

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 122

THURSDAY, 26 MARCH 2015

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 — Review of the Organisational Structure of the Equal Opportunity Commission

The Attorney General made a Ministerial Statement with respect to the review of organisational structures under the *Equal Opportunity Act 1984*.

The Attorney General tabled the *Review of organisational structures under the Equal Opportunity Act 1984*. (Tabled Paper 2732).

The Attorney General moved, without notice —

That the *Review of organisational structures under the Equal Opportunity Act 1984* do lie upon the table and be printed and published.

Question — put and passed.

3. Papers

The following Papers were laid on the Table by —

President

Reports —

Corruption and Crime Commission — Report on the Misconduct Intelligence
Assessment of the Western Australian Public Sector (26 March 2015)..... 2714

Leader of the House

Annual Reports —

Central Institute of Technology (2014) (Received 25/03/15) 2715
Challenger Institute of Technology (2014) (Received 25/03/15)..... 2716
Curtin University (2014) (Received 25/03/15)..... 2717
C.Y. O'Connor Institute (2014) (Received 25/03/15)..... 2718
Durack Institute of Technology (2014) (Received 25/03/15) 2719
Edith Cowan University (2014) (Received 25/03/15) 2720
Goldfields Institute of Technology (2014) (Received 25/03/15) 2721
Great Southern Institute of Technology (2014) (Received 25/03/15)..... 2722
Kimberley Training Institute (2014) (Received 25/03/15)..... 2723
Murdoch University (2014) (Received 25/03/15) 2724
Pilbara Institute (2014) (Received 25/03/15) 2725

Polytechnic West (2014) (Received 25/03/15).....	2726
South West Institute of Technology (2014) (Received 25/03/15).....	2727
The University of Western Australia (2014) (Received 25/03/15)	2728
West Coast Institute (2014) (Received 25/03/15)	2729

Reports —

Overseas Travel Undertaken by Members of Parliament Funded by the Parliamentary Travel Allowance (for the three months ended 31 December 2014)	2730
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Minister for Mental Health

Annual Reports —

ANZAC Day Trust (2014) (Date received 25/03/15).....	2731
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4. Joint Select Committee on Aboriginal Constitutional Recognition — Report No. 1 — Towards a True and Lasting Reconciliation: Report into the Appropriate Wording to Recognise Aboriginal People in the Constitution of Western Australia

Hon Michael Mischin presented Report No. 1 of the Joint Select Committee on Aboriginal Constitutional Recognition, *Towards a True and Lasting Reconciliation: Report into the Appropriate Wording to Recognise Aboriginal People in the Constitution of Western Australia*. (Tabled Paper 2733).

5. Joint Standing Committee on the Corruption and Crime Commission — Report No. 18 — Improving the working relationship between the Corruption and Crime Commission and the Western Australia Police

Hon Nick Goiran presented Report No. 18 of the Joint Standing Committee on the Corruption and Crime Commission, *Improving the working relationship between the Corruption and Crime Commission and the Western Australia Police*. (Tabled Paper 2734).

6. Standing Committee on Environment and Public Affairs — Report No. 40 — Petition Number 23 — Increase Number of Mental Health Beds in New Perth Children's Hospital

Hon Simon O'Brien presented Report No. 40 of the Standing Committee on Environment and Public Affairs, *Petition Number 23 — Increase Number of Mental Health Beds in New Perth Children's Hospital*. (Tabled Paper 2735).

7. Shire of Dalwallinu General Amendment 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 *Shire of Dalwallinu General Amendment Local Law 2014* published in the *Gazette* on 10 December 2014 and tabled in the Legislative Council on 17 February 2015 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 2412).

8. Shire of Serpentine Jarrahdale Parking and Parking Facilities 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 *Shire of Serpentine Jarrahdale Parking and Parking Facilities Local Law 2014* published in the *Gazette* on 5 December 2014 and tabled in the Legislative Council on 17 February 2015 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 2412).

9. Shire of Dalwallinu Dogs 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 *Shire of Dalwallinu Dogs Local Law 2014* published in the *Gazette* on 10 December 2014 and tabled in the Legislative Council on 17 February 2015 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 2412).

10. Special Adjournment

The Leader of the House moved, without notice —

- (1) That the House at its rising on Thursday, 14 May 2015, adjourn until 2.00pm on Tuesday, 19 May 2015;
- (2) That the House at its rising on Thursday, 21 May 2015, adjourn until 2.00pm on Tuesday, 16 June 2015; and
- (3) That the House at its rising on Thursday, 18 June 2015, adjourn until 2.00pm on Tuesday, 11 August 2015

The motion requiring the concurrence of an absolute majority.

Question — put.

