

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 121

WEDNESDAY, 25 MARCH 2015

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### 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. Statement by President — Legislative Council Procedural Note for Members No. 7 (2015)

The President made the following Statement —

I want to clarify a situation that has arisen a couple of times in the last week. I draw Members' attention to the *Legislative Council Procedural Note for Members No. 7 (2015)*, which will be shortly distributed to their desks. This document clarifies the Standing Orders and procedures the Legislative Council has agreed to adopt when amendments to motions are made and referral of Bills motions to committees are proposed. In short, our Standing Orders dictate that these debates are specific to the motion moved and are to be dealt with as separate motions before reverting to the original question before the Chair. Speaking times for Members have been adjusted accordingly.

### 3. Petition

Hon Robin Chapple presented a petition from 132 petitioners requesting the Legislative Council to withdraw the *Aboriginal Heritage Amendment Bill 2014*; establish an inquiry into the Department of Aboriginal Affairs' management of Aboriginal heritage in Western Australia; and form a Select Committee to develop a proper framework to reform the *Aboriginal Heritage Act 1972* by involving Aboriginal peoples in meaningful ways and by building on previous suggestions from previous reviews. (Tabled Paper 2706).

### 4. Ministerial Statement — Mental Health Act 2014 — Mandatory Reporting of Notifiable Incidents to the Chief Psychiatrist

The Minister for Mental Health made a Ministerial Statement with respect to the establishment of a new process for the reporting of serious mental health clinical incidents.

### 5. Ministerial Statement — Technology in Agriculture and Food

The Minister for Agriculture and Food made a Ministerial Statement with respect to a report by the Department of Agriculture and Food in relation to the costs and benefits of expanding both the mobile phone network and Doppler radar coverage in Western Australia.

The Minister for Agriculture and Food tabled the report by the Department of Agriculture and Food entitled *Technology in Agriculture*. (Tabled Paper 2707).

## 6. Paper

The following Paper was laid on the Table by —

### President

*Auditor General's Paper —*

Main Roads Projects to Address Traffic Congestion (Report No. 2) (March 2015)..... 2705

## 7. Standing Committee on Estimates and Financial Operations — Report No. 52 — 2015–16 Budget Estimates Hearings — Sitting Schedule

Hon Peter Katsambanis presented Report No. 52 of the Standing Committee on Estimates and Financial Operations, *2015–16 Budget Estimates Hearings — Sitting Schedule*. (Tabled Paper 2708).

## 8. Standing Committee on Public Administration — Report No. 24 — Inquiry into Recreation Hunting Systems — Erratum

Hon Liz Behjat presented Report No. 24 of the Standing Committee on Public Administration, *Inquiry into Recreation Hunting Systems — Erratum*. (Tabled Paper 2709).

## 9. Indigenous Suicide

Motion No. 1 having been called, Hon Stephen Dawson continued his introductory remarks in moving the motion as follows —

That this Council —

- (a) condemns the Barnett Government for its failure to combat the rise in suicide rates amongst Western Australia's indigenous population; and
- (b) calls on the Ministers for Aboriginal Affairs and Mental Health to outline to the House the strategies they will use to tackle the State's suicide rates.

Debate ensued.

*Interruption pursuant to order.*

## 10. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

### In Committee

(Hon Adele Farina in the Chair)

#### Standing Committee on Public Administration — Report No. 23 — Report on Recreational Hunting Systems

Debate resumed on the motion of Hon Liz Behjat, That the Report be noted.

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 —

Standing Committee on Public Administration — Report No. 23 — *Report on Recreational Hunting Systems* and had noted same.

Report adopted.

## 11. Order of Business

Ordered — That Orders of the Day Nos 2, *Shire of Kellerberrin Cemeteries Local Law 2014 — Disallowance*, 3, *Shire of Kellerberrin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2014 — Disallowance*, 4, *Shire of Kellerberrin Local Government (Council Meetings) Local Law 2014 — Disallowance*, 5, *Shire of Kellerberrin Fencing Local Law 2014 — Disallowance*, 6, *Regulations 28 to 38 of the Public Sector Management (Redeployment and Redundancy) Regulations 2014 — Disallowance*, 7, *Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 2014 — Disallowance*, 8, *Magistrates Court (General) Amendment Rules (No. 3) 2014 — Disallowance*, and 9, *Magistrates Court (Civil Proceedings) Amendment Rules 2014 — Disallowance*, be taken after Order of the Day No. 13, *Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015*. (Leader of the House).

## 12. School Education Amendment Regulations 2014 — Disallowance

The Order of the Day having been read for the motion moved *pro forma* by Hon Stephen Dawson, as follows —

That the *School Education Amendment Regulations 2014* published in the *Gazette* on 11 November 2014 and tabled in the Legislative Council on 18 November 2014 under the *School Education Act 1999*, be and are hereby disallowed. (Tabled Paper 2225).

Debate ensued.

## 13. Questions Without Notice

Questions without notice were taken.

The Minister for Housing representing the Minister for Lands tabled documents published since January 2009 in relation to caves under the land at Gracetown and surrounds, and in relation to any proposed development of Gracetown, in response to a question without notice asked by Hon Sally Talbot. (Tabled Paper 2710).

The Minister for Education tabled, and by leave incorporated into *Hansard*, documents in relation to the ratio of staff to students at three high schools within the Belmont electorate, in response to a question without notice asked by Hon Samantha Rowe. (Tabled Paper 2711).

The Minister for Education tabled, and by leave incorporated into *Hansard*, documents in relation to transportable classrooms used by primary and secondary schools at the start of the 2015 school year, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2713).

The Minister for Child Protection tabled documents in relation to child protection full time equivalent employees, by district, in response to a question without notice asked by Hon Stephen Dawson. (Tabled Paper 2712).

The Attorney General representing the Minister for Police, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 2731 asked by Hon Rick Mazza will be provided on 21 April 2015.

The Parliamentary Secretary representing the Premier on behalf of the Parliamentary Secretary representing the Minister for Transport, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 2723 asked by Hon Ken Travers will be provided on 26 March 2015.

## 14. School Education Amendment Regulations 2014 — Disallowance

Debate resumed on the motion of Hon Stephen Dawson (*see item 12 above*).

Pursuant to order the President put the question.

The Council divided.

### Ayes (9)

Hon Robin Chapple  
Hon Alanna Clohesy  
Hon Stephen Dawson  
Hon Kate Doust  
Hon Adele Farina

Hon Lynn MacLaren  
Hon Amber-Jade Sanderson  
Hon Darren West  
Hon Samantha Rowe (*Teller*)

**Noes (19)**

Hon Liz Behjat  
Hon Jacqui Boydell  
Hon Paul Brown  
Hon Peter Collier  
Hon Brian Ellis  
Hon Donna Faragher  
Hon Nick Goiran  
Hon Dave Grills  
Hon Nigel Hallett  
Hon Alyssa Hayden

Hon Col Holt  
Hon Peter Katsambanis  
Hon Mark Lewis  
Hon Rick Mazza  
Hon Robyn McSweeney  
Hon Michael Mischin  
Hon Helen Morton  
Hon Simon O'Brien  
Hon Phil Edman (*Teller*)

Question thus negatived.

**15. Adjournment**

The Council adjourned at 6.24pm until Thursday, 26 March 2015 at 10.00am.

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

Attendance: Present all Members.

**NIGEL PRATT**

Clerk of the Legislative Council

**HON BARRY HOUSE**

President of the Legislative Council