

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 166

WEDNESDAY, 2 DECEMBER 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. Ministerial Statement — Animal Welfare Act — Independent Review

The Minister for Agriculture and Food made a Ministerial Statement with respect to the independent review of the investment in, and administration of, the *Animal Welfare Act 2002* in Western Australia. The Minister for Agriculture and Food tabled the *Animal Welfare Review* (October 2015). (Tabled Paper 3698).

3. Papers

The following Papers was laid on the Table by —

President

Auditor General's Papers —

Verifying Employee Identity Credentials (Report No. 26) (December 2015) 3696

Attorney General

Reviews —

Statutory Review of the Guardianship Administration Act 1990 (November 2015) 3697

4. Construction Industry Portable Paid Long Service Leave Amendment Regulations 2015 — Disallowance

Hon Kate Doust: To move on the next day of sitting —

That the *Construction Industry Portable Paid Long Service Leave Amendment Regulations 2015* published in the *Gazette* on 20 November 2015 and tabled in the Legislative Council on 24 November 2015 under the *Construction Industry Portable Paid Long Service Leave Act 1985*, be and are hereby disallowed. (Tabled paper No. 3642).

5. Integrity (Lobbyists) Bill 2014

The President reported the receipt of Message No. 137 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Premier moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Premier moved, That the Bill be read a second time.

The Leader of the House representing the Premier tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3699).

Debate stands adjourned.

6. Order of Business

Ordered — That Bills for Introduction No. 2, *Dangerous Sexual Offenders Legislation Amendment Bill 2015* be taken forthwith. (Leader of the House).

7. Dangerous Sexual Offenders Legislation Amendment Bill 2015

Bills for Introduction No. 2 having been called, The Attorney General, pursuant to notice, moved —

That a Bill for “An Act to amend —

- the *Dangerous Sexual Offenders Act 2006*; and
- the *Criminal Procedure Act 2004*; and
- the *Evidence Act 1906*; and
- the *Prisons Act 1981*; and
- the *Sentence Administration Act 2003*; and
- the *Sentencing Act 1995*; and
- the *Young Offenders Act 1994*.”

be introduced and read a first time.

Question — put and passed.

Bill read a first time.

The Attorney General moved, That the Bill be read a second time.

The Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3700).

Debate stands adjourned.

8. Order of Business

Ordered — That Order of the Day No. 1, *Planning and Development Amendment Regulations 2015 — Disallowance*, be taken after Order of the Day No. 5, *Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015*. (Leader of the House).

9. Perth Market (Disposal) Bill 2015

The Order of the Day having been read for the adjourned debate on the second reading of this Bill, debate resumed on the motion of Hon Alanna Clohesy, as follows —

That —

- (1) Order of the Day No. 14, *Perth Market (Disposal) Bill 2015*, be discharged and referred to the Standing Committee on Legislation for consideration and report no later than 25 February 2016.
- (2) The Committee has the power to inquire into and report on the policy of the Bill.

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.

10. Questions Without Notice

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Environment tabled documents in relation to advice provided by the Environmental Protection Authority to the Minister for Environment, as required under section 32(2) of the *Environmental Protection Act 1986*, in response to question without notice asked by Hon Lynn MacLaren. (Tabled Paper 3701).

The Minister for Education tabled documents in relation to the average funding per student for schools in the South West region in 2015, in response to question on notice No. 3564 asked by Hon Adele Farina. (Tabled Paper 3702).

The Minister for Education tabled documents in relation to programs and services offered at Child and Parent Centres (operational from January 2013), in response to question on notice No. 3715 asked by Hon Adele Farina. (Tabled Paper 3703).

The Minister for Education tabled documents in relation to student attendance rates in Western Australian Government schools for 2015, in response to question on notice No. 3728 asked by Hon Sue Ellery. (Tabled Paper 3704).

The Minister for Education tabled documents in relation to additional utility funding paid to Western Australian Government schools in 2015, in response to question on notice No. 3731 asked by Hon Sue Ellery. (Tabled Paper 3705).

