

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 46

TUESDAY, 10 DECEMBER 2013

1. Meeting of Council

The Council assembled at 11.00am pursuant to order.

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

2. Statement by President — Business of the House — Meal Breaks

The President made the following Statement —

Further to the Leader of the House's statement on Thursday regarding sittings of the House this week, and the related motion to commence sitting today at 11.00am, I advise that the House will break today for lunch between 1.00pm and 2.00pm, for afternoon tea between 4.15pm and 4.30pm, and for dinner between 6.00pm and 7.00pm.

3. Ministerial Statement — Western Australian Marine Emblem — Whale Shark

The Parliamentary Secretary representing the Premier made a Ministerial Statement with respect to the selection of the Whale Shark as Western Australia's newest State Marine Emblem.

4. Papers

The following Papers were laid on the Table by —

Minister for Mental Health

Annual Reports —

Local Government Grants Commission of Western Australia (2013) (Date received
5 December 2013)..... 1113

Proposals —

Land Administration Act 1997 — Proposal No. 6/2013 — Excision of land from
Class A Reserve 47956 and inclusion of closed road to facilitate the upgrade
of Bussell Highway North of Margaret River 1114

Attorney General

Reports —

Corruption and Crime Commission of Western Australia Compliance Report into the
Criminal Investigation (Covert Powers) Act 2012 (November 2013)
(Date received 10/12/2013)..... 1115

5. Treasury Documentation — Government Mid-Year Financial Projections Statements

Hon Ken Travers: To move on the next day of sitting —

That not later than the rising of the House on the third sitting day following the day on which this order is made, the Leader of the House lay on the Table the following documents in their entirety and without excision or deletion —

- (a) all draft pages of the 2012–13 Government Mid-Year Financial Projections Statements containing the words “Insurance Commission” in the possession of the Department of Treasury on 1 October 2013;
- (b) all correspondence or briefing notes between the Treasurer or any staff in their Ministerial office and the Department of Treasury regarding the 2012-13 Government Mid-Year Financial Projections Statements; and
- (c) all file notes or diary entries relating to any conversations between the Treasurer or anyone in their Ministerial office and the Department of Treasury regarding the 2012–13 Government Mid-Year Financial Projections Statements.

6. Special Adjournment

The Leader of the House moved, without notice —

- (1) That the House at its rising adjourn until 1.00pm, Wednesday, 11 December 2013.
- (2) That on Wednesday, 11 December 2013 —
 - (a) at the conclusion of Motion No. 1, Liberal Party — Election Claims, the House move forthwith to Orders of the Day; and
 - (b) Members’ Statements be taken at 11.30pm.

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.

7. Order of Business

Ordered — That Order of the Day No. 1, *Metropolitan Region Scheme Amendment 1225/41 — Upper Swan Urban Precinct — Disallowance*, be taken after Order of the Day No. 14, *Workforce Reform Bill 2013*. (Leader of the House).

8. Electricity Corporations Amendment Bill 2013

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 Sue Ellery, as follows —

That —

- (1) Order of the Day No. 8, the Electricity Corporations Amendment Bill 2013, be discharged and referred to the Legislation Committee for consideration and report by no later than Tuesday, 18 February 2014.
- (2) The Committee has the power to inquire into and report on the policy of the Bill.

Question — put.

The Council divided.

Ayes (10)

Hon Robin Chapple
 Hon Stephen Dawson
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina

Hon Lynn MacLaren
 Hon Ljiljana Ravlich
 Hon Ken Travers
 Hon Darren West
 Hon Samantha Rowe (*Teller*)

Noes (19)

Hon Ken Baston
 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 Mark Lewis
 Hon Rick Mazza
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Phil Edman (*Teller*)

Question thus negatived.

Debate resumed.

9. Questions Without Notice

Questions without notice were taken.

The Minister for Education tabled, and by leave incorporated into Hansard, a document in relation to the 2013-14 State budget allocation for district high schools, in response to a question without notice asked by Hon Stephen Dawson. (Tabled Paper 1116).

The Minister for Mental Health tabled a document in relation to partners of the One Life Suicide Prevention Agency Pledge, in response to question on notice No. 517 asked by Hon Adele Farina. (Tabled Paper 1117).

The Minister for Mental Health representing the Minister for Environment tabled a document in relation to the registered injuries and deaths for fauna species on Barrow Island, in response to question on notice No. 608 asked by Hon Samantha Rowe. (Tabled Paper 1118).

The Minister for Mental Health representing the Minister for Environment tabled a document in relation to annual season burning on Crown Reserves and details of meetings between Local Governments and Volunteer Bush Fire Brigades, in response to question on notice No. 587 asked by Hon Robin Chapple. (Tabled Paper 1119).

The Minister for Agriculture and Food representing the Minister for Regional Development tabled a document in relation to Local Government applications for funding from the Country Local Government Fund for 2012–2013, in response to question on notice No. 602 asked by Hon Stephen Dawson. (Tabled Paper 1120).

The Parliamentary Secretary representing the Minister for Health tabled a document in relation to treatments under the Patients Assisted Travel Scheme in 2010–2011, 2011–2012 and 2012–2013, in response to question on notice No. 606 asked by Hon Stephen Dawson. (Tabled Paper 1121).

10. Electricity Corporations Amendment Bill 2013

Debate resumed on the second reading of this Bill (*see item 8 above*).

The Leader of the House representing the Minister for Energy tabled the *Electricity Retail Corporation (Interim Merger) Direction 2013*. (Tabled Paper 1122).

Debate resumed.

Question — put.

The Council divided.

Ayes (19)

Hon Ken Baston
 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 Mark Lewis
 Hon Rick Mazza
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Phil Edman (*Teller*)

Noes (8)

Hon Stephen Dawson
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina

Hon Ljiljanna Ravlich
 Hon Ken Travers
 Hon Darren West
 Hon Samantha Rowe (*Teller*)

Question thus passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate ensued.

The Leader of the House representing the Minister for Energy tabled a document entitled *Addressing the market power of the merged entity*. (Tabled Paper 1123).

Debate resumed.

The Leader of the House representing the Minister for Energy moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

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.

11. Local Government Amendment Bill 2013

The President reported the receipt of Message No. 45 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Minister for Mental Health representing the Minister for Local Government tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1124).

Debate stands adjourned.

12. Members' Statements

Statements were taken.

13. Adjournment

The Council adjourned at 9.47pm until Wednesday, 11 December 2013 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge, Hon Liz Behjat, Hon Jacqui Boydell, Hon Alanna Clohesy, Hon Amber-Jade Sanderson and Hon Sally Talbot.

NIGEL LAKE
Acting Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council