

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 154

WEDNESDAY, 14 OCTOBER 2015

1. Meeting of Council

The Council assembled at 1.00pm pursuant to Temporary Orders.

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

2. Petition

Hon Robin Chapple presented a petition from 72 petitioners requesting the Legislative Council to support the restoration and return of the Swan Valley Nyungah Community. (Tabled Paper 3506).

3. Ministerial Statement — Department of the Attorney General — Open Days

The Attorney General made a Ministerial Statement with respect to the Department of the Attorney General's Open Days initiative that targets the over-representation of Aboriginal people in the justice system.

4. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

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| Report into — Electricity Generation and Retail Corporation — Compliance with Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013 — Segregation Obligation (January 2015)..... | 3495 |
| Safe and Viable Cycling in the Perth Metropolitan Area (Report No. 21) (October 2015) | 3496 |

Attorney General

Annual Reports —

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|--|------|
| Director of Public Prosecutions, Office of the (2014–2015) (Date received 13/10/2015)..... | 3497 |
| Equal Opportunity Commission (2014–2015) (Date received 13/10/2015) | 3498 |
| Gender Reassignment Board (2014–2015) (Date received 13/10/2015)..... | 3499 |
| Legal Aid (2014–2015) (Date received 13/10/2015) | 3500 |
| Legal Contributions Trust (2014–2015) (Date received 13/10/2015)..... | 3501 |
| Mentally Impaired Accused Review Board (2014–2015) (Date received 13/10/2015) | 3502 |
| Prisoners Review Board (2014–2015) (Date received 13/10/2015)..... | 3503 |
| State Administrative Tribunal (2014–2015) (Date received 13/10/2015)..... | 3504 |
| State Coroner, Office of the (2014–2015) (Date received 13/10/2015) | 3505 |

5. Indigenous Communities — Safe Drinking Water Supplies

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

That this Council condemns the Barnett Government for its failure to provide safe drinking water supplies to all indigenous communities throughout the Mining and Pastoral Region.

Question — put.

The Council divided.

Ayes (10)

Hon Robin Chapple
Hon Stephen Dawson
Hon Sue Ellery
Hon Adele Farina
Hon Lynn MacLaren

Hon Martin Pritchard
Hon Sally Talbot
Hon Ken Travers
Hon Darren West
Hon Alanna Clohesy (*Teller*)

Noes (19)

Hon Liz Behjat
Hon Jacqui Boydell
Hon Paul Brown
Hon Jim Chown
Hon Peter Collier
Hon Brian Ellis
Hon Donna Faragher
Hon Nick Goiran
Hon Dave Grills
Hon Nigel Hallett

Hon Alyssa Hayden
Hon Col Holt
Hon Peter Katsambanis
Hon Rick Mazza
Hon Robyn McSweeney
Hon Michael Mischin
Hon Helen Morton
Hon Simon O'Brien
Hon Phil Edman (*Teller*)

Motion thus negatived.

6. Domestic Assault — Support Services

Motion No. 2 having been called, Hon Alanna Clohesy, pursuant to notice, moved —

That this Council notes the significant increase of reported domestic and other assaults in our community and calls on the Barnett Government to immediately commit to boost funding to enable the expansion of support services for women and children seeking to leave abusive or violent relationships.

Debate ensued.

Interruption pursuant to order.

7. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Adele Farina in the Chair)

Standing Committee on Uniform Legislation and Statutes Review — Report No. 93 — Review of the Planning and Development (Development Assessment Panels) Regulations 2011

Debate resumed on the motion of Hon Sue Ellery, That the Report be noted.

Hon Sue Ellery moved, That consideration be postponed until the next sitting.

Question — put and passed.

Standing Committee on Environment and Public Affairs — Report No. 41 — Petition 42: Request to repeal the Environmental Protection (Environmentally Sensitive Areas) Notice 2005

Debate resumed on the motion of Hon Stephen Dawson, That the Report be noted.

Question — put and passed.

Joint Standing Committee on the Corruption and Crime Commission — Report No. 24 — Annual Report 2014-15

The Leader of the House moved, That consideration be postponed until the next sitting.

Question — put and passed.

