

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 44

WEDNESDAY, 4 DECEMBER 2013

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. Petition

Hon Lynn MacLaren presented a petition from 374 petitioners requesting the Legislative Council to support the protection of public health and the natural environment. (Tabled Paper 1085).

3. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Education and Care Services Ombudsman, National Education and Care Services FOI
and Privacy Commissioners (1 July 2012 to 30 June 2013)

(Date received 3/12/2013)..... 1083

Attorney General

Reviews —

State Emergency Management Committee — Review of the Emergency Management
Act 2005 (Amended June 2013) (Date received 3/12/2013)

1084

4. Liberal Party — Election Claims

Motion No. 1 having been called, Hon Ken Travers continued his introductory remarks in moving the motion as follows —

That the Legislative Council condemns Premier Barnett and the Liberal Party for misleading the people of Western Australia during the March 2013 State Election, when they claimed they had a “*fully funded, fully costed*” plan for Western Australia.

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 Commissioner for Children and Young People — Report No. 1 — 2012-2013 Annual Report

Debate resumed on the motion of Hon Sally Talbot, That the Report be noted.

6. Questions Without Notice

Questions without notice were taken.

Statement by President

The President made the following Statement —

One part of that question referred to information being available on the department's website. I think I have explained before that the problem with that is that websites can change, and the information that is available today may be different next week or next year. If Ministers want to refer to websites in their answers, I think they should also table a printed sheet of that website so that the information is current.

The Leader of the House representing the Minister for Finance tabled documents in relation to the Small Business Commissioner's Report recommendations and current status on construction subcontractor investigations, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 1086).

The Parliamentary Secretary representing the Minister for Water, by leave incorporated into Hansard, tables in relation to the H2O Assist program, in response to a question without notice asked by Hon Amber-Jade Sanderson.

The Leader of the House representing the Minister for Finance tabled, and by leave incorporated into Hansard, documents in relation to GST on Riskcover payments, in response to a question without notice asked by Hon Kate Doust. (Tabled Paper 1087).

The Minister for Agriculture and Food representing the Minister for Housing tabled documents in relation to South West Housing Needs Survey terms of reference, in response to question on notice No. 394 asked by Hon Adele Farina. (Tabled Paper 1089).

The Parliamentary Secretary representing the Minister for Transport tabled documents in relation to a correction to information provided regarding performance standards for the Miling to Bolgart rail line, in response to a question without notice asked by Hon Ken Travers. (Tabled Paper 1088).

The Parliamentary Secretary representing the Minister for Health tabled documents in relation to Royalties for Regions – asset investment projects and operation programs, in response to question on notice No. 568 asked by Hon Adele Farina. (Tabled Paper 1090).

7. Consideration of Committee Reports

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

In Committee

(Hon Alanna Clohesy in the Chair)

Joint Standing Committee on the Commissioner for Children and Young People — Report No. 1 — 2012-2013 Annual Report

Debate resumed on the motion of Hon Sally Talbot, That the Report be noted.

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 —

Joint Standing Committee on the Commissioner for Children and Young People — Report No. 1 — *2012–2013 Annual Report* and had noted same.

Report adopted.

8. Order of Business

Ordered — That Order of the Day No 3, *Metropolitan Region Scheme Amendment 1225/41 – Upper Swan Urban Precinct - Disallowance*, be taken after Order of the Day No. 8, *Minerals Research Institute of Western Australia Bill 2013*. (Leader of the House).

9. Shire of Dundas Activities on Thoroughfares and Public Places and Trading Local Law 2013 — 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, the *Shire of Dundas Activities on Thoroughfares and Public Places and Trading Local Law 2013 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

10. Lotteries Commission (Internet Entries) Amendment Rules 2013 — 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, the *Lotteries Commission (Internet Entries) Amendment Rules 2013 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Joint Standing Committee on Delegated Legislation — Report No. 69 — Report Seeking Clarification of the Application of Standing Orders to the Joint Standing Committee on Delegated Legislation

The Order of the Day having been read for the adjourned debate on the motion of Hon Robin Chapple as follows —

That the report be adopted and agreed to.

The Leader of the House moved, without notice —

That Order of the Day No. 20, Joint Standing Committee on Delegated Legislation – Report No. 69 – *Report Seeking Clarification of the Application of the Standing Orders to the Joint Standing Committee on Delegated Legislation*, be discharged and referred to the Procedure and Privileges Committee for inquiry and report.

Debate ensued.

Question — put and passed.

12. 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.

Hon Adele Farina sought leave for an extension of speaking time.

Leave granted.

Debate resumed.

Hon Sue Ellery sought leave to continue her remarks at the next day's sitting.

Leave granted.

On the motion of the Leader of the House the debate was adjourned to the next sitting.

13. Ports Legislation Amendment Bill 2013

The Acting President reported the receipt of Message No. 43 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary representing the Minister for Transport moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Minister for Transport moved, That the Bill be read a second time.

The Parliamentary Secretary representing the Minister for Transport tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1091).

Debate stands adjourned.

14. Order of Business

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

15. Sentencing Legislation Amendment Bill 2013

The Attorney General, pursuant to notice, moved —

That a Bill for “An Act to amend the *Sentencing Act 1995* and the *Sentence Administration Act 2003*.” 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 1092).

Debate stands adjourned.

16. Members' Statements

Statements were taken.

The Minister for Child Protection tabled the *Department for Child Protection and Family Support Review of the Family and Domestic Violence Refuge Service System in Western Australia*. (Tabled paper 1093).

17. Adjournment

The Council adjourned at 10.08pm until Thursday, 5 December 2013 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members.

NIGEL LAKE

Acting Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council