

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 120

TUESDAY, 24 MARCH 2015

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. Papers

The following Papers were laid on the Table by —

Leader of the House

By-laws —

Murdoch University Act 1973 (Murdoch University Amending By-law No. 1 of 2015
G.G. 17/03/2015)..... 2678

Directions —

Electricity Industry (Independent Market Operator) Regulation 2004 — Independent
Market Operator (2015 Reserve Capacity Cycle) Direction 2015 2679

Reports —

Western Australian Electoral Commission District of Vasse by-election 18 October
2014 — Election Report..... 2680

Reviews —

Electricity Market Review — Options Paper (December 2014)..... 2681

Statutes —

Murdoch University Act 1973 (Murdoch University — Amending Statute No. 1 of 2015
G.G. 20/03/2015)..... 2682

Attorney General

Annual Reports —

Board of the Australian Crime Commission Chair (2013–2014) (Date Received
23/03/2015)..... 2683

Regulations —

Workers' Compensation and Injury Management Act 1981 (Workers' Compensation and
Injury Management (Scales of Fees) Amendment Regulations 2015 G.G. 20/03/2015 and
Workers' Compensation and Injury Management Amendment Regulations 2015
G.G. 20/03/2015)..... 2684

Reports —

Criminal Investigation (Covert Powers) Act 2012 Annual Compliance Report (1 July
2013 – 30 June 2014) Australian Crime Commission..... 2685

Criminal Investigation (Covert Powers) Act 2012 Annual Compliance Report (1 July 2013 – 30 June 2014) Western Australia Police	2686
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Minister for Agriculture and Food

Plans —

Department of Agriculture and Food — Invasive Species Plan for Western Australia 2015–2019 — February 2015	2687
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Reports —

Forest Products Commission of Western Australia Half Year Report (31 December 2014).....	2688
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Parliamentary Secretary to the Minister for Health

Regulations —

Food Act 2008 (Food Amendment Regulations 2015 G.G. 20/03/2015).....	2689
Poisons Act 1964 (Poisons Amendment Regulations 2015 G.G. 20/03/2015).....	2690

3. Standing Committee on Uniform Legislation and Statutes Review — Report No. 91 — Rail Safety National Law (WA) Bill 2014

Hon Kate Doust presented Report No. 91 of the Standing Committee on Uniform Legislation and Statutes Review, *Rail Safety National Law (WA) Bill 2014*. (Tabled Paper 2691).

4. Election of Senators Amendment Bill 2015

The Leader of the House representing the Premier: To move on the next day of sitting —

That a Bill for “An Act to amend the *Election of Senators Act 1903*.” be introduced and read a first time.

5. Criminal Law Amendment (Home Burglary and Other Offences) Bill 2014

The President reported the receipt of Message No. 99 from the Legislative Assembly forwarding the Bill for concurrence.

The Attorney General representing the Minister for Police moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Attorney General representing the Minister for Police moved, That the Bill be read a second time.

The Attorney General representing the Minister for Police tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2692).

Debate stands adjourned.

6. Order of Business

Ordered — That Orders of the Day Nos 1, *School Education Amendment Regulations 2014 — Disallowance*, 2, *Shire of Kellerberrin Cemeteries Local Law 2014 — Disallowance*, 3, *Shire of Kellerberrin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2014 — Disallowance*, 4, *Shire of Kellerberrin Local Government (Council Meetings) Local Law 2014 — Disallowance*, 5, *Shire of Kellerberrin Fencing Local Law 2014 — Disallowance*, 6, *Regulations 28 to 38 of the Public Sector Management (Redeployment and Redundancy) Regulations 2014 — Disallowance*, 7, *Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 2014 — Disallowance*, 8, *Magistrates Court (General) Amendment Rules (No. 3) 2014 — Disallowance*, and 9, *Magistrates Court (Civil Proceedings) Amendment Rules 2014 — Disallowance*, be taken after Order of the Day No. 13, *Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015*. (Leader of the House).

7. Gene Technology (Western Australia) Bill 2014

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

Debate resumed.

8. Questions Without Notice

Questions without notice were taken.

The Minister for Housing representing the Minister for Regional Development tabled the report entitled *Understanding Public Perceptions in Regional Western Australia (June 2014)*, in response to a question without notice asked by Hon Darren West. (Tabled Paper 2693).

The Minister for Education tabled, and by leave incorporated into *Hansard*, documents in relation to enrolments of dependents of 457 visa holders in public schools for semester one of 2015, in response to a question without notice asked by Hon Stephen Dawson. (Tabled Paper 2694).

The Minister for Education tabled, and by leave incorporated into *Hansard*, documents in relation to staff to student ratios for primary schools in the Belmont electorate for 2014, in response to a question without notice asked by Hon Samantha Rowe. (Tabled Paper 2695).

The Minister for Education tabled documents in relation to Western Australian school enrolment numbers, by the census, for the 2015 school year, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2696).

The Minister for Education tabled documents in relation to the number of transportable classrooms used in primary and secondary schools at the commencement of the 2015 school year, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2697).

The Minister for Disability Services tabled, and by leave incorporated into *Hansard*, documents in relation to the wait list for Commission-funded Early Childhood Intervention services across the Perth metropolitan area, in response to a question without notice asked by Hon Stephen Dawson. (Tabled Paper 2698).

The Minister for Disability Services tabled documents in relation to service providers operating in the National Disability Insurance Scheme My Way Trial lower South West trial site, in response to question on notice No. 2695 asked by Hon Adele Farina. (Tabled Paper 2699).

The Minister for Mental Health representing the Minister for Planning tabled documents in relation to the valuation report for lots 98, 99 and 100 Thomas Street, West Perth, in response to question on notice No. 2722 asked by Hon Ken Travers. (Tabled Paper 2700).

The Minister for Mental Health representing the Minister for Environment tabled documents in relation to the Department of Environment Regulation's letter of warning issued to SAWA Pty Ltd for non-compliance with the *Environmental Protection Act 1986*, in response to question on notice No. 2712 asked by Hon Robin Chapple. (Tabled Paper 2701).

The Parliamentary Secretary representing the Minister for Transport tabled documents in relation to average hourly volume of vehicles, at certain daily times, on the Kwinana and Mitchell Freeways during 2013 and 2014, in response to question on notice No. 2715 asked by Hon Ken Travers. (Tabled Paper 2702).

The Parliamentary Secretary representing the Minister for Transport tabled documents in relation to the investigation report into the dewirement of an overhead power line at Dalglish Train Station on 24 March 2014, in response to question on notice No. 2718 asked by Hon Ken Travers. (Tabled Paper 2703).

The Parliamentary Secretary representing the Minister for Health tabled, and by leave incorporated into *Hansard*, documents in relation to the number of people accessing Meals on Wheels services across 16 local governments, in response to a question without notice asked by Hon Samantha Rowe. (Tabled Paper 2704).

9. Gene Technology (Western Australia) Bill 2014

Debate resumed on the second reading of this Bill (*see item 7 above*).

Question — put.

The Council divided.

Ayes (20)

Hon Ken Baston
 Hon Jacqui Boydell
 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 (10)

Hon Robin Chapple
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina
 Hon Lynn MacLaren

Hon Amber-Jade Sanderson
 Hon Sally Talbot
 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 Brian Ellis in the Chair)

Clause 1.

Debate ensued.

Interruption pursuant to order.

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.

10. Members' Statements

Statements were taken.

11. Adjournment

The Council adjourned at 10.14pm until Wednesday, 25 March 2015 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge.

NIGEL PRATT
 Clerk of the Legislative Council

HON BARRY HOUSE
 President of the Legislative Council