

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 242

THURSDAY, 25 OCTOBER 2012

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 — World Teachers' Day

The Minister for Education made a Ministerial Statement with respect to the celebration of World Teachers' Day on Friday, 26 October 2012 which recognises the significant contribution of teachers.

3. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Greyhound Racing Association of Western Australia (2011–2012) (Date received 24/10/2012)..... 5260

Minister for Finance

Reports —

Insurance Commission of Western Australia — Statement of Corporate Intent (2012–2013)..... 5261

Minister for Education

Annual Reports —

Independent Market Operator (2011–2012) (Date received 24/10/2012) 5262

Western Power (2012) (Date received 24/10/2012)..... 5263

Reports —

Western Power — Statement of Corporate Intent (2012–2013) 5264

4. Joint Standing Committee on Delegated Legislation — Special Report — City of Perth Standing Orders Amendment Local Law 2012

Hon Sally Talbot presented a Special Report of the Joint Standing Committee on Delegated Legislation in relation to the *City of Perth Standing Orders Amendment Local Law 2012*. (Tabled Paper 5265).

5. Standing Committee on Uniform Legislation and Statutes Review — Report No. 76 — Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry Bill 2012

Hon Adele Farina presented Report No. 76 of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry Bill 2012*. (Tabled Paper 5266).

6. City of Greater Geraldton Parking and Parking Facilities Local Law 2012 — Disallowance

Hon Sally Talbot: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Greater Geraldton Parking and Parking Facilities Local Law 2012* published in the *Gazette* on 4 September 2012 and tabled in the Legislative Council on 11 September 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 4871)

7. City of Subiaco Meeting Procedures Local Law 2012 — Disallowance

Hon Sally Talbot: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Subiaco Meeting Procedures Local Law 2012* published in the *Gazette* on 6 September 2012 and tabled in the Legislative Council on 11 September 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 4871)

8. Budget Cuts for Key Services

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

That this Council expresses concern at the Barnett Government's wrong priorities in cutting budgets for key services like health, education and police rather than ending wasteful expenditure.

Debate ensued.

Motion lapsed.

9. Law and Order

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

That the Council congratulates the State Government for its strong stance on, and commitment to, enhancing law and order in Western Australia.

Debate ensued.

Point of Order

The Minister for Finance raised the following Point of Order —

There is a long-established convention that all Members rely on—that is, the presumption that when a Member is absent from the Chamber, their absence is presumed to be because they are on urgent parliamentary business.

Deputy President's Ruling

The Deputy President ruled as follows —

Members, that point of order is quite correct and the convention is that the presumption is that if a Member cannot be sitting in his or her place, he or she is usually on urgent parliamentary business.

Debate resumed.

Motion lapsed.

10. Dangerous Sexual Offenders Amendment Bill 2012

The Deputy President reported the receipt of Message No. 285 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Education representing the Minister for Corrective Services moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Education representing the Minister for Corrective Services moved, That the Bill be read a second time.

The Minister for Education representing the Minister for Corrective Services tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 5267).

Debate stands adjourned.

11. Order of Business

Ordered — That Orders of the Day Nos 1, *City of Bayswater Standing Orders Local Law 2012 — Disallowance*, 2, *City of Perth Standing Orders Amendment Local Law 2012 — Disallowance*, 3, *Shire of Broomehill-Tambellup Removal of Refuse, Rubbish and Disused Materials Local Law 2012 — Disallowance*, 4, *Submission No. 13/2012 — Amendment to Class A Reserve 8485 and Cancellation of Class A Reserve 28535 — Disallowance*, and 5, *City of Vincent Dogs Amendment Local Law No. 2, 2012 — Disallowance*, be taken after Order of the Day No. 12, *Criminal Law Amendment (Out-of-Control Gatherings) Bill 2012*. (Leader of the House).

12. National Health Funding Pool Bill 2012

The Order of the Day having been read for the third reading of this Bill.

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

The Deputy President having reported that the Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put and passed.

Bill read a third time and passed.

13. Integrity (Lobbyists) Bill 2011

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 Ken Baston the debate was adjourned to the next sitting.

14. Joint Standing Committee on Audit — Appointment of Members

The Leader of the House, by leave, moved, without notice —

- (1) That Hon Giz Watson, Hon Liz Behjat, Hon Philip Gardiner and Hon Ken Travers be appointed as members of the Joint Standing Committee on Audit.
- (2) That Hon Ljiljanna Ravlich be appointed as a participating member of the Joint Standing Committee on Audit, with leave to participate in the Committee's deliberations, pursuant to Standing Order 164.

And that the Legislative Assembly be advised of these appointments.

Question — put and passed.

15. Trans-Tasman Mutual Recognition (Western Australia) Amendment Bill 2012

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.

Ordered — That consideration of the Bill, in Committee of the Whole House, be made an Order of the Day for the next sitting.

16. Western Australian Future Fund 2012

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

Debate resumed.

Hon Kate Doust sought leave to continue her remarks at a later stage of this day's sitting.

Leave granted.

Debate resumed.

17. Questions Without Notice

Questions without notice were taken.

The Minister for Mines and Petroleum tabled, and by leave incorporated into Hansard, documents in relation to exploration and appraisal wells by Buru Energy in the Canning Basin, in response to a question without notice asked by Hon Matt Benson-Lidholm. (Tabled Paper 5268).

The Attorney General representing the Minister for Police tabled documents in relation to monthly crime statistics for Fremantle, Beaconsfield and White Gum Valley for June, July and August in 2010–2011, 2011–2012 and 2012 to date, in response to question on notice No. 6066 asked by Hon Sue Ellery. (Tabled Paper 5269).

18. Western Australian Future Fund 2012

Debate resumed on the second reading of this Bill (*see item 16 above*).

Hon Ken Travers sought leave to continue his remarks at a later stage of this day's sitting.

Leave granted.

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

19. Order of Business

Ordered — That Order of the Day No. 1, *City of Bayswater Standing Orders Local Law 2012 — Disallowance*, be taken forthwith. (Leader of the House).

20. City of Bayswater Standing Orders Local Law 2012 — Disallowance

Pursuant to SO 66(3) the following motion was moved *pro forma* by Hon Sally Talbot —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Bayswater Standing Orders Local Law 2012* published in the *Gazette* on 22 May 2012 and tabled in the Legislative Council on 12 June 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4573).

Debate ensued.

Question — put and passed.

21. Browse (Land) Agreement Bill 2012

The President reported the receipt of Message No. 286 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Mines and Petroleum on behalf of the Parliamentary Secretary 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 Mines and Petroleum on behalf of the Parliamentary Secretary representing the Minister for Lands moved, That the Bill be read a second time.

The Minister for Mines and Petroleum on behalf of the Parliamentary Secretary representing the Minister for Lands tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 5270).

Debate stands adjourned.

22. Order of Business

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

23. Members' Statements

Statements were taken.

24. Adjournment

The Council adjourned at 5.44pm until Tuesday, 6 November 2012 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Helen Bullock, Hon Wendy Duncan, Hon Sue Ellery, Hon Donna Faragher, Hon Jon Ford and Hon Colin Holt.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council