

WESTERN AUSTRALIA

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 233**

**THURSDAY, 20 SEPTEMBER 2012**

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**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 (2011–2012)..... 4998

Parliamentary Services Department (2011–2012) (Date received 19/09/12) ..... 4986

**Leader of the House**

*Annual Reports —*

Chemcentre (2011–2012) (Date received 19/09/12) ..... 4987

Institute of Sport (WAIS) (2011–2012) (Date received 19/09/12) ..... 4988

Professional Combat Sports Commission (2011–2012) (Date received 19/09/12)..... 4989

Sport and Recreation, Department of (2011–2012) (Date received 19/09/12) ..... 4990

Technology and Industry Advisory Council (2011–2011) (Date received 19/09/12) ..... 4991

**Minister for Finance**

*Annual Reports —*

Country Housing Authority (2011–2012) (Date received 19/09/12) ..... 4992

Industrial Relations Commission, Chief Commissioner of the (2011–2012)  
(Date received 19/09/12) ..... 4993

**Minister for Education**

*Annual Reports —*

Synergy (2011–2012) (Date received 19/09/12)..... 4994

**Minister for Child Protection**

*Annual Reports —*

Heritage Council of Western Australia (2011–2012) (Date received 19/09/12)..... 4995

*Report —*

St Andrew's Hostel Katanning: How the System and Society Failed Our Children - A  
Special Inquiry into the Response of Government Agencies and Officials to  
Allegations of Sexual Abuse (Hon Peter Blaxell) ..... 4999

**Minister for Mental Health***Annual Reports –*

Drug and Alcohol Office (2011–2012) (Date received 19/09/12) ..... 4996

Healthway (2011–2012) (Date received 19/09/12) ..... 4997

**3. Standing Committee on Environment and Public Affairs — Special Report — Inquiry into the Regulation and Management of the Sandalwood Industry in Western Australia**

Hon Kate Doust presented a Special Report of the Standing Committee on Environment and Public Affairs giving notice to the Council pursuant to Standing Order No. 179(2) of a resolution of the Committee to commence an *Inquiry into the Regulation and Management of the Sandalwood Industry in Western Australia*.

**4. Standing Committee on Uniform Legislation and Statutes Review — Appointment of Member**

Hon Sue Ellery moved, without notice —

That Hon Robin Chapple be appointed as a Member of the Standing Committee on Uniform Legislation and Statutes Review.

Question — put and passed.

**5. Local Content in Economic Success**

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

That this Council condemns the Barnett Government for failing to take every opportunity to ensure that local workers and businesses share in Western Australia's economic success.

Debate ensued.

*Motion lapsed.*

**6. Value in the Right to Vote**

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

That this Council —

- (1) Recognises the need to remind the Western Australian community of the value in their right to vote.
- (2) Recommends that an inquiry into re-engaging the community in the benefits of living in a democracy be considered.

Debate ensued.

*Motion lapsed.*

**7. Order of Business**

Ordered — That Orders of the Day Nos 1, *Mindarie Regional Council Standing Orders Amendment Local Law 2012 — Disallowance*, 2, *City of Bayswater Standing Orders Local Law 2012 — Disallowance*, 3, *City of Perth Standing Orders Amendment Local Law 2012 — Disallowance*, 4, *Pawnbrokers and Second-hand Dealers Amendment Regulations 2012 — Disallowance*, 5, *Security and Related Activities (Control) Amendment Regulations 2012 — Disallowance*, 6, *Shire of Broomehill-Tambellup Removal of Refuse, Rubbish and Disused Materials Local Law 2012 — Disallowance*, and 7, *Submission No. 13/2012 — Amendment to Class A Reserve 8485 and Cancellation of Class A Reserve 28535 — Disallowance*, be taken after Order of the Day No. 10, *Criminal Investigation (Covert Powers) Bill 2011*. (Leader of the House).

**8. Retirement Villages Amendment 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 Jon Ford in the Chair)

Clause 15.

Debate resumed on the amendments of Hon Lynn MacLaren as follows —

Page 15, line 10 — To delete “special resolution” and insert —

ordinary resolution

Page 15, lines 15 to 18 — To delete the lines and insert —

***ordinary resolution*** means a resolution passed at a meeting of residents called either by the administering body or by the Residents Committee, or (in villages where there is no Residents Committee) by a minimum of 5 residents entitled to vote on the resolution or 30% of the number of residents entitled to vote on the resolution (whichever is the greater). The meeting must be held in accordance with subsection (4).

Page 15, after line 18 — To insert —

- (4) To pass an ordinary resolution —
  - (a) the residents must have been given notice of the meeting by the administering body or by the Residents Committee or by the residents calling the meeting; and
  - (b) there must be a quorum present (whether in person or by proxy) of —
    - (i) a minimum of 5 residents entitled to vote on the resolution or 30% of the number of residents entitled to vote on the resolution (whichever is the greater); or
    - (ii) If the retirement village has fewer than 10 occupied residential premises, a majority of residents entitled to vote;
  - and
  - (c) the resolution must be carried by at least 51% of the number of residents who are present (whether in person or by proxy) and who are entitled to vote, and do vote.

Amendments — put and negatived.

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

Clause 16 agreed to.

Clause 17.

Debate ensued.

Clause agreed to.

Clauses 18 to 21 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported with amendments.

Ordered — That consideration of the Committee’s Report be made an Order of the Day for the next sitting.

## **9. Mining Amendment Bill 2012**

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 Mines and Petroleum moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

## **10. Workers' Compensation and Injury Management Amendment (Jockeys) Bill 2012**

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 representing the Minister for Environment tabled disclosure of interest forms submitted by members of the Environmental Protection Authority, in response to a question without notice asked by Hon Sally Talbot. (Tabled Paper 5000).

The Minister for Finance representing the Minister for Transport tabled the Main Roads Community Engagement Policy, in response to question on notice No. 5807 asked by Hon Giz Watson. (Tabled Paper 5001).

The Minister for Education tabled, and by leave incorporated into Hansard, documents in relation to the St Andrew's Hostel Inquiry recommendations, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 5002).

The Minister for Mental Health tabled documents in relation to alcohol-related hospitalisations among Kalgoorlie-Boulder residents, in response to question on notice No. 5777 asked by Hon Ken Baston. (Tabled Paper 5003).

The Parliamentary Secretary representing the Minister for Regional Development, by leave, incorporated into Hansard information in relation to the Mangles Bay Marina-based Tourist Precinct, in response to a question without notice asked by Hon Lynn MacLaren.

## **12. Workers' Compensation and Injury Management Amendment (Jockeys) Bill 2012**

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

*Interruption pursuant to order.*

## **13. Members' Statements**

Statements were taken.

## **14. Adjournment**

The Council adjourned at 5.55pm until Tuesday, 25 September 2012 at 3.00pm.

### **Members present during the day's proceedings**

Attendance: Present all Members except Hon Liz Behjat, Hon Helen Bullock and Hon Brian Ellis.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

**HON BARRY HOUSE**  
President of the Legislative Council