

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 79

TUESDAY, 12 AUGUST 2014

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. Statement by President — Malaysian Airlines Flight MH17

The President made the following Statement —

Today, all Members in this House are solemnly united as we acknowledge the devastating loss, on 17 July, of all 298 passengers and crew of Malaysia Airlines flight MH17. Many Western Australians have been directly affected by this tragedy. Some of us here today knew people whose lives were taken that day, some of us know their families or friends. The rest of us can only feel profound compassion as we attempt to imagine how mothers, fathers, husbands, wives, sons, daughters, grandparents and beloved friends will go on living in the face of such loss. On behalf of all here present, and indeed on behalf of the Western Australian community, I express our shared grief and the deepest of sympathy to all those people who have been affected by these terrible events. We will now stand and observe a minute of silence as a mark of respect for those we have lost, and in sympathy for those who have been left behind.

3. Message from the Administrator — Assent to Bills

The President reported the receipt of a Message from the Administrator assenting to the following Bills —

7 July 2014 — Message No. 16	Act No.
Medicines and Poisons Bill 2013	13 of 2014
Electoral Amendment Bill 2014	14 of 2014
Revenue Laws Amendment Bill 2014	15 of 2014
Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014	16 of 2014
Statutes (Repeals and Minor Amendments) Bill 2013	17 of 2014
Taxi Drivers Licensing Bill 2013	18 of 2014

4. Statutes (Repeals and Minor Amendments) Bill 2013

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 69

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Statutes (Repeals and Minor Amendments) Bill 2013*, without amendment.

Ms J.M. Freeman

Acting Speaker

Legislative Assembly Chamber

Perth, 26 June 2014

5. Petitions

Hon Stephen Dawson presented a petition from 64 petitioners requesting the Legislative Council to support the active recruitment of additional staff to be employed within the maternity ward of the Hedland Health Campus. (Tabled Paper 1678).

Hon Ken Travers presented a petition from 342 petitioners requesting the Legislative Council to seek a commitment and timetable from the Government for the upgrade of Gnangara Road between Alexander Drive and Pinaster Parade. (Tabled Paper 1679).

6. Ministerial Statement — Standing Committee on Environment and Public Affairs — Inquiry into the Sandalwood Industry in Western Australia — Government Response

The Minister for Mental Health representing the Minister for Environment made a Ministerial Statement with respect to the Government's Response to recommendations contained in the Standing Committee on Environment and Public Affairs, Report No. 35, *Inquiry into the Sandalwood Industry in Western Australia*.

The Minister for Mental Health representing the Minister for Environment tabled the Government Response to Report No. 35 of the Standing Committee on Environment and Public Affairs, *Inquiry into the Sandalwood Industry in Western Australia*. (Tabled Paper 1670).

7. Ministerial Statement — Occupational Safety and Health — Proposed Legislation

The Minister for Commerce made a Ministerial Statement with respect to the improvement of occupational safety and health in Western Australian workplaces.

The Minister for Commerce tabled the report prepared for WorkSafe WA entitled *Regulation Impact Statement, Model Work Health and Safety Regulations and Codes of Practice in Western Australia*. (Tabled Paper 1680).

8. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Information Systems Audit Report (Report No. 14) (June 2014)	
(Deemed tabled 30/06/2014)	1661

Working with Children Checks (Report No. 15) (June 2014) (Deemed tabled 30/06/2014)	1662
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Reports —

Office of the Inspector of Custodial Services — Report of an Announced Inspection of Acacia Prison (Report No. 90) (June 2014)	1663
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Leader of the House

Reports —

Lotterywest – Statement of Corporate Intent (2014–2015) (Deemed tabled 9/07/2014)	1664
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Remuneration of Judges, District Court Judges, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission.....	1665
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Reviews —

Review of the Operation and Effectiveness of the Building and Construction Industry Training Fund and Levy Collection Act (June 2014).....	1666
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Minister for Mental Health*Leases —*

CALM Lease No. 2267/97 — Between CALM and Western Australia Biomass PTY LTD for the construction and operation of a biomass power plant located within State Forest No. 36 near Manjimup	1667
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Reports —

Economic Regulation Authority — Inquiry into Microeconomic Reform in Western Australia (Final Report) (30 June 2014) (Deemed tabled 28/07/2014)	1668
Gold Corporation — Statement of Corporate Intent (2014–2015) (Deemed tabled 8/07/2014)	1669

Attorney General*Annual Reports —*

Department of Fisheries — Acquisition and use of assumed identities under section 76(1) of the Criminal Investigation (Covert Powers) Act 2012 (Date received 17/07/2014).....	1671
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Reports —