The President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

11. Stolen Wages

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

That this Council notes —

- there are many unanswered questions in relation to the wages, entitlement and other monies that were withheld from Aboriginal people living and working on pastoral properties in Western Australia between the years of 1905 and 1972;

and further acknowledges —

- the effects of limiting the Scheme to those born before 1958 who were still alive;
- the effects of limiting the Scheme to selected missions and hostels and excluding reserves, pastoral stations and other locations where income was withheld; and
- the inadequacy of the maximum payment of \$2,000 and whether the operation and outcomes of the Scheme achieved justice and resolution.

Debate ensued.

Motion lapsed.

12. Bicycle Infrastructure

Non-Government Business No. 2 having been called, Hon Lynn MacLaren moved, without notice —

That this Council calls upon the State Government to accelerate funding for high quality on-road cycling infrastructure to boost cycling participation and help reduce the number of cyclist fatalities on our roads.

Interruption pursuant to order.

13. Economic Development in Regional Western Australia

Private Members' Business No. 1 having been called, Hon Martin Aldridge moved, without notice —

That this House note the importance of economic development in our regions to Western Australia, and recognise the unprecedented focus of the Liberal-National Government on job creation and opportunity.

Debate ensued.

Motion lapsed.

14. Order of Business

Ordered — That Bills for Introduction No. 2 be taken forthwith. (Leader of the House).

15. Election of Senators Amendment Bill 2015

The Leader of the House representing the Premier, pursuant to notice, moved —

That a Bill for “An Act to amend the *Election of Senators Act 1903*.” be introduced and 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 2736).

Debate stands adjourned.

16. Valuation of Land Amendment Bill 2015

The Deputy President reported the receipt of Message No. 100 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Housing representing the Minister for Lands moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Housing representing the Minister for Lands moved, That the Bill be read a second time.

The Minister for Housing representing the Minister for Lands tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2737).

Debate stands adjourned.

17. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Kellerberrin Cemeteries Local Law 2014 — Disallowance*, 2, *Shire of Kellerberrin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2014 — Disallowance*, 3, *Shire of Kellerberrin Local Government (Council Meetings) Local Law 2014 — Disallowance*, 4, *Shire of Kellerberrin Fencing Local Law 2014 — Disallowance*, 5, *Regulations 28 to 38 of the Public Sector Management (Redeployment and Redundancy) Regulations 2014 — Disallowance*, and 8, *Magistrates Court (Civil Proceedings) Amendment Rules 2014 — Disallowance*, be taken after Order of the Day No. 13, *Gene Technology (Western Australia) Bill 2014*. (Leader of the House).

18. Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 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. 6, *Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 2014 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

19. Magistrates Court (General) Amendment Rules (No. 3) 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. 7, *Magistrates Court (General) Amendment Rules (No. 3) 2014 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

20. Electricity Corporations Amendment Bill 2015

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

The Leader of the House representing the Minister for Energy sought leave to continue his remarks at a later stage of this day's sitting.

Leave granted.

On the motion of Leader of the House the debate was adjourned to a later stage of this day's sitting.

21. Barrow Island Amendment Bill 2015

The Acting President reported the receipt of Message No. 101 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister for State Development 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 Minister for State Development moved, That the Bill be read a second time.

The Leader of the House representing the Minister for State Development tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2738).

The Leader of the House representing the Minister for State Development tabled the Commonwealth and State Government *Back to Back Indemnity Agreement*. (Tabled Paper 2739).

The Leader of the House representing the Minister for State Development tabled the *Barrow Island Act 2003* (WA), section 13 approval to dispose of carbon dioxide by injection into subsurface formation. (Tabled Paper 2740).

The Leader of the House representing the Minister for State Development tabled the carbon dioxide disposal by injection collateral deed, required by and forming part of section 13 of the *Barrow Island Act 2003* (WA). (Tabled Paper 2741).

The Leader of the House representing the Minister for State Development tabled the *Gorgon Project Carbon Dioxide Disposal Management Plan (August 2009)*. (Tabled Paper 2742).

Debate stands adjourned.

22. Questions Without Notice

Questions without notice were taken.

The Minister for Commerce tabled documents in relation to investigations undertaken by painting inspectors in 2011–2012, 2012–2013, 2013–2014 and 2014–2015, in response to question on notice No. 2740 asked by Hon Kate Doust. (Tabled Paper 2743).

23. Associations Incorporation Bill 2014

The President reported the receipt of Message No. 102 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Commerce moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

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

The Minister for Commerce tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2744).

Debate stands adjourned.

24. Members' Statements

Statements were taken.

25. Adjournment

The Council adjourned at 5.39pm until Tuesday, 21 April 2015 at 2.00pm.

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