

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 248

THURSDAY, 15 NOVEMBER 2012

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

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

2. Statement by President — Installation of Solar Array at Parliament House

The President made the following Statement —

I have the pleasure of announcing an environmental milestone for the Parliament of Western Australia. By the end of the year, Parliament House will be generating electricity on-site following the installation of a 17 kilowatt photovoltaic solar array. The 72 photovoltaic panels of the solar array will provide sufficient power to light both legislative chambers. The solar array will be mounted on the roof above the Legislative Assembly chamber, on that part of the Parliament House building that was constructed in 1904.

This project has been on the drawing board for some time, but has now been made possible through savings achieved in the last year from changes made to the electricity supply contract for Parliament House, along with energy saving initiatives at Parliament House, including the changing of all external and most internal lighting to LED; the installation of a voltage optimiser to minimise and regulate power consumption; improved controls over mechanical systems; and the real-time metering and monitoring of electricity, gas and water usage at Parliament House. It is anticipated that the cost of installing the solar array will be recovered by the Parliament within four years. After that time, the savings in electricity costs will be reinvested in further reducing environmental impacts around Parliament House and in improving the Parliament's sustainability performance.

3. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Electoral Commission (Political Finance) (For the period ending 30 June 2011)
(Date received 14/11/2012)..... 5389

Marine Parks and Reserves Authority (2011–2012) (Date received 14/11/2012)..... 5391

Reports —

Interstate and Overseas Travel undertaken by Members of Parliament Funded by the
Imprest System (For the three months ended 30 June 2012) 5390

Minister for Mental Health

Annual Reports —

Conservation Commission (W.A.) (2011–2012) (Date received 14/11/2012)..... 5392

Leases —

CALM Lease No. 1667/97 — Between CALM and Kevin Thomas Collins for a dam site for commercial purposes within a 0.4 hectare portion of State Forest No. 39, located near Pemberton..... 5393

Parliamentary Secretary representing the Minister for Regional Development*Plans —*

LandCorp — Strategic Development Plan 2012/13–2016/17..... 5394

Reports —

LandCorp — Statement of Corporate Intent (2012–2013)..... 5395

4. Joint Standing Committee on the Corruption and Crime Commission — Report No. 32 — How the Corruption and Crime Commission Handles Allegations and Notifications of Police Misconduct

Hon Nick Goiran presented Report No. 32 of the Joint Standing Committee on the Corruption and Crime Commission in relation to *How the Corruption and Crime Commission Handles Allegations and Notifications of Police Misconduct*. (Tabled Paper 5396).

5. Joint Standing Committee on the Commissioner for Children and Young People — Report No. 11 — A Review of the Exercise of the Functions of the Commissioner for Children and Young People

Hon Nick Goiran presented Report No. 11 of the Joint Standing Committee on the Commissioner for Children and Young People in relation to *A Review of the Exercise of the Functions of the Commissioner for Children and Young People*. (Tabled Paper 5397).

6. Joint Standing Committee on Delegated Legislation — Report No. 60 — Metropolitan Region Scheme Major Amendment 1221/41 — Banjup Urban Precinct

Hon Sally Talbot presented Report No. 60 of the Joint Standing Committee on Delegated Legislation in relation to the *Metropolitan Region Scheme Major Amendment 1221/41 — Banjup Urban Precinct*. (Tabled Paper 5398).

7. Joint Standing Committee on Delegated Legislation — Report No. 61 — Annual Report 2012

Hon Sally Talbot presented Report No. 61 of the Joint Standing Committee on Delegated Legislation being the *Annual Report 2012*. (Tabled Paper 5399).

8. Aboriginal Students' Poor Academic Outcomes

Hon Matt Benson-Lidholm: To move on the next day of sitting —

That this Council calls on the Minister for Education to immediately address the continued poor academic outcomes experienced by significant numbers of Western Australia's Aboriginal school age students.

9. Services and Resources for Youth at Risk

Non-Government Business No. 1 having been called, Hon Sally Talbot moved, without notice —

That this Council condemns the Barnett Government for failing to understand the real priorities for young people at risk in Western Australia and failing to provide the services and resources these young people need.

Debate ensued.

Motion lapsed.

10. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Broomehill-Tambellup Removal of Refuse, Rubbish and Disused Materials Local Law 2012 — Disallowance*, 2, *Submission No. 13/2012 — Amendment to Class A Reserve 8485 and Cancellation of Class A Reserve 28535 — Disallowance*, 3, *City of Vincent Dogs Amendment Local Law No. 2, 2012 — Disallowance*, 4, *Metropolitan Region Scheme Amendment No. 1218/41 — Keralup Stage 1 — Disallowance*, 5, *City of Subiaco Meeting Procedures Local Law 2012 — Disallowance*, 6, *Metropolitan Region Scheme Amendment No. 1221/41 — Banjup Urban Precinct — Disallowance*, 7, *Metropolitan Region Scheme Amendment No. 1221/41 — Banjup Urban Precinct — Disallowance*, and 8, *Western Australian Meat Industry Authority Amendment Regulations 2012 — Disallowance*, be taken after Order of the Day No. 18, *Browse (Land) Agreement Bill 2012*. (Leader of the House).

