

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 94

TUESDAY, 14 OCTOBER 2014

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### 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. Petitions

Hon Stephen Dawson presented a petition from 644 petitioners requesting the Legislative Council to support a special police taskforce being assigned to investigate drug-related crimes in the town of Port Hedland. (Tabled Paper 2110).

Hon Lynn MacLaren presented a petition from 460 petitioners requesting the Legislative Council to legislate to ban canal estate developments and recommend that the State Government move quickly to ensure marinas are constructed to address any shortfall in boat pens. (Tabled Paper 2111).

Hon Robin Chapple presented a petition from 44 petitioners requesting the Legislative Council to inquire into the costs of the Pilbara Underground Power Project being levied upon Karratha residents and businesses. (Tabled Paper 2112).

### 3. Ministerial Statement — National Mental Health Week

The Minister for Mental Health made a Ministerial Statement with respect to National Mental Health Week.

### 4. Ministerial Statement — Alcohol and Drug Authority Amendment Bill 2014 — Amended Explanandum

The Parliamentary Secretary representing the Premier made a Ministerial Statement with respect to the *Alcohol and Drug Authority Amendment Bill 2014* amended explanatory memorandum.

The Parliamentary Secretary representing the Premier tabled the amended explanatory memorandum. (Tabled Paper 2113).

### 5. Papers

The following Papers were laid on the Table by —

#### President

##### *Annual Reports —*

Corruption and Crime Commission (2013–2014) (Deemed tabled 26/09/2014) ..... 2085

Information Commissioner, Office of the (2013–2014) (Date received 25/09/2014)..... 2086

Office of the Inspector of Custodial Services (2013–2014) (Deemed tabled 30/09/2014) ..... 2087

Parliamentary Inspector of the Corruption and Crime Commission (2013–2014)

(Date received 26/09/2014)..... 2088

*Financial Statements —*

Members of Parliament (Financial Interest) Act 1992 – Annual Returns (2013–2014) .... 2089

*Reports —*

Office of the Inspector of Custodial Services – Female Prisons in Western Australia  
and the Greenough Women’s Precinct (Report No. 91) (July 2014)  
(Deemed tabled 9/10/2014)..... 2090

Office of the Inspector of Custodial Services – Report of an Announced Inspection of  
Eastern Goldfields Regional Prison (Report No. 92) (August 2014)  
(Deemed tabled 1/10/2014))..... 2091

**Leader of the House***Annual Reports —*

Governor’s Establishment (2013–2014) (Date received 25/09/2014)..... 2092

Independent Market Operator (2013–2014) (Date received 26/09/2014) ..... 2093

**Minister for Mental Health***Annual Reports —*

Environmental Protection Authority (2013–2014) (Date received 7/10/2014) ..... 2094

Mentally Impaired Accused Review Board (2013–2014) (Date received 14/10/2014) ..... 2095

*Reports —*

Bank of Western Australia Act 1995 – Annual Certificate of Compliance (2014)..... 2096

**Attorney General***Annual Reports —*

Law Reform Commission of Western Australia (2013–2014) (Date received 26/09/2014)..... 2097

Legal Profession Complaints Committee of Western Australia (2013–2014)  
(Date received 26/09/2014)..... 2098

Prisoners Review Board (2013–2014) (Date received 14/10/2014)..... 2099

Public Trustee (2013–2014) (Date received 26/09/2014) ..... 2100

State Administrative Tribunal (2013–2014) (Date received 14/10/2014)..... 2101

*Reports —*

Law Reform Commission of Western Australia Enhancing Laws Concerning Family  
and Domestic Violence Final Report (June 2014) ..... 2102

**Parliamentary Secretary representing the Minister for Science***Reports —*

ChemCentre – Statement of Corporate Intent (2014–2015)..... 2103

**Parliamentary Secretary representing the Premier on behalf of the Parliamentary Secretary representing the Minister for Transport***Reports —*

Albany Port Authority – Statement of Corporate Intent (2014–2015)..... 2104

Broome Port Authority – Statement of Corporate Intent (2014–2015)..... 2105

Dampier Port Authority – Statement of Corporate Intent (2014–2015)..... 2106

Fremantle Port Authority – Statement of Corporate Intent (2014–2015) ..... 2107

Port Hedland Port Authority – Statement of Corporate Intent (2014–2015) ..... 2108

**Parliamentary Secretary representing the Minister for Regional Development***Annual Reports —*

Goldfields-Esperance Development Commission (2013–2014) (Date received 30/09/2014) ... 2109

**6. Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 2014 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 2014* published in the *Gazette* on 24 June 2014 and tabled in the Legislative Council on 13 August 2014 under the *Lotteries Commission Act 1990*, be and are hereby disallowed. (Tabled paper 1702).

**7. City of Fremantle Alfresco Dining Local Law 2014 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Fremantle Alfresco Dining Local Law 2014* published in the *Gazette* on 18 July 2014 and tabled in the Legislative Council on 13 August 2014 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 1704).

**8. Road Traffic (Drug Driving) Amendment Regulations 2014 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Road Traffic (Drug Driving) Amendment Regulations 2014* published in the *Gazette* on 11 July 2014 and tabled in the Legislative Council on 13 August 2014 under the *Road Traffic Act 1974*, be and are hereby disallowed. (Tabled paper 1745).

