Affairs — Report No. 42 — Implications for Western Australia of Hydraulic Fracturing for Unconventional Gas

Hon Simon O'Brien moved, That the Report be noted.

Debate ensued.

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

Standing Committee on Estimates and Financial Operations — Report No. 61 — 2016-17 Budget Estimates Hearings – Sitting Schedule

Hon Ken Travers moved, That the Report be noted.

Debate ensued.

Question — put and passed.

Joint Standing Committee on the Corruption and Crime Commission — Report No. 27 — The Parliamentary Inspector's protocols with the Corruption and Crime Commission and the Public Sector Commissioner

Hon Nick Goiran moved, That consideration be postponed until the next sitting.

Question — put and passed.

Joint Standing Committee on Audit — Report No. 4 — Review of the Department of Treasury's Report Review of the Financial Management Act (2006)

Hon Ken Travers moved, That the Report be noted.

Debate ensued.

Question — put and passed.

Joint Standing Committee on Audit — Report No. 5 — Budget of the Auditor General – Budget for 2016-17

Hon Ken Travers moved, That the Report be noted.

Debate ensued.

Question — put and passed.

The Acting President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Standing Committee on Environment and Public Affairs — Report No. 42 — *Implications for Western Australia of Hydraulic Fracturing for Unconventional Gas*, made progress, and seeks to sit again.
- (2) Standing Committee on Estimates and Financial Operations — Report No. 61 — *2016-17 Budget Estimates Hearings – Sitting Schedule* and had noted same.
- (3) Joint Standing Committee on the Corruption and Crime Commission — Report No. 27 — *The Parliamentary Inspector's protocols with the Corruption and Crime Commission and the Public Sector Commissioner* and postponed consideration to the next sitting.
- (4) Joint Standing Committee on Audit — Report No. 4 — *Review of the Department of Treasury's Report Review of the Financial Management Act (2006)* and had noted same.
- (5) Joint Standing Committee on Audit — Report No. 5 — *Budget of the Auditor General – Budget for 2016-17* and had noted same.

Report adopted.

8. Motor Vehicle (Catastrophic Injuries) Bill 2016

The Acting President reported the receipt of Message No. 143 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Minister for Mental Health representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3929).

Debate stands adjourned.

9. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Transport tabled a map of new school special bus route 707, in response to a question without notice asked by Hon Martin Pritchard. (Tabled Paper 3930).

The Minister for Mental Health representing the Minister for Environment, by leave incorporated into *Hansard*, information in relation to sandalwood reserves managed by the Department of Parks and Wildlife, in response to a question without notice asked by Hon Lynn MacLaren.

The Minister for Child Protection, by leave incorporated into *Hansard*, information in relation to the visits to remote communities by the regional services reform unit, in response to a question without notice asked by Hon Robin Chapple.

The Minister for Child Protection tabled documents in relation to staffing at the Department for Child Protection and Family Support as at 1 December 2015, in response to question on notice No. 3801 asked by daws. (Tabled Paper 3931).

The Minister for Mental Health, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 3791 asked by Hon Stephen Dawson will be provided on Thursday, 24 March 2016.

The Minister for Child Protection, in accordance with Standing Order No. 108(2), advised that an answer to questions on notice Nos 3796, 3797, 3798 and 3800 asked by Hon Stephen Dawson will be provided on Thursday, 24 March 2016.

10. Order of Business

Ordered — That Order of the Day No. 1, *Mental Health Regulations 2015 – Disallowance*, be taken after Order of the Day No. 11, *Genetically Modified Crops Free Areas Repeal Bill 2015*. (Leader of the House).

11. Dangerous Sexual Offenders Legislation Amendment Bill 2015

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

The President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 4.

Debate resumed.

Clause agreed to.

Clauses 5 and 6 agreed to.

Clause 7.

Debate ensued.

Clause agreed to.

Clause 8 agreed to.

Clause 9.

Debate ensued.

Clause agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clause 12.

Debate ensued.

Clause agreed to.

Clauses 13 to 16 agreed to.

Clause 17.

Debate ensued.

Hon Adele Farina moved —

Page 15, after line 19 — To insert —

- (4) A court may only make an order under subsection (1)(b) if the court is satisfied that the offender will comply with the conditions stated in the order.
- (5) The offender has the onus of satisfying the court as described in subsection (4) and the court has to be satisfied —
 - (a) by acceptable and cogent evidence; and
 - (b) to a high degree of probability.
- (6) In deciding whether to make an order under subsection (1)(b), the court must disregard the fact that the person will be subject to electronic monitoring if an order under subsection (1)(b) is made.

Debate ensued.

Interruption pursuant to order.

The President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

12. Members' Statements

Statements were taken.

13. Adjournment

The Council adjourned at 6.32pm until Thursday, 24 March 2016 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Phil Edman.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council