Standing Committee on Estimates and Financial Operations — Report No. 54 — 2014-15 Annual Report Hearings: Sitting Schedule

Hon Adele Farina 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 —

- (1) Standing Committee on Uniform Legislation and Statutes Review — Report No. 93 — *Review of the Planning and Development (Development Assessment Panels) Regulations 2011*, made progress, and seeks to sit again.
- (2) Standing Committee on Environment and Public Affairs — Report No. 41 — *Petition 42: Request to repeal the Environmental Protection (Environmentally Sensitive Areas) Notice 2005* and had noted same.
- (3) Joint Standing Committee on the Corruption and Crime Commission — Report No. 24 — *Annual Report 2014-15* and postponed consideration to the next sitting.
- (4) Standing Committee on Estimates and Financial Operations — Report No. 54 — *2014-15 Annual Report Hearings: Sitting Schedule* and had noted same.

Report adopted.

8. Order of Business

Ordered — That Bills for Introduction No. 2, *Mental Health Amendment Bill 2015*, be taken forthwith. (Leader of the House).

9. Mental Health Amendment Bill 2015

The Minister for Mental Health, pursuant to notice, moved —

That a Bill for “An Act to amend the *Mental Health Act 2014*.” be introduced and read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Mental Health moved, That the Bill be read a second time.

The Minister for Mental Health tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3507).

Debate stands adjourned.

10. Order of Business

Ordered — That Orders of the Day Nos 1, *Regulation 6(1) of the Conservation and Land Management Amendment Regulations 2015 — Disallowance*, and 2, *Shire of Ravensthorpe Fencing Local Law 2015 — Disallowance*, be taken after Order of the Day No. 14, *Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill 2015*. (Leader of the House).

11. Questions Without Notice

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Environment tabled documents in relation to the Shire of Broome Rehabilitation Management Plan for Lot 2050, in response to a question without notice asked by Hon Robin Chapple. (Tabled Paper 3508).

Point of Order

Hon Stephen Dawson raised the following Point of Order —

I think the Minister was taking a pot shot at me that time. She referred to a statement or a comment I made yesterday about information not being in the annual report. I seek permission to table it today, so that the Minister can be sure it is in there. She tells lies in this place, Mr President.

President's Ruling

The President ruled as follows —

I will ask the Member to withdraw that last sentence. A withdrawal has to be made unconditionally. You cannot qualify a withdrawal.

Hon Stephen Dawson withdrew his remark.

Hon Stephen Dawson, by leave, tabled documents in relation to the Department of Child Protection and Family Support's Annual Report. (Tabled Paper 3509).

The Minister for Mental Health tabled documents in relation to the number of mental health patients held in emergency departments for more than 24 hours in 2014–15 and the number of mental health patients held in an emergency department while waiting for a mental health bed, in response to question on notice No. 3363 asked by Hon Stephen Dawson. (Tabled Paper 3510).

The Minister for Mental Health tabled documents in relation to the number of attempted suicides and self-harm incidents by persons under the age of 25 in the years 2010–11 to 2014–15, in response to question on notice No. 3387 asked by Hon Stephen Dawson. (Tabled Paper 3511).

The Minister for Mental Health representing the Treasurer tabled documents in relation to Perth Children's Hospital's approved contract variations as at 30 September 2015, in response to question on notice No. 3402 asked by Hon Kate Doust. (Tabled Paper 3512).

The Minister for Mental Health, in accordance with Standing Order No. 108(2), advised that an answer to questions on notice No. 3382 asked by Hon Stephen Dawson will be provided on 15 October 2015.

The Minister for Agriculture and Food representing the Minister for Water, by leave incorporated into *Hansard*, documents in relation to the privatisation of the engineering and construction services of the Water Corporation, in response to a question without notice asked by Hon Martin Pritchard.

The Parliamentary Secretary representing the Minister for Transport, in accordance with Standing Order No. 108(2), advised that an answer to questions on notice Nos 3360 and 3362 asked by Hon Ken Travers will be provided on 22 October 2015.

12. Liquor Legislation Amendment Bill 2015

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

Debate ensued.

Interruption pursuant to order.

13. Members' Statements

Statements were taken.

14. Adjournment

The Council adjourned at 6.31pm until Thursday, 15 October 2015 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge, Hon Samantha Rowe and Hon Amber-Jade Sanderson (*leave of absence*).

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council