

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 8

TUESDAY, 11 JUNE 2013

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### 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. Statement by President — Question without Notice 116

The President made the following Statement —

At the last sitting, Hon Ken Travers asked question without notice 116 of the Parliamentary Secretary representing the Minister for Transport. The Minister's response through the Parliamentary Secretary to parts two and three of the question states —

The Member should refer to Standing Order 103, and a recent ruling made by the President.

I advise the House that there was nothing wrong with the question to the Minister and that the ruling was not relevant. My ruling was in regard to any question asked of the Parliamentary Secretary, not a question to the Minister about a Parliamentary Secretary.

### 3. Statement by President — Parliamentary Library and Information Technology Services

The President made the following Statement —

I refer to a statement made in the last sitting week during the Address-in-Reply debate concerning a change in Parliamentary Library opening hours, and the view that this had resulted in a diminution of service to Members and had been introduced as a cost-saving measure. The Parliamentary Library opening hours were changed as a result of usage statistics collected during sitting times, which indicated low patronage after 9.00pm. The library staff have the prerogative to keep the library open after 9.00pm if it is being used by Members. Library information is available 24/7 via the library's pages on POWAnet to all Members and their staff wishing to undertake research. I wish to advise Members that, notwithstanding the obvious efficiencies in not providing underutilised services, Mr Speaker and I have requested that the library revert to its 10.00pm closing time on Tuesday and Wednesday sitting nights for the next sitting period, and that further usage statistics of library patronage on sitting nights occur.

The other issue raised related to the ongoing situation regarding the provision of IT services to Members of Parliament, as there is dual responsibility between Executive Government and the Parliament for these services. We have again requested that the Department of the Premier and Cabinet provide helpdesk-style services during all parliamentary sitting times.

I might add that the normal process for raising issues of this type is either to write to the President in this place or to the Speaker in the other place; or, through Members' representatives, to raise it in the Parliamentary Services Committee. However, I understand and acknowledge that the session is young and new and that that Committee has not had a chance to meet at this stage.

#### 4. Statement by President — Queen Elizabeth II — Coronation Anniversary

The President made the following Statement —

Honourable Members, it is fitting to record in this Parliament on behalf of the people of Western Australia our congratulations on the completion of the sixtieth year since Her Majesty the Queen's coronation on 2 June 1953. Sixty years ago, millions worldwide stopped to witness the spectacle as Her Majesty Queen Elizabeth II was crowned in Westminster Abbey. Her Majesty's jubilee and coronation is a historic occasion. It is a great milestone in the history of the constitutional monarchies of the Commonwealth, of which we are one.

#### 5. Papers

The following Papers were laid on the Table by —

##### Leader of the House

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##### Attorney General

###### *Regulations —*

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##### Minister for Agriculture and Food

###### *Management Plans —*

Fish Resources Management Act 1994 (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment 2013 [1143] G.G. 31/05/2013, Pilbara Fish Trawl Interim Managed Fishery Management Plan Amendment 2013 [1137] G.G. 7/06/2013 and South Coast Estuarine Fishery Management Plan Amendment 2013 G.G. 24/05/2013).....	298
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**Parliamentary secretary representing the Minister for Transport***Regulations —*

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**6. Family Court Amendment (Family Violence and Other Measures) Bill 2013**

The Attorney General: To move on the next day of sitting —

That a Bill for “An Act to amend the *Family Court Act 1997*.” be introduced and read a first time.

**7. Shire of Kellerberrin Dogs Local Law (2012) — Disallowance**

Hon Ljiljana Ravlich: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Kellerberrin Dogs Local Law (2012)* published in the *Gazette* on 5 November 2012 and tabled in the Council on 13 November 2012 under the *Dog Act 1976*, be and is hereby disallowed. (Tabled Paper 5351).

**8. Recreation Hunting Systems**

Hon Rick Mazza: To move on the next day of sitting —

That the Council —

- (a) acknowledges the success in other States of regulated, licensed recreational hunting systems and the valuable environmental contribution made in controlling pest animals on public lands, together with the economic, cultural and recreational benefits to the community; and
- (b) supports a government investigation of implementing and utilising a similar system in Western Australia.

**9. Liberal Party — Election Claims**

Hon Ken Travers: To move on the next day of sitting —

That the Legislative Council condemns Premier Barnett and the Liberal party for misleading the people of Western Australia during the March 2013 State Election, when they claimed they had a “fully funded, fully costed” plan for Western Australia.

**10. Goods and Services Tax — Distribution**

Hon Peter Katsambanis: To move on the next day of sitting —

That the Council —

- (a) notes the fundamental inequality in the current method of Goods and Services Tax (GST) distribution between the States, which sees Western Australia receive less than half of what it would receive on a per capita basis;
- (b) supports the introduction of a set per capita basis of distributing GST revenue amongst the States; and
- (c) calls for the balance of GST revenue, beyond the set per capita distribution, to be distributed in an agreed and target-based manner creating a competitive environment which would drive productivity reforms, driving future growth across the Federation.

### **11. Department for Child Protection and Family Support — Front-line Services**

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

That this House condemns the Barnett Government for failing to quarantine essential frontline services from budget cuts, in particular the Department for Child Protection and Family Support.

### **12. Fremantle Redevelopment Authority — Establishment**

Hon Simon O'Brien: To move on the next day of sitting —

That this House requests the Government establish a Fremantle Redevelopment Authority to coordinate and manage the planning and development of the greater Fremantle area, including all of North Fremantle.

### **13. Gender Pay Gap — Pay Equity Inquiry**

Hon Alanna Clohesy: To move on the next day of sitting —

That the Council notes that Western Australia continues to have the widest gender pay gap in Australia and calls on the Government to conduct a pay equity inquiry as a matter of urgency and use the recommendations of that inquiry to formulate a two-year strategy to close the gender pay gap in Western Australia.

### **14. Marine Parks Access in Western Australia**

Hon Rick Mazza: To move on the next day of sitting —

That the Council —

- (a) supports a moratorium on any further marine parks in Western Australia, and an investigation into the access to and management of the current marine parks in Western Australia; and
- (b) supports the trial of seasonal and rotational opening of marine parks in Western Australia to allow licenced recreational fishers to fish in designated areas in marine parks in Western Australia.

### **15. Psychiatric Hospitals — Patient Protection**

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

That this House notes the findings of the Victorian Mental Illness Awareness Council that forty-five per cent of women who are inpatients in psychiatric hospitals in that state are sexually assaulted while an inpatient and calls on the Government to take urgent action to —

- (a) establish the extent of similar problems in Western Australia's psychiatric hospitals; and
- (b) protect women in Western Australia's psychiatric hospitals from sexual assault.

### **16. Address-in-Reply**

The Order of the Day having been read for the adjourned debate on the Address-in-Reply.

The Leader of the House sought leave of the House for Hon Alyssa Hayden to continue her remarks on Tuesday, 18 June 2013.

Leave granted.

Debate resumed.

### **17. