

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 93

THURSDAY, 25 SEPTEMBER 2014

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. Papers

The following Papers were laid on the Table by —

President

Annual Reports —

Legislative Assembly, Department of the (2013–2014) (Date received 24/09/2014)..... 2005

Legislative Council, Department of the (2013–2014) (Date received 24/09/2014)..... 2006

Parliamentary Services Department (2013–2014) (Date received 22/09/2014)..... 2007

Auditor General's Papers —

Opinions on Ministerial Notifications (Report No. 17) (September 2014)
(Date received 25/09/2014)..... 2008

Leader of the House

Annual Reports — Extension of Time —

State Emergency Management Committee — Annual Report (2013–2014) extension
of time (Date received 24/09/2014)..... 2009

Annual Reports —

Aboriginal Affairs, Department of (2013–2014) (Date received 24/09/2014)..... 2010

Building Management Authority (2013–2014) (Date received 24/09/2014)..... 2011

Burswood Park Board (2013–2014) (Date received 24/09/2014)..... 2012

Country High School Hostels Authority (2013–2014) (Date received 24/09/2014)..... 2013

Education Services, Department of (2013–2014) (Date received 24/09/2014)..... 2014

Education, Department of (2013–2014) (Date received 24/09/2014)..... 2015

Electoral Commission (2013–2014) (Date received 24/09/2014)..... 2016

Horizon Power (2013–2014) (Date received 24/09/2014)..... 2017

Lotterywest (2013–2014) (Date received 24/09/2014)..... 2018

Premier and Cabinet, Department of (2013–2014) (Date received 24/09/2014)..... 2019

Public Education Endowment Trust (2013–2014) (Date received 24/09/2014)..... 2020

Public Sector Commission (2013–2014) (Date received 24/09/2014)..... 2021

School Curriculum and Standard Authority (2013–2014) (Date received 24/09/2014)..... 2022

State Development, Department of (2013–2014) (Date received 24/09/2014)..... 2023

Synergy (1 July 2013 – 30 June 2014) (Date received 24/09/2014)	2024
Synergy (1 July 2013 to 31 December 2013) (Date received 24/09/2014)	2025
Training and Workforce Development, Department of (2013–2014) (Date received 24/09/2014)	2026
Western Power (2013–2014) (Date received 24/09/2014)	2027
<i>Reports —</i>	
Horizon Power — Financial Report (for the year ended 30 June 2014)	2028
Minister for Mental Health	
<i>Annual Reports —</i>	
Insurance Commission (2013–2014) (Date received 24/09/2014)	2029
Perry Lakes Redevelopment Project (2013–2014) (Date received 24/09/2014)	2030
Planning, Department of (2013–2014) (Date received 24/09/2014)	2031
State Supply Commission (2013–2014) (Date received 24/09/2014)	2032
<i>Leases —</i>	
CALM Lease No. 2157/100 — Between CALM and Aspen Parks Property Management Limited for the purpose of an accommodation facility located within Woodman Point Regional Park	2033
Attorney General	
<i>Annual Reports —</i>	
Corrective Services, Department of (2013–2014) (Date received 24/09/2014)	2034
Equal Opportunity in Public Employment (2013–2014) (Date received 24/09/2014)	2035
Fire and Emergency Services Superannuation Board (2013–2014) (Date received 24/09/2014)	2036
Police, Western Australia (2013–2014) (Date received 24/09/2014)	2037
Professional Standards Councils (2013–2014) (Date received 24/09/2014)	2038
Professional Standards Councils of Western Australia (2013–2014) (Date received 24/09/2014)	2039
Supervised Release Review Board (2013–2014) (Date Received 24/09/2014)	2040
Minister for Agriculture and Food	
<i>Annual Reports — Extension of Time —</i>	
Fisheries, Department of — Annual Report (2013–2014) extension of time (Date received 24/09/2014)	2041
<i>Annual Reports —</i>	
Agriculture and Food, Department of (2013–2014) (Date received 24/09/2014)	2042
Coal Industry Superannuation Board (2013–2014) (Date received 24/09/2014)	2043
Country Housing Authority (2013–2014) (Date received 24/09/2014)	2044
Forest Products Commission (2013–2014) (Date received 24/09/2014)	2045
Gascoyne Development Commission (2013–2014) (Date received 24/09/2014)	2046
Great Southern Development Commission (2013–2014) (Date received 24/09/2014)	2047
Housing Authority (2013–2014) (Date received 24/09/2014)	2048
Housing, Department of (2013–2014) (Date received 24/09/2014)	2049
Kimberley Development Commission (2013–2014) (Date received 24/09/2014)	2050
LandCorp (2013–2014) (Date received 24/09/2014)	2051
Landgate (2013–2014) (Date received 24/09/2014)	2052
Mid West Development Commission (2013–2014) (Date received 24/09/2014)	2053
Minerals Research Institute of Western Australia (2013–2014) (Date received 24/09/2014) ...	2054

Mines and Petroleum, Department of (2013–2014) (Date received 24/09/2014)	2055
Peel Development Commission (2013–2014) (Date received 24/09/2014)	2056
Pilbara Development Commission (2013–2014) (Date received 24/09/2014)	2057
South West Development Commission (2013–2014) (Date received 24/09/2014)	2058
Wheatbelt Development Commission (2013–2014) (Date received 24/09/2014)	2059

Reviews —

Dangerous Goods Safety Act 2004	2060
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Parliamentary Secretary representing the Minister for Science