Commissioner for Children and Young People — Building Blocks: Best practice programs to improve the wellbeing of children and young people – Edition Two (July 2014) (Deemed tabled 14/07/2014).....	1672
Commissioner for Children and Young People — The State of Western Australia's Children and Young People — Edition Two (July 2014) (Deemed tabled 14/07/2014)	1673
Terrorism (Preventative Detention) Act 2006 section 54(2) — Quarterly Report (30 June 2014).....	1674

Response to Reports —

Joint Standing Committee on the Corruption and Crime Commission — WA Police's use of Part 4 Exceptional Powers (Report No. 10) (Attorney General).....	1677
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Parliamentary Secretary representing the Minister for Regional Development*Annual Reports —*

Land Surveyors Licensing Board of Western Australia (2013) (Date received 8/07/2014)	1675
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Reports —

Landgate — Statement of Corporate Intent (2014–2015) (Deemed tabled 1/07/2014)	1676
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9. 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*, and 2, *Shire of Shark Bay Local Government Property Amendment Local Law 2014 — Disallowance*, be taken after Order of the Day No. 10, *Mental Health Bill 2013*. (Leader of the House).

10. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2014–2015

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 69(1) the Legislative Council take note of Tabled Paper 1449A–E (2014–2015 Budget Statements), laid upon the Table of the House on Thursday, 8 May 2014.

Debate resumed.

Question — put and passed.

11. Cognate Debate — Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014 and Appropriation (Consolidated Account) Capital 2014–15 Bill 2014

The Minister for Mental Health representing the Treasurer sought leave of the House to debate Order of the Day No. 12, *Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014* and Order of the Day No. 13, *Appropriation (Consolidated Account) Capital 2014–15 Bill 2014* cognately [SO 127].

Leave granted.

12. Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014 and Appropriation (Consolidated Account) Capital 2014–15 Bill 2014

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

13. Questions Without Notice

Questions without notice were taken.

The Minister for Education tabled a document in relation to voluntary school fee contributions for children in care of the Department for Child Protection and Family Support, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 1681).

The Minister for Education tabled, and by leave incorporated into Hansard, a document in relation to the Department of Education's projection of savings for capping of long service leave liabilities, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 1682).

The Minister for Agriculture and Food representing the Minister for Forestry, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1213 asked by Hon Lynn MacLaren will be provided on 14 August 2014.

The Minister for Agriculture and Food representing the Minister for Forestry tabled, and by leave incorporated into Hansard, in accordance with Standing Order No. 108(2), advice that answers to questions on notice Nos 1213, 1223 and 1233 asked by Hon Lynn MacLaren will be provided on 14 August 2014. (Tabled Paper 1683).

The Minister for Agriculture and Food representing the Minister for Forestry tabled a document in relation to buyers, other than sawmills, that have executed contracts of sale with the Forest Products Commission for the purchase of native forest products, in response to question on notice No. 1014 asked by Hon Lynn MacLaren. (Tabled Paper 1684).

The Minister for Agriculture and Food tabled a document in relation to the chemical composition of solid residues emanating from the water leached purification system at the Lynas Advanced Materials Plant, in response to question on notice No. 1317 asked by Hon Robin Chapple. (Tabled Paper 1685).

The Parliamentary Secretary representing the Minister for Transport tabled a document in relation to drivers of Transperth buses charged with offences by Western Australia Police in 2013, in response to question on notice No. 1179 asked by Hon Ken Travers. (Tabled Paper 1686).

The Parliamentary Secretary representing the Minister for Health tabled a document in relation to the Medicare Billing for Rural Areas in Need Program, in response to question on notice No. 1243 asked by Hon Robin Chapple. (Tabled Paper 1687).

The Parliamentary Secretary representing the Minister for Regional Development tabled a document in relation to changes made to the Ord Development Agreement, in response to question on notice No. 1225 asked by Hon Ken Travers. (Tabled Paper 1688).

The Parliamentary Secretary representing the Minister for Regional Development tabled a document in relation to components of the Ord Development, in response to question on notice No. 1229 asked by Hon Ken Travers. (Tabled Paper 1689).

The Parliamentary Secretary representing the Minister for Regional Development tabled a document in relation to the proposed \$700 million investment to develop Ord Stage 2, in response to question on notice No. 1230 asked by Hon Ken Travers. (Tabled Paper 1690).

The Parliamentary Secretary representing the Minister for Lands tabled a document in relation to goat and stock numbers at Quobba, Waroorra, Cardabia and Ningaloo Stations, in response to question on notice No. 1247 asked by Hon Robin Chapple. (Tabled Paper 1691).

14. Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014 and Appropriation (Consolidated Account) Capital 2014–15 Bill 2014

Cognate debate resumed on the second reading of these Bills (*see item 12 above*).

Interruption pursuant to order.

15. Members' Statements

Statements were taken.

16. Adjournment

The Council adjourned at 10.07pm until Wednesday, 13 August 2014 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Kate Doust, Hon Phil Edman and Hon Adele Farina.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council