

## LEGISLATIVE COUNCIL

### MINUTES OF PROCEEDINGS

No. 142

WEDNESDAY, 23 MARCH 2011

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**1. Meeting of Council**

The Council assembled at 2.00pm pursuant to Temporary Orders.

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

**2. Ministerial Statement - Western Australian Skilled Migration Strategy**

The Minister for Training and Workforce Development made a Ministerial Statement with respect to the Western Australian Skilled Migration Strategy.

The Minister for Training and Workforce Development tabled a document entitled *Western Australian skilled migration strategy*. (Tabled paper 3142).

Ordered - That consideration of the Ministerial Statement and Tabled paper be made an Order of the Day for the next sitting.

**3. Ministerial Statement - Greater Bunbury Region Scheme Amendment Nos 0010/41 and 0011/41 - Marlston North and Koombana North, and withdrawn proposed Amendment No. 0012/41 - Koombana South**

The Minister for Mental Health representing the Minister for Planning made a Ministerial Statement with respect to Greater Bunbury Region Scheme Amendment Nos 0010/41 and 0011/41 - Marlston North and Koombana North, and withdrawn proposed Amendment No. 0012/41 - Koombana South.

The Minister for Mental Health representing the Minister for Planning tabled plans in relation to Greater Bunbury Region Scheme Amendment No. 0010/41 - Marlston North - City of Bunbury. (Tabled paper 3143).

The Minister for Mental Health representing the Minister for Planning tabled plans in relation to Greater Bunbury Region Scheme Amendment No. 0011/41 - Koombana North - City of Bunbury. (Tabled paper 3144).

The Minister for Mental Health representing the Minister for Planning tabled a report in relation to Greater Bunbury Region Scheme Amendment No. 0010/41 - Bunbury Waterfront Marlston North - City of Bunbury. (Tabled paper 3145).

The Minister for Mental Health representing the Minister for Planning tabled a report in relation to Greater Bunbury Region Scheme Amendment No. 0011/41 - Bunbury Waterfront Koombana North - City of Bunbury. (Tabled paper 3146).

Ordered - That consideration of the Ministerial Statement and Tabled papers be made an Order of the Day for the next sitting.

#### 4. Papers

The following Papers were laid on the Table by -

##### **President**

*Auditor General's Papers -*

Raising the Bar: Implementing key provisions of the Liquor Control Act in licensed premises (Report No. 1) (March 2011) ..... 3139

Opinion on Ministerial Notification: Ministerial decision to not provide information to Parliament in relation to the theatre production of *The Graduate* (Report No. 2) (March 2011) ..... 3140

##### **Parliamentary Secretary representing the Minister for Regional Development**

*Proposals -*

Land Administration Act 1997 - Submission No. 7/2011 - Realignment of Chester Pass Road by Amendment to Class A Reserve 14792, Stirling Range National Park. .... 3141

#### 5. **Select Committee into Blind Cords and other Similar Products Installed in Residential Premises - Establishment**

Hon Wendy Duncan: To move on the next day of sitting -

- (1) That a select committee of three members is appointed, any two of whom constitute a quorum.
- (2) The committee is to inquire into and report on —
  - (a) what blind cords and other similar products are currently on sale in Western Australia and whether they are subject to any safety regulations or standards;
  - (b) testing already done (in Australia and world-wide) on the products sold in Western Australia and results of these tests on the safety of these products;
  - (c) instances of deaths to children caused by blinds cords and similar products in Western Australia and world-wide; and
  - (d) instances of deaths to children caused by the faulty workmanship of a tradesperson installing blind cords and other corded window products in Western Australia.
- (3) The committee is to make recommendations to the House, including the following —
  - (a) the best way to affect a ban on corded blinds and other similar products found to be unsafe in tests; and
  - (b) the best way to remove existing corded and unsafe products from residential premises and require appropriate restraining devices to be installed as an interim measure prior to removal.
- (4) The committee and the proceedings of the committee are subject to Chapter XXII of Standing Orders and it is to be regarded for all purposes as a committee appointed under that chapter.
- (5) The committee is to report to the House no later than 1 November 2011.

## 6. High-Level Nursing Home Care - Commonwealth Funding

Motion No. 1 having been called, debate resumed on the amendment moved by Hon Sue Ellery -

- (1) To delete “the Federal Government’s” and insert —  
consecutive Federal Governments’
- (2) To insert after “home care” —  
, and welcomes the Productivity Commission review into the care and wellbeing of  
older Australians

to the motion of Hon Helen Morton as follows -

That this House expresses its concern about the impact on families and access to acute hospital beds in Western Australia, of the Federal Government’s inadequate capital and recurrent funding arrangements for high level nursing home care.

Debate ensued.

Amendment paragraph (1) - put.

The House divided.

### Ayes (20)

Hon Matt Benson-Lidholm  
Hon Helen Bullock  
Hon Robin Chapple  
Hon Mia Davies  
Hon Kate Doust  
Hon Wendy Duncan  
Hon Sue Ellery  
Hon Adele Farina  
Hon Jon Ford  
Hon Philip Gardiner

Hon Col Holt  
Hon Lynn MacLaren  
Hon Ljiljanna Ravlich  
Hon Linda Savage  
Hon Sally Talbot  
Hon Ken Travers  
Hon Max Trenorden  
Hon Giz Watson  
Hon Alison Xamon  
Hon Ed Dermer (*Teller*)

### Noes (15)

Hon Liz Behjat  
Hon Jim Chown  
Hon Peter Collier  
Hon Phil Edman  
Hon Brian Ellis  
Hon Donna Faragher  
Hon Nick Goiran  
Hon Nigel Hallett

Hon Alyssa Hayden  
Hon Robyn McSweeney  
Hon Michael Mischin  
Hon Norman Moore  
Hon Helen Morton  
Hon Simon O’Brien  
Hon Ken Baston (*Teller*)

Amendment paragraph (1) thus passed.

Amendment paragraph (2) - put and passed.

Debate resumed.

Motion, as amended, agreed to.

## 7. Dampier Archipelago

Motion No. 2 having been called, Hon Robin Chapple, pursuant to notice, moved -

That this House calls on the Premier to protect the most unique and largest collection of rock art in the world by nominating the Dampier Archipelago to the Federal Government for inclusion in the World Heritage List.

*Interruption pursuant to Temporary Orders.*

## 8. Questions Without Notice

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Water tabled a list of suburbs and number of residents who are or have been pursued via legal action for non-payment of water bills from 2007 to current, in response a question without notice asked by Hon Ed Dermer. (Tabled paper 3147).

## 9. Consideration of Committee Reports and Ministerial Statements

Pursuant to Temporary Orders for the consideration of Committee Reports and Ministerial Statements.

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### In Committee

(Hon Brian Ellis in the Chair)

#### Esperance Lead Contamination - Ministerial Statement

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

Question - put and passed.

#### Joint Standing Committee on the Commissioner for Children and Young People - Third Report - Review of the 2008-2009 Annual Report of the Commissioner for Children and Young People - Committee Report

Hon Ljiljanna Ravlich moved, That the Report be noted.

Debate ensued.

*Interruption pursuant to Temporary Orders.*

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The Deputy President resumed the Chair.

The Chairman of Committees reported that the Committee of the Whole House had considered the -

- (1) Esperance Lead Contamination - Ministerial Statement and had noted same.
- (2) Joint Standing Committee on the Commissioner for Children and Young People - Third Report - Review of the 2008-2009 Annual Report of the Commissioner for Children and Young People - Committee Report, made progress, and asked leave to sit again.

Report adopted.

## 10. Order of Business

Ordered - That Orders of the Day Nos 1, *Regulation 13(4) of the Animal Welfare (Pig Industry) Regulations 2010 - Disallowance*, and 2, *Shire of Esperance Cemeteries Amendment Local Law 2010 - Disallowance*, be taken after Order of the Day No. 7, *Electoral and Constitution Amendment Bill 2011*. (Leader of the House).

## 11. Conservation Legislation Amendment Bill 2010

The Order of the Day having been read for the consideration of the Committee's report upon this Bill.

The Minister for Mental Health representing the Minister for the Environment moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

**12. Juries Legislation Amendment Bill 2010**

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.

The Deputy President left the Chair.

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**In Committee**

(Hon Brian Ellis in the Chair)

Clause 1.

Debate ensued.

The Parliamentary Secretary representing the Attorney General, by leave, tabled a document of juror profile summaries. (Tabled paper 3148).

Debate ensued.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Debate ensued.

*Interruption pursuant to Temporary Orders.*

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The President resumed the Chair.

The Chairman of Committees reported that the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered - That the Committee have leave to sit again.

**13. Members' Statements**

Statements were taken.

**14. Adjournment**

The House adjourned at 10.20pm until Thursday, 24 March 2011 at 10.00am.

**Members present during the day's proceedings**

Attendance: Present all Members.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

**HON BARRY HOUSE**  
President of the Legislative Council