Annual Reports —

ChemCentre (2013–2014) (Date received 24/09/2014)	2061
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Parliamentary Secretary representing the Minister for Transport

Annual Reports —

Esperance Ports Sea and Land (2013–2014) (Date received 24/09/2014)	2062
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Parliamentary Secretary representing the Minister for Health

Annual Reports —

Queen Elizabeth II Medical Centre Trust (2013–2014) (Date received 24/09/2014)	2063
Reproductive Technology Council (2013–2014) (Date received 24/09/2014)	2064
Rottnest Island Authority (2013–2014) (Date received 24/09/2014)	2065
Tourism Western Australia (2013–2014) (Date received 24/09/2014)	2066

Parliamentary Secretary representing the Minister for Regional Development

Annual Reports —

AQWEST (2013–2014) (Date received 24/09/2014)	2067
Busselton Water (2013–2014) (Date received 24/09/2014)	2068

3. Standing Committee on Estimates and Financial Operations — Report No. 49 — Procedure for 2013–14 Annual Report Hearings

Hon Ken Travers presented Report No. 49 of the Standing Committee on Estimates and Financial Operations, *Procedure for 2013–14 Annual Report Hearings*. (Tabled Paper 2069).

4. Crisis Accommodation — Social and Public Housing

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

That this House condemns the Government for its failure to ensure adequate levels of crisis accommodation and social and public housing.

Debate ensued.

Motion lapsed.

5. Small Business — Productivity

Private Members' Business No. 1 having been called, Hon Mark Lewis moved, without notice —

That the Liberal-National Government continues to support the Western Australian economy by providing an environment for small businesses to expand and to enhance their productivity.

Debate ensued.

Motion lapsed.

6. Declared Places (Mentally Impaired Accused) Bill 2013

The Deputy President reported the receipt of Message No. 78 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Disability Services moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Disability Services moved, That the Bill be read a second time.

The Minister for Disability Services tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2070).

Debate stands adjourned.

7. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Shark Bay Local Government Property Amendment Local Law 2014 — Disallowance*, 2, *Firearms Amendment Regulations 2014 — Disallowance*, 3, *Shire of Ashburton Fencing Local Law 2014 — Disallowance*, 4, *Metropolitan Region Scheme Amendment No. 1239/41 — Gidgegannup Urban Precinct — Disallowance*, 5, *Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 2014 — Disallowance*, and 6, *City of Greater Geraldton Animals, Environment and Nuisance Local Law 2014 — Disallowance*, be taken after Order of the Day No. 15, *Mines Safety and Inspection Amendment Bill 2014*. (Leader of the House).

8. Mental Health Bill 2013

The Order of the Day having been read for the consideration of the Committee of the Whole House's report upon this Bill.

The Minister for Mental Health moved, That the report be adopted.

Question — put and passed.

Ordered — That the third reading of the Bill be made an Order of the Day for the next sitting.

9. Mental Health Legislation Amendment Bill 2013

The Order of the Day having been read for the consideration of the Committee of the Whole House's report upon this Bill.

The Minister for Mental Health moved, That the report be adopted.

Question — put and passed.

Ordered — That the third reading of the Bill be made an Order of the Day for the next sitting.

10. Environmental Protection Amendment (Validation) Bill 2014

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

Debate resumed.

11. Questions Without Notice

Questions without notice were taken.

The Minister for Mental Health tabled the memorandum of understanding between the Mental Health Commission and the Disability Services Commission (2014), in response to a question without notice asked by Hon Adele Farina. (Tabled Paper 2083).

The Minister for Child Protection tabled the memorandum of understanding and bilateral schedule between the Department for Child Protection and Family Support and the Department of Education (October 2013), in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2084).

12. Papers

The following Papers, by leave, were laid on the Table by —

Leader of the House*Annual Reports —*

Conservation Commission (2013–2014) (Date received 25/09/2014)	2071
Country Health Service (2013–2014) (Date received 25/09/2014).....	2072
Gold Corporation (2013–2014) (Date received 25/09/2014)	2073
Health, Department of (2013–2014) (Date received 25/09/2014).....	2074
Lands, Department of (2013–2014) (Date received 25/09/2014).....	2075
Local Government and Communities, Department of (2013–2014) (Date received 25/09/2014).....	2076
Metropolitan Health Service (2013–2014) (Date received 25/09/2014)	2077
National Trust of Australia (WA) (2013–2014) (Date received 25/09/2014).....	2078
Ombudsman Western Australia (2013–2014) (Date received 25/09/2014)	2079
Regional Development Trust (2013–2014) (Date received 25/09/2014)	2080
Regional Development, Department of (2013–2014) (Date received 25/09/2014)	2081
Water, Department of (2013–2014) (Date received 25/09/2014).....	2082

13. Consumer Protection Legislation Amendment Bill 2013

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 79

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Consumer Protection Legislation Amendment Bill 2013* without amendment.

Ms W.M. Duncan

Deputy Speaker

Legislative Assembly Chamber

Perth, 25 September 2014

14. Environmental Protection Amendment (Validation) Bill 2014

Debate resumed on the second reading of this Bill (*see item 10 above*).

Interruption pursuant to order.

15. Members' Statements

Statements were taken.

16. Adjournment

The Council adjourned at 5.28pm until Tuesday, 14 October 2014 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Robin Chapple and Hon Stephen Dawson.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council