

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 82

TUESDAY, 19 AUGUST 2014

1. Meeting of Council

The Council assembled at 3.00pm pursuant to order.

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

2. Distinguished Visitors

The President drew attention to the presence in the gallery of the Rt. Hon Sir Alan Haselhurst MP (House of Commons), and, on behalf of Honourable Members, extended a warm welcome to him.

3. Petition

Hon Stephen Dawson presented a petition from 908 petitioners requesting the Legislative Council to investigate the telecommunication services on Barrow Island. (Tabled Paper 1780).

4. Ministerial Statement — National Assessment Program — Literacy and Numeracy 2014 — Summary Information

The Minister for Education made a Ministerial Statement with respect to the National Assessment Program — Literacy and Numeracy (NAPLAN) 2014 summary information that was released by the Australian Curriculum, Assessment and Reporting Authority (ACARA).

5. Ministerial Statement — Western Australia–Alberta Memorandum of Understanding — Signs of Safety framework

The Minister for Child Protection made a Ministerial Statement with respect to the signing of the Signs of Safety Memorandum of Understanding with Alberta, Canada.

6. Papers

The following Papers were laid on the Table by —

Leader of the House

Reports -

Ministerial Resourcing Report (as at 31 July 2014) 1768

Minister for Mental Health

Leases -

CALM Lease 2191/97 – Between CALM and Wildlife and Lions Districts 201-W1 and 201-W2 Dryandra Forest Village INC for the purpose of restoring, maintaining and operating Dryandra Woodland Village and purposes incidental to, within a portion of State Forest No. 51 1769

Local Laws -

Local Government Act 1995 (Shire of Shark Bay Activities on Thoroughfares and Public Places and Local Government Property Amendment Local Law 2014 G.G. 12/08/2014).....	1770
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Attorney General*Regulations -*

Petroleum Products Pricing Act 1983 (Petroleum Products Pricing Amendment Regulations 2014 G.G. 15/08/2014).....	1771
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Statutory Corporations (Liability of Directors) Act 1996 (Statutory Corporations (Liability of Directors) (Act Amendment) Regulations 2014 G.G. 12/08/2014)	1772
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Reports -

Department of Fisheries – Report pursuant to section 103(1) Criminal Investigation (Covert Powers) Act 2012 – Witness Identity Protection Certificates.....	1773
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Rules -

Magistrates Court Act 2004 (Magistrates Court (General) Amendment Rules (No. 4) 2014 G.G. 12/08/2014 and Magistrates Court (General) Amendment Rules 2014 G.G. 15/08/2014)	1774
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Minister for Agriculture and Food*Notices -*

Financial Management Act 2006 – Section 82 – Notice from the Minister for Forestry in response to Question on Notice 1213.....	1775
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Financial Management Act 2006 – Section 82 – Notice from the Minister for Forestry in response to Question on Notice 1233.....	1776
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Regulations -

Coal Industry Superannuation Act 1989 (Coal Industry Superannuation Amendment Regulations 2014 G.G. 12/08/2014).....	1777
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Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations (No. 5) 2014 G.G. 12/08/2014).....	1778
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Parliamentary Secretary representing the Premier on behalf of the Parliamentary Secretary representing the Minister for Health*Local Laws -*

Health Act 1911 (City of Greater Geraldton Health Local Law 2014 G.G. 15/08/2014)	1779
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7. Order of Business

Ordered — That Orders of the Day Nos 1, *Regulation 11(3)(o) as inserted into the Retirement Villages Regulations 1992 by Regulation 6 of the Retirement Villages (Recurrent Charges, Prescribed Matters and Exemption Certificates) Amendment Regulations 2014 — Disallowance*, 2, *Shire of Shark Bay Local Government Property Amendment Local Law 2014 — Disallowance*, and 3, *Firearms Amendment Regulations 2014 — Disallowance*, be taken after Order of the Day No. 10, *Mental Health Bill 2013*. (Leader of the House).

8. Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014 and Appropriation (Consolidated Account) Capital 2014–15 Bill 2014

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

Question — That the *Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014* be read a second time — put and passed.

Bill read a second time.

Question — That the *Appropriation (Consolidated Account) Capital 2014–15 Bill 2014* be read a second time — put and passed.

Bill read a second time.

The Minister for Mental Health representing the Treasurer sought leave to proceed forthwith to the third reading of these Bills.

