

# LEGISLATIVE COUNCIL

## MINUTES OF PROCEEDINGS

No. 139

WEDNESDAY, 12 AUGUST 2015

### 1. Meeting of Council

The Council assembled at 3.15pm pursuant to Temporary Orders.  
The President, Hon Barry House, took the Chair and read prayers.

### 2. Ministerial Statement — Bennett Brook Disability Justice Centre

The Minister for Disability Services made a Ministerial Statement with respect to the official opening of the Bennett Brook Disability Justice Centre.

### 3. Paper

The following Paper was laid on the Table by —

#### President

*Auditor General's Papers* —

Pilbara Underground Power Project (Report No. 15) (August 2015) ..... 3074

### 4. Procedure and Privileges Committee — Report No. 36 — Nigel Rodney Lake — Deputy Clerk of the Legislative Council

The President presented Report No. 36 of the Procedure and Privileges Committee, *Nigel Rodney Lake — Deputy Clerk of the Legislative Council*. (Tabled Paper 3157).

The Leader of the House moved, without notice —

That, pursuant to Standing Order 19, Recommendation 1 contained in Report No. 36 of the Standing Committee on Procedure and Privileges, *Nigel Rodney Lake — Deputy Clerk of the Legislative Council*, be agreed to.

Question — put and passed.

### 5. Address to the Governor

The Leader of the House moved, without notice —

That the Address be presented to Her Excellency the Governor by the President.

Question — put and passed.

### 6. Papers

The following Papers were laid on the Table by —

#### Leader of the House

*By-laws* —

Energy Operators (Powers) Act 1979 (Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-laws 2015 G.G. 26/06/2015 and Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2015 G.G. 26/06/2015)..... 3075

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#### *Regulations —*

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### **Parliamentary Secretary representing the Minister for Health**

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#### *Response to Reports —*

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## 7. Suspension of Standing Orders

The Leader of the House moved, without notice —

That so much of the Standing Orders be suspended to enable Consideration of Committee Reports to be taken at the conclusion of Formal Business.

The motion requiring the concurrence of an absolute majority.

Question — put.

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

## 8. 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. 25 — Report on the Patient Assisted Travel Scheme in Western Australia**

Hon Liz Behjat moved, That consideration be postponed until the next sitting.

Question — put and passed.

#### **Joint Standing Committee on the Corruption and Crime Commission — Report No. 19 — Parliamentary Inspector's report on misconduct and related issues in the Corruption and Crime Commission**

Hon Nick Goiran moved, That the Report be noted.

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

Question — put and passed.

#### **Joint Standing Committee on the Corruption and Crime Commission — Report No. 20 — The operation of section 196(4) of the Corruption and Crime Commission Act 2003**

Hon Nick Goiran moved, That the Report be noted.

Question — put and passed.

#### **Joint Standing Committee on the Corruption and Crime Commission — Report No. 21 — Recent amendments to the Corruption and Crime Commission Act 2003: Some implications for Western Australia's integrity framework**

Hon Nick Goiran moved, That the Report be noted.

Question — put and passed.

#### **Standing Committee on Environment and Public Affairs — Report No. 41 — Petition 42: Request to repeal the Environmental Protection (Environmentally Sensitive Areas) Notice 2005**

Hon Stephen Dawson moved, That the Report be noted.

Hon Stephen Dawson moved, That consideration be postponed until the next sitting.

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 Public Administration — Report No. 25 — *Report on the Patient Assisted Travel Scheme in Western Australia* and postponed consideration to the next sitting.
- (2) Joint Standing Committee on the Corruption and Crime Commission — Report No. 19 — *Parliamentary Inspector's report on misconduct and related issues in the Corruption and Crime Commission* and postponed consideration to the next sitting.

- (3) Joint Standing Committee on the Corruption and Crime Commission — Report No. 20 — *The operation of section 196(4) of the Corruption and Crime Commission Act 2003* and had noted same.
- (4) Joint Standing Committee on the Corruption and Crime Commission — Report No. 21 — *Recent amendments to the Corruption and Crime Commission Act 2003: Some implications for Western Australia's integrity framework* and had noted same.
- (5) Standing Committee on Environment and Public Affairs — Report No. 41 — *Petition 42: Request to repeal the Environmental Protection (Environmentally Sensitive Areas) Notice 2005* and postponed consideration to the next sitting.

Report adopted.

## 9. Questions Without Notice

Questions without notice were taken.

The Minister for Education tabled documents in relation to baseline amounts and adjustments for Western Australian Public Schools Fault Management Program, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 3158).

## 10. Order of Business

Ordered — That Orders of the Day Nos. 1, *Shire of Trayning Public Places and Local Government Property Local Law 2014 — Disallowance*, and 2, *City Of Fremantle Plastic Bag Reduction Local Law 2015 — Disallowance*, be taken after Order of the Day No. 16, *Fire and Emergency Services Amendment Bill 2015*. (Leader of the House).

## 11. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2015–2016

The Order of the Day having been read for the adjourned debate on the motion of Minister for Mental Health representing the Treasurer, as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 2877A–E (2015–2016 Budget Statements), laid upon the Table of the House on Thursday, 14 May 2015.

Debate resumed.

*Interruption pursuant to order.*

## 12. Message from Her Excellency the Governor

The President reported the receipt of the following message from the Her Excellency the Governor —

12 August 2015  
Hon Barry House MLC  
President  
Legislative Council  
Parliament of Western Australia  
Parliament House  
PERTH WA 6000

Dear Mr President

The request of the President and Members of the Legislative Council of the Parliament of Western Australia to withdraw the commission forthwith of Nigel Rodney Lake, Deputy Clerk of the Legislative Council due to a loss of confidence in the House, has been noted and approved.

Mr Lake's commission as Deputy Clerk, Legislative Council of the Parliament of Western Australia is withdrawn, effective immediately.

Yours sincerely  
Kerry Sanderson  
GOVERNOR  
12 August 2015

**13. Members' Statements**

Statements were taken.

**14. Adjournment**

The Council adjourned at 6.47pm until Thursday, 13 August 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

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