

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 86

WEDNESDAY, 10 SEPTEMBER 2014

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

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

2. Petition

Hon Kate Doust presented a petition from 4,790 petitioners requesting the Legislative Council to investigate Chevron's compliance with section 15 of the Gorgon Gas Processing and Infrastructure Project Agreement. (Tabled Paper 1836).

3. Ministerial Statement — World Suicide Prevention Day

The Minister for Mental Health made a Ministerial Statement with respect to World Suicide Prevention Day.

4. Ministerial Statement — Kimberley Aquaculture Development Zone

The Minister for Fisheries made a Ministerial Statement with respect to the Kimberley Aquaculture Development Zone.

5. Papers

The following Papers were laid on the Table by —

Minister for Mental Health on behalf Leader of the House

Reports —

Overseas Travel undertaken by Members of Parliament funded by the Parliamentary
Travel Allowance (for the three months ended 30 June 2014) 1834

Minister for Mental Health

Leases —

CALM Lease No. 1958/97 between CALM and Kookaburra Cinema for the purpose
of a Hills Forest Outdoor Cinema and Picnicking situated on State Forest
No. 7 at Mundaring 1835

6. Metropolitan Region Scheme Amendment No. 1239/41 — Gidgegannup Urban Precinct — Disallowance

Hon Alanna Clohesy: To move on the next day of sitting —

That the *Metropolitan Region Scheme Amendment No. 1239/41 — Gidgegannup Urban Precinct* published in the *Gazette* on 6 June 2014 and tabled in the Legislative Council on 19 June 2014 under the *Planning and Development Act 2005*, be and is hereby disallowed. (Tabled Papers 1566 and 1567).

7. Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 2014 — Disallowance

Hon Ken Travers: To move on the next day of sitting —

That the *Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 2014* published in the *Gazette* on 13 June 2014 and tabled in the Council on 18 June 2014 under the *Road Traffic Act 1974*, be and are hereby disallowed. (Tabled Paper 1551).

8. Climate Change

Motion No. 1 having been called, debate resumed on the motion of Hon Lynn MacLaren as follows —

That this Council calls on the State Government to —

- (a) note that on May 9, the daily mean concentration of carbon dioxide in the atmosphere surpassed 400 parts per million for the first time since measurements began in 1958;
- (b) note that evidence of warming Western Australian oceans is indicated by the increased numbers of jellyfish, tropical fish and whale sharks observed further south than ever before; and
- (c) explain the changes required to the State Government's climate change strategy to reduce the rate of carbon dioxide emissions and to protect Western Australia's unique biodiversity.

The Minister for Mental Health moved, without notice —

To delete paragraph (c) and insert —

- (c) continue its work on direct action measures and implementing its high level strategic framework to support agencies developing responses to adapt to the effects of climate change, recognising that decisions on the design, implementation and timing of the regulation of greenhouse emissions are primarily matters for the Commonwealth Government and Federal Parliament.

Amendment — put.

The Council divided.

Ayes (19)

Hon Martin Aldridge
 Hon Ken Baston
 Hon Liz Behjat
 Hon Jacqui Boydell
 Hon Paul Brown
 Hon Jim Chown
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Nick Goiran
 Hon Dave Grills

Hon Nigel Hallett
 Hon Alyssa Hayden
 Hon Col Holt
 Hon Mark Lewis
 Hon Rick Mazza
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Phil Edman (*Teller*)

Noes (11)

Hon Robin Chapple
 Hon Alanna Clohesy
 Hon Kate Doust
 Hon Sue Ellery
 Hon Lynn MacLaren
 Hon Ljiljanna Ravlich

Hon Amber-Jade Sanderson
 Hon Sally Talbot
 Hon Ken Travers
 Hon Darren West
 Hon Samantha Rowe (*Teller*)

Amendment thus passed.

Debate resumed.

Hon Lynn MacLaren sought leave to withdraw the motion.

Leave denied.

Hon Lynn MacLaren, by leave, tabled various supporting publications in relation to the motion. (Tabled Paper 1837).

Question, That the motion, as amended, be agreed to — put.

The Council divided.

Ayes (19)

Hon Martin Aldridge
 Hon Ken Baston
 Hon Liz Behjat
 Hon Jacqui Boydell
 Hon Paul Brown
 Hon Jim Chown
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Nick Goiran
 Hon Dave Grills

Hon Nigel Hallett
 Hon Alyssa Hayden
 Hon Col Holt
 Hon Mark Lewis
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 Hon Sally Talbot
 Hon Ken Travers
 Hon Darren West
 Hon Samantha Rowe (*Teller*)

Question thus passed.

Motion, as amended, agreed to.

9. Questions Without Notice

Questions without notice were taken.

10. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Adele Farina in the Chair)

**Joint Standing Committee on the Corruption and Crime Commission — Report No. 16 —
 Corruption and Crime Commission voluntary interviews with WA police officers**

Hon Nick Goiran moved, 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 —

Joint Standing Committee on the Corruption and Crime Commission — Report No. 16 — *Corruption and Crime Commission voluntary interviews with WA police officers* and had noted same.

Report adopted.

11. Order of Business

Ordered — That Bill for Introduction No. 1, *Child Support (Adoption of Laws) Amendment Bill 2014*, be taken forthwith. (Minister for Mental Health).

12. Child Support (Adoption of Laws) Amendment Bill 2014

The Attorney General, pursuant to notice, moved —

That a Bill for “An Act to amend the *Child Support (Adoption of Laws) Act 1990*.” be introduced and read a first time.

Question — put and passed.

Bill read a first time.

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

The Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1838).

Debate stands adjourned.

13. Order of Business

Ordered — That Orders of the Day Nos 1, *Regulation 11(3)(o) as inserted into the Retirement Villages Regulations 1992 by Regulation 6 of the Retirement Villages (Recurrent Charges, Prescribed Matters and Exemption Certificates) Amendment Regulations 2014 — Disallowance*, 2, *Shire of Shark Bay Local Government Property Amendment Local Law 2014 — Disallowance*, 3, *Firearms Amendment Regulations 2014 — Disallowance*, and 4, *Shire of Ashburton Fencing Local Law 2014 — Disallowance*, be taken after Order of the Day No. 11, *Statutes (Repeals) Bill 2013*. (Minister for Mental Health).

14. Mental Health Bill 2013 and Mental Health Legislation Amendment Bill 2013

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills. Debate resumed.

Question — That the *Mental Health Bill 2013* be read a second time — put and passed.

Bill read a second time.

Question — That the *Mental Health Legislation Amendment Bill 2013* be read a second time — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Liz Behjat in the Chair)

Mental Health Bill 2013

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3 agreed to.

Clause 4.

The Minister for Mental Health moved —

Page 4, lines 16 and 17 — To delete “mental health practitioner;” and insert —

other health professional;

Debate ensued.

Interruption pursuant to order.

The President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

15. Members’ Statements

Statements were taken.

16. Adjournment

The Council adjourned at 10.16pm until Thursday, 11 September 2014 at 10.00am.

Members present during the day’s proceedings

Attendance: Present all Members except Hon Peter Collier.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council