

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 200

WEDNESDAY, 24 AUGUST 2016

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. Petition

Hon Dave Grills presented a petition from 89 petitioners requesting the Legislative Council to support the placement of a conservation order on the Esperance Tanker Jetty by the Minister for Environment; Heritage. (Tabled Paper 4420).

3. Paper

The following Paper was laid on the Table by —

Attorney General

Annual Report —

Surveillance Devices Act 1998 (2015–2016) (Date received 23/08/016)..... 4419

4. Standing Committee on Estimates and Financial Operations — Report No. 64 — 2015–16 Annual Report Hearings — Timetable

Hon Ken Travers presented Report No. 64 of the Standing Committee on Estimates and Financial Operations, *2015–16 Annual Report Hearings — Timetable*. (Tabled Paper 4421).

5. Swan Valley Protection Bill 2016

The Minister for Planning: To move on the next day of sitting —

That a Bill for “An Act to —

- provide for a Swan Valley Development Plan with the object of protecting the rural character of the Swan Valley; and
- repeal the *Swan Valley Planning Act 1995*; and
- make consequential amendments to the *Planning and Development Act 2005* and the *Swan and Canning Rivers Management Act 2006*,

and for related purposes.” be introduced and read a first time.

6. Environment Portfolio

Motion No. 1 having been called, debate resumed on the motion of Hon Simon O’Brien as follows —

That this House congratulates the Liberal–National Government on its excellent performance in the environment portfolio.

Question — put.

The Council divided.

Ayes (17)

Hon Ken Baston
 Hon Liz Behjat
 Hon Jacqui Boyde
 Hon Paul Brown
 Hon Jim Chown
 Hon Peter Collier
 Hon Donna Faragher
 Hon Nick Goiran
 Hon Dave Grills

Hon Alyssa Hayden
 Hon Col Holt
 Hon Peter Katsambanis
 Hon Mark Lewis
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Simon O'Brien
 Hon Phil Edman (*Teller*)

Noes (10)

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

Hon Martin Pritchard
 Hon Amber-Jade Sanderson
 Hon Sally Talbot
 Hon Ken Travers
 Hon Samantha Rowe (*Teller*)

Motion thus passed.

7. Great Southern Region

Motion No. 2 having been called, Hon Colin Holt, pursuant to notice, moved —

That this Council commends the Liberal–National Government on recognising the importance of the Great Southern Region of Western Australia and applauds the work done by this Government to support the communities of that region.

Debate ensued.

Interruption pursuant to order.

8. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Adele Farina in the Chair)

Standing Committee on Estimates and Financial Operations — Report No. 62 — Provision of Information to the Parliament

Debate resumed on the motion of Hon Alanna Clohesy, That the Report be noted.

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

Select Committee into the Operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc) — Report No. 1 — Select Committee into the Operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc)

Debate resumed on the motion of Hon Sue Ellery, That the Report be noted.

On the motion of Hon Sue Ellery the debate was adjourned to the next sitting.

Standing Committee on Public Administration — Report No. 26 — Transport of Persons in Custody

The Leader of the House moved, That consideration be postponed until the next sitting.

Question — put and passed.

Joint Standing Committee on the Commissioner for Children and Young People — Report No. 7 — Everybody's Business. An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse

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

On the motion of Hon Sue Ellery the debate was adjourned to the next sitting.

Joint Standing Committee on Delegated Legislation — Report No. 84 — Access to Australian Standards Adopted in Delegated Legislation

Hon Martin Pritchard moved, That the Report be noted.

Question — put and passed.

Joint Standing Committee on the Corruption and Crime Commission — Report No. 28 — The outcome of allegations of misconduct made against officers of the Corruption and Crime Commission

Hon Nick Goiran moved, That consideration be postponed until the next sitting.

Question — put and passed.

Joint Standing Committee on Audit — Report No. 6 — Review of the Minister's Report on the Financial Management Act 2006

The Chair of Committees moved, That the Report be noted.

Question — put and passed.

The Acting President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Standing Committee on Estimates and Financial Operations — Report No. 62 — *Provision of Information to the Parliament*, made progress, and seeks to sit again.
- (2) Select Committee into the Operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc) — Report No. 1 — *Select Committee into the Operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc)*, made progress, and seeks to sit again.
- (3) Standing Committee on Public Administration — Report No. 26 — *Transport of Persons in Custody* and postponed consideration to the next sitting.
- (4) Joint Standing Committee on the Commissioner for Children and Young People — Report No. 7 — *Everybody's Business. An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse*, made progress, and seeks to sit again.
- (5) Joint Standing Committee on Delegated Legislation — Report No. 84 — *Access to Australian Standards Adopted in Delegated Legislation* and had noted same.
- (6) Joint Standing Committee on the Corruption and Crime Commission — Report No. 28 — *The outcome of allegations of misconduct made against officers of the Corruption and Crime Commission* and postponed consideration to the next sitting.
- (7) Joint Standing Committee on Audit — Report No. 6 — *Review of the Minister's Report on the Financial Management Act 2006* and had noted same.

Report adopted.

9. Cognate Debate — Appropriation (Recurrent 2016–17) Bill 2016 and Appropriation (Capital 2016–17) Bill 2016

The Attorney General representing the Treasurer sought leave of the Council to debate Order of the Day No. 13, *Appropriation (Recurrent 2016–17) Bill 2016*, and Order of the Day No. 14, *Appropriation (Capital 2016–17) Bill 2016*, cognately [SO 127].

Leave granted.

10. Appropriation (Recurrent 2016–17) Bill 2016 and Appropriation (Capital 2016–17) Bill 2016

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills cognately.

Debate resumed.

11. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Regional Development tabled documents in relation to the environmental and planning tender document for the Casuarina Harbour boating facilities expansion and the Koombana Bay breakwater, in response to a question without notice asked by Hon Adele Farina. (Tabled Paper 4422).

The Minister for Education, by leave incorporated into *Hansard*, information in relation to the budget for the Student-Centred Funding Model budgets in 2016–17, 2017–18 and 2018–19, in response to a question without notice asked by Hon Sue Ellery.

The Minister for Education tabled documents in relation to Stage 2B of the State Air Cooling Program, in response to question on notice No. 4157 asked by Hon Lynn MacLaren. (Tabled Paper 4424).

The Minister for Education tabled documents in relation to voluntary redundancies taken within the Department of Education in 2013–14, 2014–15 and 2015–16, in response to question on notice No. 4152 asked by Hon Sue Ellery. (Tabled Paper 4423).

The Minister for Planning, by leave incorporated into *Hansard*, information in relation to the Elizabeth Quay Water Park, in response to a question without notice asked by Hon Martin Pritchard.

12. Appropriation (Recurrent 2016–17) Bill 2016 and Appropriation (Capital 2016–17) Bill 2016

Cognate debate resumed on the second reading of these Bills (*see item 10 above*).

On the motion of Hon Samantha Rowe the debate was adjourned to the next sitting.

13. Highways (Liability for Straying Animals) Amendment Bill 2016

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

Debate resumed.

Question — put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the Bill.

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

Question — put and passed.

Bill read a third time and passed.

14. Order of Business

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

15. Members' Statements

Statements were taken.

Hon Colin Holt, by leave, tabled a paper by Stephanie Zillman entitled *Lost Between Two Worlds*. (Tabled Paper 4425).

16. Adjournment

The Council adjourned at 6.18pm until Thursday, 25 August 2016 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge, Hon Robin Chapple, Hon Brian Ellis, Hon Nigel Hallett, Hon Lynn MacLaren and Hon Darren West.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council