**9. Transport (Country Taxi-Car) Amendment Regulations (No. 2) 2014 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Transport (Country Taxi-Car) Amendment Regulations (No. 2) 2014* published in the *Gazette* on 27 June 2014 and tabled in the Legislative Council on 13 August 2014 under the *Transport Co-ordination Act 1996*, be and are hereby disallowed. (Tabled paper 1748).

**10. 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*, 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).

**11. Shire of Ashburton Fencing Local Law 2014 — Disallowance — Discharge from Notice Paper**

The Order of the Day having been called, Hon Robin Chapple moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 3, *Shire of Ashburton Fencing Local Law 2014 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

**12. Mental Health Bill 2013 and Mental Health Legislation Amendment Bill 2013**

The Orders of the Day having been read for the third reading of these Bills.

The Minister for Mental Health moved, That the *Mental Health Bill 2013* be read a third time.

Debate ensued.

The President announced that the Deputy Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put and passed.

Bill read a third time and passed.

The Minister for Mental Health moved, That the *Mental Health Legislation Amendment Bill 2013* be read a third time.

The President announced that the Deputy Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put and passed.

Bill read a third time and passed.

### **13. School Education Amendment Bill 2014**

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

Debate resumed.

### **14. Questions Without Notice**

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Health tabled documents in relation to the posthumous collection and use of gametes, in response to a question without notice asked by Hon Kate Doust. (Tabled Paper 2114).

The Minister for Mental Health, by leave incorporated into Hansard, documents in relation to State Government assistance provided to mental health services in the Vasse electorate, in response to a question without notice asked by Hon Lynn MacLaren.

The Minister for Mental Health representing the Minister for Environment tabled the *Gorgon Gas Development – Threatened and Priority Species Translocation and Reintroduction Program – Annual Reports* (2009–2010) and (2010–2011), in response to question on notice No. 1584 asked by Hon Robin Chapple. (Tabled Paper 2115).

The Attorney General tabled documents in relation to suicide cases in 2011, 2012, 2013 and 2014, in response to question on notice No. 1667 asked by Hon Stephen Dawson. (Tabled Paper 2116).

The Attorney General tabled documents in relation to suicide cases of young people under the age of 25 years in 2008, 2009, 2010, 2011, 2012, 2013 and 2014, in response to question on notice No. 1688 asked by Hon Lynn MacLaren. (Tabled Paper 2117).

The Minister for Agriculture and Food representing the Minister for Water tabled an amended answer in relation to contracts of sale between various timber companies and the Forest Products Commission, in response to question on notice No. 1213 asked by Hon Lynn MacLaren. (Tabled Paper 2118).

The Minister for Agriculture and Food representing the Minister for Water, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1505 asked by Hon Robin Chapple will be provided on 23 October 2014.

The Minister for Agriculture and Food representing the Minister for Water, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1517 asked by Hon Lynn MacLaren will be provided on 23 October 2014.

The Minister for Agriculture and Food representing the Minister for Water, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1518 asked by Hon Lynn MacLaren will be provided on 23 October 2014.

The Minister for Agriculture and Food representing the Minister for Water, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1527 asked by Hon Lynn MacLaren will be provided on 23 October 2014.

The Parliamentary Secretary representing the Minister for Transport tabled documents in relation to metropolitan vehicle examination service fees and the allocation of components to the Department of Transport and the Authorised Inspection Station, in response to question on notice No. 1537 asked by Hon Ken Travers. (Tabled Paper 2119).

The Parliamentary Secretary representing the Minister for Transport tabled documents in relation to traffic volumes at Graham Farmer Freeway, East Parade and associated ramps, in response to question on notice No. 1579 asked by Hon Ken Travers. (Tabled Paper 2120).

The Parliamentary Secretary representing the Minister for Health tabled documents in relation to funding available in the 2014–15 State Budget to increase the number of beds available at Bunbury Regional Hospital, in response to a question without notice asked by Hon Adele Farina. (Tabled Paper 2121).

The Parliamentary Secretary representing the Minister for Health tabled documents in relation to the number of security guards employed or engaged in each Western Australian health campus in the financial years of 2009–10, 2010–11, 2011–12, 2012–13 and 2013–14, in response to question on notice No. 1672 asked by Hon Stephen Dawson. (Tabled Paper 2122).

#### **15. School Education Amendment Bill 2014**

Debate resumed on the second reading of this Bill (*see item 13 above*).

*Want of Quorum*

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells. A quorum being formed, the debate continued.

*Want of Quorum*

There not being a quorum present, the Acting President gave instructions for the ringing of the Bells. A quorum being formed, the debate continued.

Hon Darren West tabled documents relating to a breakdown of funding cuts for public schools in the Agricultural region [SO 59(2)]. (Tabled Paper 2123).

*Interruption pursuant to order.*

#### **16. Members' Statements**

Statements were taken.

#### **17. Adjournment**

The Council adjourned at 10.05pm until Wednesday, 15 October 2014 at 2.00pm.

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

Attendance: Present all Members except Hon Martin Aldridge, Hon Liz Behjat and Hon Sally Talbot.

**NIGEL PRATT**  
Clerk of the Legislative Council

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