11. Western Australian Future Fund Bill 2012

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

The Deputy President left the Chair.

In Committee

(Hon Colin Holt in the Chair)

Clause 9.

Debate resumed.

Hon Ken Travers moved —

Page 5, line 21 — To delete “2032” and insert —

2062

Debate ensued.

Amendment — put.

The Committee divided.

Ayes (8)

Hon Kate Doust
Hon Sue Ellery
Hon Adele Farina
Hon Ljiljanna Ravlich

Hon Linda Savage
Hon Sally Talbot
Hon Ken Travers
Hon Ed Dermer (*Teller*)

Noes (21)

Hon Liz Behjat
Hon Robin Chapple
Hon Jim Chown
Hon Peter Collier
Hon Mia Davies
Hon Wendy Duncan
Hon Phil Edman
Hon Philip Gardiner
Hon Nick Goiran
Hon Nigel Hallett
Hon Alyssa Hayden

Hon Col Holt
Hon Lynn MacLaren
Hon Michael Mischin
Hon Norman Moore
Hon Helen Morton
Hon Simon O’Brien
Hon Max Trenorden
Hon Giz Watson
Hon Alison Xamon
Hon Ken Baston (*Teller*)

Amendment thus negatived.

Debate resumed.

Question, That the clause stand as printed — put and passed.

Clause 10.

Debate ensued.

Hon Ken Travers moved —

Page 6, line 21 — To delete “2032” and insert —

2062

Debate ensued.

Amendment — put.

The Committee divided.

Ayes (8)

Hon Matt Benson-Lidholm
Hon Kate Doust
Hon Adele Farina
Hon Ljiljana Ravlich

Hon Linda Savage
Hon Sally Talbot
Hon Ken Travers
Hon Ed Dermer (*Teller*)

Noes (21)

Hon Liz Behjat
Hon Robin Chapple
Hon Jim Chown
Hon Peter Collier
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Hon Wendy Duncan
Hon Phil Edman
Hon Philip Gardiner
Hon Nick Goiran
Hon Nigel Hallett
Hon Alyssa Hayden

Hon Col Holt
Hon Lynn MacLaren
Hon Michael Mischin
Hon Norman Moore
Hon Helen Morton
Hon Simon O'Brien
Hon Max Trenorden
Hon Giz Watson
Hon Alison Xamon
Hon Ken Baston (*Teller*)

Amendment thus negatived.

Question, That the clause stand as printed — put and passed.

Clauses 11 and 12 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

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

The Deputy President having reported that the Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Bill read a third time and passed.

12. Criminal Law Amendment (Out-of-Control Gatherings) Bill 2012

The Order of the Day having been read for the adjourned debate on the second reading of this Bill.

Debate resumed.

13. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Premier tabled, and by leave incorporated into Hansard, documents in relation to the ministerial media statements website, in response to a question without notice asked by Hon Matt Benson-Lidholm. (Tabled Paper 5400).

The Minister for Mental Health tabled documents in relation to vacancies for mental health nurses, psychiatrists and other medical staff in dedicated mental health services, in response to question on notice No. 5888 asked by Hon Ljiljana Ravlich. (Tabled Paper 5401).

14. Criminal Law Amendment (Out-of-Control Gatherings) Bill 2012

Debate resumed on the second reading of this Bill (*see item 12 above*).

Hon Alison Xamon moved, without notice —

That Order of the Day No. 14, the *Criminal Law Amendment (Out-of-Control Gatherings) Bill 2012*, be discharged and referred to the Standing Committee on Legislation for consideration and report not later than April 2013.

On the motion of the Leader of the House debate was adjourned to the next sitting.

15. Standing Committee on Uniform Legislation and Statutes Review — Report No. 79 — Interim Report in relation to the Inquiry into the Form and Content of the Statute Book

Hon Adele Farina presented Report No. 79 of the Standing Committee on Uniform Legislation and Statutes Review being the interim report in relation to the *Inquiry into the Form and Content of the Statute Book*. (Tabled Paper 5402).

16. Standing Committee on Procedure and Privileges — Report No. 25 — Reference from the House — Auditor General Act 2006

The President presented Report No. 25 of the Standing Committee on Procedure and Privileges in relation to the *Reference from the House — Auditor General Act 2006*. (Tabled Paper 5403).

Hon Matt Benson-Lidholm moved, without notice, That the Report be adopted and agreed to.

On the motion of the Leader of the House the debate was adjourned to the next sitting.

17. Loan Bill 2012

The President reported the receipt of Message No. 302 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Minister for Finance representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 5404).

Debate stands adjourned.

18. Mining Amendment Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 303

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Mining Amendment Bill 2012* without amendment.

Hon G.A. Woodhams

Speaker

Legislative Assembly Chamber

Perth, 15 November 2012

19. Variation to Sitting Time

The Leader of the House moved, without notice —

That the House commence sitting at 10.30am on Tuesday, 27 November 2012.

Question — put and passed.

20. Members' Statements

Statements were taken.

21. Adjournment

The Council adjourned at 5.51pm until Tuesday, 27 November 2012 at 10.30am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Helen Bullock, Hon Donna Faragher (leave of absence) and Hon Jon Ford.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council