

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 245

THURSDAY, 8 NOVEMBER 2012

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. Ministerial Statement — Mental Health Bill 2012 — Green Bill

The Minister for Mental Health made a Ministerial Statement with respect to the *Mental Health Bill 2012 — Green Bill*.

The Minister for Mental Health, tabled the *Mental Health Bill 2012 — Green Bill*, for public comment. (Tabled Paper 5334).

The Minister for Mental Health, tabled the explanatory memorandum in relation to the *Mental Health Bill 2012 — Green Bill* for public comment. (Tabled Paper 5335).

3. Papers

The following Papers were laid on the Table by —

Minister for Mental Health

Annual Reports —

Waste Authority (2011–2012) (Date received 7/11/2012)..... 5332

Attorney General

Annual Reports —

Legal Profession Complaints Committee Western Australia (2011-2012)
(Date received 7/11/2012) 5333

4. Joint Standing Committee on the Corruption and Crime Commission — Report No. 31 — Surveillance and Accountability: A Gap in the Oversight Umbrella?

Hon Nick Goiran presented Report No. 31 of the Joint Standing Committee on the Corruption and Crime Commission in relation to *Surveillance and Accountability: A Gap in the Oversight Umbrella?* (Tabled Paper 5336).

5. Joint Standing Committee on Delegated Legislation — Report No. 59 — City of Subiaco Meeting Procedures Local Law 2012

Hon Sally Talbot presented Report No. 59 of the Joint Standing Committee on Delegated Legislation in relation to the *City of Subiaco Meeting Procedures Local Law 2012*. (Tabled Paper 5337).

6. Western Australian Meat Industry Authority Amendment Regulations 2012 — Disallowance

Hon Sally Talbot: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Western Australian Meat Industry Authority Amendment Regulations 2012* published in the *Gazette* on 14 September 2012 and tabled in the Legislative Council on 18 September 2012 under the *Western Australian Meat Industry Authority Act 1976*, be and are hereby disallowed.

7. Housing Affordability

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

That this Council expresses concern at the Barnett Government's failure to adequately address the lack of affordable housing and affordable rentals and calls on the Government to make the availability of affordable housing a priority.

Debate ensued.

Motion lapsed.

8. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Broomehill-Tambellup Removal of Refuse, Rubbish and Disused Materials Local Law 2012 — Disallowance*, 2, *Submission No. 13/2012 — Amendment to Class A Reserve 8485 and Cancellation of Class A Reserve 28535 — Disallowance*, 3, *City of Vincent Dogs Amendment Local Law No. 2, 2012 — Disallowance*, 4, *Metropolitan Region Scheme Amendment No. 1218/41 — Keralup Stage 1 — Disallowance*, and 5, *City of Subiaco Meeting Procedures Local Law 2012 — Disallowance*, be taken after Order of the Day No. 15, *Browse (Land) Agreement Bill 2012*. (Leader of the House).

9. Western Australian Future Fund Bill 2012

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

Debate resumed.

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.

Question — put and passed.

Bill read a second time.

The Deputy President left the Chair.

In Committee

(Hon Jon Ford in the Chair)

Clause 1.

Debate ensued.

10. Questions Without Notice

Questions without notice were taken.

The Minister for Commerce tabled the Worksafe Inspector Attraction Project Interim Report, in response to question on notice No. 6200 asked by Hon Alison Xamon. (Tabled Paper 5338).

The Minister for Mental Health tabled documents in relation to community based services in the South West region funded by the Mental Health Commission, in response to question on notice No. 6134 asked by Hon Adele Farina. (Tabled Paper 5339).

The Minister for Mental Health tabled documents in relation to community actions plans developed under the Suicide Prevention Strategy, in response to question on notice No. 6136 asked by Hon Adele Farina. (Tabled Paper 5340).

The Minister for Mental Health representing the Minister for Health tabled documents in relation to dental therapists and clinic assistants employed for each South West school dental therapy centre, in response to question on notice No. 6318 asked by Hon Adele Farina. (Tabled Paper 5341).

The Minister for Mental Health representing the Minister for Health tabled documents in relation to patient waiting times, average length of stay and longest length of stay in aged residential care facilities in South West hospitals, in response to question on notice No. 6327 asked by Hon Adele Farina. (Tabled Paper 5342).

11. Western Australian Future Fund Bill 2012

Resumption of consideration of this Bill in Committee of the Whole House (*see item 9 above*).

The President left the Chair.

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Clause 1.

Debate resumed.

The Minister for Finance representing the Treasurer, by leave, tabled a document in relation to interest calculations of the Western Australian Future Fund. (Tabled Paper 5343).

Clause agreed to.

Clauses 2 to 4 agreed to.

Clause 5.

Hon Ken Travers moved —

Page 3, after line 15 — To insert —

- (6) No money is to be credited to the Future Fund until there is no net debt existing for the general government sector.

Interruption pursuant to order.

The President resumed the Chair.

The 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.

12. Members' Statements

Statements were taken.

13. Sentencing Amendment Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 288

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Sentencing Amendment Bill 2012* without amendment.

Ms A.R. Mitchell

Acting Speaker

Legislative Assembly Chamber

Perth, 8 November 2012

14. Inheritance (Family and Dependants Provision) Amendment Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President Message No. 289
 The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Inheritance (Family and Dependants Provision) Amendment Bill 2012* without amendment.
 Ms A.R. Mitchell
 Acting Speaker
 Legislative Assembly Chamber
 Perth, 8 November 2012

15. Child Support (Adoption of Laws) Amendment Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President Message No. 290
 The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Child Support (Adoption of Laws) Amendment Bill 2012* without amendment.
 Ms A.R. Mitchell
 Acting Speaker
 Legislative Assembly Chamber
 Perth, 8 November 2012

16. Courts Legislation Amendment Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President Message No. 291
 The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Courts Legislation Amendment Bill 2012* without amendment.
 Mr A.P. O’Gorman
 Acting Speaker
 Legislative Assembly Chamber
 Perth, 8 November 2012

17. Aboriginal Affairs Planning Authority Amendment Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President Message No. 292
 The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Aboriginal Affairs Planning Authority Amendment Bill 2012* without amendment.
 Mr M.W. Sutherland
 Deputy Speaker
 Legislative Assembly Chamber
 Perth, 8 November 2012

18. National Health Funding Pool Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President Message No. 293
 The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *National Health Funding Pool Bill 2012*.
 Mr M.W. Sutherland
 Deputy Speaker
 Legislative Assembly Chamber
 Perth, 8 November 2012

19. Disability Services Amendment Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 294

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Disability Services Amendment Bill 2012* without amendment.

Mr M.W. Sutherland

Deputy Speaker

Legislative Assembly Chamber

Perth, 8 November 2012

20. Workers' Compensation and Injury Management Amendment (Jockeys) Bill 2012

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 295

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Workers' Compensation and Injury Management Amendment (Jockeys) Bill 2012* without amendment.

Ms L.L. Baker

Acting Speaker

Legislative Assembly Chamber

Perth, 8 November 2012

21. Royal Perth Hospital Protection Bill 2008

The President reported the receipt of Message No. 296 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Minister for Mental Health representing the Minister for Health tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 5344).

Debate stands adjourned.

22. Adjournment

The Council adjourned at 6.03pm until Tuesday, 13 November 2012 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Donna Faragher (leave of absence), Hon Adele Farina, Hon Colin Holt and Hon Giz Watson.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council