

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 20

TUESDAY, 13 AUGUST 2013

1. Meeting of Council

The Council assembled at 3.00pm pursuant to order.

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

2. Standing Committee on Environment and Public Affairs — Report No. 32 — Resolution of the Committee to continue the Inquiry into the Sandalwood Industry in Western Australia

Hon Simon O'Brien presented Report No. 32 of the Standing Committee on Environment and Public Affairs giving notice to the Legislative Council, pursuant to Standing Order No. 179(2), of a resolution of the Committee on 7 August 2013 to continue its *Inquiry into the Sandalwood Industry in Western Australia*. (Tabled Paper 512).

3. Standing Committee on Environment and Public Affairs — Report No. 33 — Resolution of the Committee to commence an Inquiry into the implications for Western Australia of hydraulic fracturing for unconventional gas

Hon Simon O'Brien presented Report No. 33 of the Standing Committee on Environment and Public Affairs giving notice to the Legislative Council, pursuant to Standing Order No. 179(2), of a resolution of the Committee on 7 August 2013 to commence an *Inquiry into the implications for Western Australia of hydraulic fracturing for unconventional gas*. (Tabled Paper 513).

4. Order of Business

Ordered — That Orders of the Day Nos 1, *Children's Court (Fees) Amendment Regulations (No. 2) 2012 — Disallowance*, 2, *Civil Judgments Enforcement Amendment Regulations 2012 — Disallowance*, 3, *Coroners Amendment Regulations 2012 — Disallowance*, 4, *District Court (Fees) Amendment Regulations (No. 3) 2012 — Disallowance*, 5, *Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2012 — Disallowance*, 6, *Magistrates Court (Fees) Amendment Regulations (No. 3) 2012 — Disallowance*, 7, *State Administrative Tribunal Amendment Regulations (No. 3) 2012 — Disallowance*, 8, *Supreme Court (Fees) Amendment Regulations (No. 3) 2012 — Disallowance*, 9, *City of Fremantle Plastic Bag Reduction Local Law 2012 — Disallowance*, 10, *Proposal No. 1/2013, Excision of land from Class A Reserve 33581 for the upgrade of Gilmore Avenue, Leda to a dual carriageway in the City of Kwinana — Disallowance*, 11, *Mindarie Regional Council Waste Facility Site Amendment Local Law 2013 — Disallowance*, 12, *Legal Profession Conduct Amendment Rules 2013 — Disallowance*, 13, *Town of Victoria Park Parking and Parking Facilities Amendment Local Law 2013 — Disallowance*, and 14, *Supreme Court Amendment Rules 2013 — Disallowance*, be taken after Order of the Day No. 27, *Protection of the Identity of Journalists' Informants*. (Leader of the House).

5. Suspension of Standing Orders

The Leader of the House moved, without notice —

That so much of Standing Orders be suspended to apply the time limits on speeches for Bills under Standing Order 21 to Order of the Day No. 15, *Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2013–2014*.

Debate ensued.

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.

6. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2013–2014

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

That pursuant to Standing Order 68(1), the Legislative Council take note of Tabled Paper 506A-E (2013–2014 Budget Statements), laid upon the Table of the House on Thursday, 8 August 2013.

Debate resumed.

7. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Premier tabled, and by leave incorporated into Hansard, a table in relation to the recruitment stages of currently vacant Chief Executive Officer positions in the public sector, in response to a question without notice asked by Hon Amber-Jade Sanderson. (Tabled Paper 514).

The Parliamentary Secretary representing the Minister for Health tabled, and by leave incorporated into Hansard, documents in relation to travel undertaken by senior executive staff of the Department of Health since 1 July 2012, in response to question on notice No. 120 asked by Hon Alanna Clohesy. (Tabled Paper 515).

8. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2013–2014

Debate resumed on the motion of the Minister for Mental Health representing the Treasurer (*see item 6 above*).

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

9. Family Court Amendment (Family Violence and Other Measures) Bill 2013

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.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Attorney General moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

10. Restraining Orders Amendment Bill 2013

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.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Attorney General moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

11. City of Fremantle and Town of East Fremantle Trust Funds (Amendment and Expiry) Bill 2013

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.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Minister for Mental Health representing the Minister for Local Government moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

12. Criminal Code Amendment Bill (No. 2) 2013

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

Debate resumed.

Interruption pursuant to order.

13. Members' Statements

Statements were taken.

14. Adjournment

The Council adjourned at 10.07pm until Wednesday, 14 August 2013 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council