Leave denied.

9. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Transport tabled the Forrestfield–Airport Link Project Definition Plan (August 2014), in response to a question without notice asked by Hon Ken Travers. (Tabled Paper 1781).

The Parliamentary Secretary representing the Minister for Transport tabled a report of the Department of Planning — Directions 2031 and Beyond (August 2010), in response to a question without notice asked by Hon Ken Travers. (Tabled Paper 1782).

The Minister for Education, by leave incorporated into Hansard, an answer in relation to the Vocational Education Training Funding Agreement between Western Australia and the Federal Government, in response to a question without notice No. 797 asked by Hon Ljiljana Ravlich.

The Leader of the House representing the Premier tabled a review of the Western Australia Shark Hazard Mitigation Drum Line Program 2013–14 (June 2014), in response to question without notice No. 795 asked by Hon Lynn MacLaren. (Tabled Paper 1783).

The Minister for Child Protection tabled documents in relation to applications to the Hardship Utility Grant Scheme in May 2014, by various suburbs, in response to question on notice No. 1261 asked by Hon Stephen Dawson. (Tabled Paper 1784).

The Minister for Child Protection tabled documents in relation to applications for the Hardship Utility Grant Scheme in May 2014, in response to question on notice No. 1258 asked by Hon Stephen Dawson. (Tabled Paper 1785).

The Minister for Agriculture and Food representing the Minister for Mines and Petroleum tabled documents in relation to vehicles supplied to officers of the Department of Mines and Petroleum, in response to question on notice No. 1290 asked by Hon Robin Chapple. (Tabled Paper 1786).

The Minister for Agriculture and Food representing the Minister for Mines and Petroleum tabled documents in relation to Onshore Petroleum Exploration Permits currently in Western Australia, in response to question on notice No. 1293 asked by Hon Robin Chapple. (Tabled Paper 1787).

The Minister for Agriculture and Food representing the Minister for Mines and Petroleum tabled documents in relation to the estimated income and interest for the Mining Rehabilitation Fund in comparison to the previous bond system, in response to question on notice No. 1285 asked by Hon Robin Chapple. (Tabled Paper 1788).

10. Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014 and Appropriation (Consolidated Account) Capital 2014–15 Bill 2014

The Orders of the Day for the consideration of these Bills, in Committee of the Whole House, having been read.

The President left the Chair.

In Committee

(Hon Liz Behjat in the Chair)

Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 agreed to.

Clause 4 agreed to.

Schedule 1 agreed to.

Title agreed to.

Appropriation (Consolidated Account) Capital 2014–15 Bill 2014

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 4 agreed to.

Schedule 1 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bills reported without amendment.

Report adopted.

The Minister for Mental Health representing the Treasurer moved, That the *Appropriation (Consolidated Account) Recurrent 2014–15 Bill 2014* be read a third time.

The Acting President announced that the Deputy 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.

The Minister for Mental Health representing the Treasurer moved, That the *Appropriation (Consolidated Account) Capital 2014–15 Bill 2014* be read a third time.

The Acting President announced that the Deputy 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.

11. Consumer Protection Legislation Amendment Bill 2013

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

Debate resumed.

Point of Order

The Minister for Commerce raised the following Point of Order —

I do not have a problem with the honourable Member raising what is plainly a serious issue for these particular people and one that she regards, quite legitimately, as one that is of a serious nature. It is not a question of wasting the House's time, but it is a question of relevance to the matters at issue in this Bill. It is a very narrow amendment to fix up a problem. Whatever the other issues are, they are beyond the scope of this particular Bill.

Acting President's Ruling

The Acting President ruled as follows —

The custom of the House, particularly when hearing from the lead opposition speaker on a Bill, is to entertain debate about provisions contained in the Bill generally, and that includes offering a view about what in another Member's view might be matters that perhaps should have and could have been incorporated in the Bill and observing that they are not present. The Minister for Commerce, though, reasonably raises the question that he has about relevance, because, of course, discussion of matters that might be in the Bill, but do not appear there, must, of course, be finite when we come to questions of relevance.

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee
(Hon Liz Behjat in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 108 agreed to.

Clause 109.

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.

12. Members' Statements

Statements were taken.

13. Adjournment

The Council adjourned at 10.12pm until Wednesday, 20 August 2014 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jacqui Boydell and Hon Adele Farina.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council