

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 74

WEDNESDAY, 18 JUNE 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. Ministerial Statement — Metropolitan Region Scheme Amendment 1242/41 — Lot 911 Midland Road, Hazelmere

The Minister for Mental Health representing the Minister for Planning made a Ministerial Statement with respect to Metropolitan Region Scheme Amendment 1242/41 — Lot 911 Midland Road, Hazelmere.

The Minister for Mental Health representing the Minister for Planning tabled plans relating to the Metropolitan Region Scheme Amendment 1242/41 — Lot 911 Midland Road, Hazelmere. (Tabled Paper 1556).

The Minister for Mental Health representing the Minister for Planning tabled a report on submissions and transcripts of hearings relating to the Metropolitan Region Scheme Amendment 1242/41 — Lot 911 Midland Road, Hazelmere. (Tabled Paper 1557).

3. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Governance of Public Sector Boards (Report No. 9) (June 2014) 1542

Universal Child Health Checks (Report No. 10) (June 2014)..... 1543

Minister for Mental Health

Regulations —

State Superannuation Act 2000 (State Superannuation Amendment Regulations 2014
G.G. 10/06/2014)..... 1544

Attorney General

Regulations —

Spent Convictions Act 1988 (Spent Convictions Amendment Regulations (No. 2) 2014
G.G. 13/06/2014)..... 1545

Minister for Agriculture and Food

Regulations —

Dangerous Goods Safety Act 2004 (Dangerous Goods Safety (Road and Rail Transport of Non-
explosives) Amendment Regulations 2014 G.G. 13/06/2014) 1546

Mining Act 1978 (Mining Amendment Regulations 2014 G.G. 13/06/2014)	1547
---------------------------------------------------------------------------	------

Parliamentary Secretary representing the Minister for Transport

By-laws —

Government Railways Act 1904 (Government Railways (Parking Stations) Amendment By-law 2014 G.G. 13/06/2014)	1548
-------------------------------------------------------------------------------------------------------------------	------

Regulations —

Motor Vehicle Drivers Instructors Act 1963 (Motor Vehicle Drivers Instructors Amendment Regulations (No. 2) 2014 G.G. 13/06/2014).....	1549
Public Transport Authority Act 2003 (Public Transport Authority Amendment Regulations 2014 G.G. 13/06/2014).....	1550
Road Traffic Act 1974 (Road Traffic (Charges and Fees) Amendment Regulations (No. 3) 2014 G.G. 13/06/2014 and Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 2014 G.G. 13/06/2014).....	1551
Taxi Act 1994 (Taxi Amendment Regulations 2014 G.G. 13/06/2014)	1552
Transport Co-ordination Act 1966 (Transport Co-ordination Amendment Regulations (No. 2) 2014 G.G. 13/06/2014)	1553

Parliamentary Secretary representing the Minister for Health

By-laws —

Hospitals and Health Services Act 1927 (Armadale Kelmscott District Memorial Hospital Amendment By-laws (No. 2) 2014 G.G. 13/06/2014, Bentley Hospital Amendment By-laws (No. 2) 2014 G.G. 13/06/2014, Fremantle Hospital Amendment By-laws (No. 2) 2014 G.G. 13/06/2014, Metropolitan Health Service Amendment By-laws (No. 2) 2014 G.G. 13/06/2014, Osborne Park Hospital Amendment By-laws (No. 2) 2014 G.G. 13/06/2014, Royal Perth Hospital Amendment By-laws 2014 G.G. 13/06/2014 and Women's and Children's Hospitals Amendment By-laws (No. 2) 2014 G.G. 13/06/2014).....	1554
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------

Regulations —

Hospitals and Health Services Act 1927 (Hospitals (Services Charges) Amendment Regulations (No. 3) 2014 G.G. 13/06/2014 and Hospitals (Services Charges) Amendment Regulations (No. 4) 2014 G.G. 13/06/2014)	1555
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------

4. Psychiatric Hospitals — Patient Protection

Motion No. 1 having been called, Hon Sally Talbot continued her introductory remarks in moving the motion as follows —

That this House notes the findings of the Victorian Mental Illness Awareness Council, that 45 per cent of women who are inpatients in psychiatric hospitals in that state are sexually assaulted while an inpatient, and calls on the Government to take urgent action to —

- (a) establish the extent of similar problems in Western Australian psychiatric hospitals; and
- (b) protect women in Western Australian psychiatric hospitals from sexual assault.

Debate ensued.

The Minister for Mental Health moved, without notice —

To delete “calls on the Government to take urgent action” and insert —

notes the action being taken by the Government

Debate ensued.

Interruption pursuant to order.

5. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Amber-Jade Sanderson in the Chair)

Joint Standing Committee on the Corruption and Crime Commission — Report No. 12 — WA Police Union complaint in regard to the partiality of the Parliamentary Inspector of the Corruption and Crime Commission

Hon Nick Goiran moved, That the Report be noted.

6. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Premier tabled, and by leave incorporated into Hansard, a document in relation to comments made on Nova Radio on 10 June 2014 regarding election promises, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 1558).

The Minister for Child Protection tabled a document in relation to the Supreme Court decision regarding the Department for Child Protection and Family Support's non-compliance with respect to the two day time frame requirement for submitting court papers when a decision is made to take a child into care, in response to a question without notice asked by Hon Stephen Dawson. (Tabled Paper 1559).

The Leader of the House representing the Minister for Training and Workforce Development tabled, and by leave incorporated into Hansard, a document in relation to enrolment numbers at State Training Providers for the years 2012, 2013 and 2014, in response to a question without notice asked by Hon Ljiljana Ravlich. (Tabled Paper 1560).

The Minister for Education, by leave incorporated into Hansard, information in relation to the allocation of Early Year's Service Grants to schools in low socio-economic areas, in response to a question without notice asked by Hon Sue Ellery.

The Minister for Commerce tabled a document in relation to work safety incidents and investigations for the months of February, March and April 2014 for Horizon Power, Western Power, Alinta Networks, Rio Tinto, BHP Billiton and Nickel West, in response to question on notice No. 1123 asked by Hon Robin Chapple. (Tabled Paper 1561).

The Minister for Agriculture and Food tabled a document in relation to applications to alter the National Standard for organic and bio-dynamic produce, in response to a question without notice asked by Hon Lynn MacLaren. (Tabled Paper 1562).

7. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports (*see item 5 above*).

In Committee

(Hon Adele Farina in the Chair)

Joint Standing Committee on the Corruption and Crime Commission — Report No. 12 — WA Police Union complaint in regard to the partiality of the Parliamentary Inspector of the Corruption and Crime Commission

Hon Nick Goiran continued his introductory remarks in moving, That the Report be noted.

Question — put and passed.

Standing Committee on Estimates and Financial Operations — Report No. 45 — 2014–15 Estimates Hearings — Sitting Schedule

Hon Ken Travers moved, That the Report be noted.

Debate ensued.

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) Joint Standing Committee on the Corruption and Crime Commission — Report No. 12 — *WA Police Union complaint in regard to the partiality of the Parliamentary Inspector of the Corruption and Crime Commission* and had noted same.
- (2) Standing Committee on Estimates and Financial Operations — Report No. 45 — *2014–15 Estimates Hearings — Sitting Schedule* and had noted same.

Report adopted.

8. 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.

On the motion of Minister for Mental Health the debate was adjourned to the next sitting.

9. Disability Services Amendment Bill 2014

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

Debate resumed.

The Minister for Disability Services tabled the National Disability Insurance Scheme Fact Sheets. (Tabled Paper 1563).

Debate resumed.

Question — put and passed.

Bill read a second time.

The Deputy President left the Chair.

In Committee

(Hon Adele Farina in the Chair)

Clause 1.

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.

10. Members' Statements

Statements were taken.

Hon Phil Edman, by leave, tabled a tax invoice for the purchase of synthetic cannabinoids. (Tabled Paper 1564).

Hon Phil Edman, by leave, tabled a photograph of synthetic cannabinoids. (Tabled Paper 1564).

Hon Phil Edman sought leave to table, for a period of 24 hours, a package of synthetic cannabinoids.

Leave denied.

Statement by President

The President made the following Statement —

Let me make a couple of points about tabling documents or items. As we saw earlier, it takes only one voice to refuse leave for any Member to table any document and I heard at least one voice say no, so that is why I said that leave was not granted. When it comes to tabling documents it is very straightforward, because documents are there on the public record able to be copied and pretty easily catalogued and stored. When it comes to tabling inanimate objects, it is a bit different. In my experience I have seen a stuffed quoll tabled and an attempt to table a fax machine, which was denied by the President at the time. This instance involved an issue that Members saw fit for one reason or the other to deny leave, and that is fine; it is every Member's prerogative. It is every Member's prerogative, too, to seek leave to table any item. The advice given to Hon Phil Edman was that a period of time should be sought so that that item could be just on display, if you like, for Members. It is obviously not possible, or in this case questionably legal, for the Legislative Council to provide samples of that tabled item.

11. Adjournment

The Council adjourned at 10.11pm until Thursday, 19 June 2014 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members.

NIGEL PRATT

Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council