The Leader of the House representing the Minister for Training and Workforce Development tabled documents in relation to the number of full time equivalent staff employed at the South West Institute of Technology for 2012, 2013, 2014 and 2015, in response to question on notice No. 3464 asked by Hon Adele Farina. (Tabled Paper 3706).

The Leader of the House representing the Minister for Training and Workforce Development tabled documents in relation to the South West Institute of Technology detailing student enrolments and courses provided for semester one 2015, in response to question on notice No. 3480 asked by Hon Adele Farina. (Tabled Paper 3707).

The Minister for Education tabled documents in relation to details of student suspensions for schools in the South West Region for 2014 and 2015, in response to question on notice No. 3490 asked by Hon Adele Farina. (Tabled Paper 3708).

The Leader of the House representing the Minister for Training and Workforce Development tabled documents in relation to the South West Institute of Technology employees' overseas travel in 2013 and 2014, in response to question on notice No. 3719 asked by Hon Adele Farina. (Tabled Paper 3709).

The Leader of the House representing the Minister for Training and Workforce Development tabled documents in relation to the number of students completing work requirements in a simulated work environment delivered at the South West Institute of Technology, in response to question on notice No. 3467 asked by Hon Sally Talbot. (Tabled Paper 3710).

The Minister for Child Protection, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 3550 asked by Hon Adele Farina will be provided on 3 December 2015.

The Attorney General representing the Minister for Police tabled documents in relation to South West Police district resources, in response to question on notice No. 3542 asked by Hon Adele Farina. (Tabled Paper 3711).

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. 3501 asked by Hon Robin Chapple will be provided on 16 February 2016.

The Minister for Housing tabled documents in relation to the property, construction and sales details of the Government Regional Officers' Housing funded by Royalties for Regions, in response to question on notice No. 3743 asked by Hon Stephen Dawson. (Tabled Paper 3712).

The Minister for Commerce, by leave incorporated into *Hansard*, documents in relation to the Building Commission's risk assessment of the Instant Start program, in response to a question without notice 1374 asked by Hon Lynn MacLaren.

11. Perth Market (Disposal) Bill 2015

Debate resumed on the motion of Hon Alanna Clohesy, as follows — (*see item 9 above*).

That —

- (1) Order of the Day No. 14, *Perth Market (Disposal) Bill 2015*, be discharged and referred to the Standing Committee on Legislation for consideration and report no later than 25 February 2016.
- (2) The Committee has the power to inquire into and report on the policy of the Bill.

Question — put.

The Council divided.

Ayes (9)

Hon Robin Chapple
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina
 Hon Lynn MacLaren

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

Noes (18)

Hon Martin Aldridge
 Hon Jacqui Boydell
 Hon Paul Brown
 Hon Jim Chown
 Hon Peter Collier
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Nick Goiran
 Hon Nigel Hallett

Hon Alyssa Hayden
 Hon Col Holt
 Hon Peter Katsambanis
 Hon Mark Lewis
 Hon Rick Mazza
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Phil Edman (*Teller*)

Question thus negatived.

Debate resumed on the question, That the Bill be read a second time.

The Minister for Mental Health representing the Treasurer tabled documents in relation to the Perth Market Authority Asset Sale Project — Stakeholder Engagement. (Tabled Paper 3713).

Question — put.

The Council divided.

Ayes (18)

Hon Martin Aldridge
 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 Nigel Hallett
 Hon Alyssa Hayden
 Hon Peter Katsambanis
 Hon Mark Lewis
 Hon Rick Mazza
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Phil Edman (*Teller*)

Noes (9)

Hon Robin Chapple
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina
 Hon Lynn MacLaren

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

Question thus passed.

Bill read a second time.

Interruption pursuant to Temporary Orders.

12. Members' Statements

Statements were taken.

13. Adjournment

The Council adjourned at 6.27pm until Thursday, 3 December 2015 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Stephen Dawson, Hon Dave Grills, Hon Samantha Rowe and Hon Amber-Jade Sanderson (*leave of absence*).

PAUL GRANT
Acting Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council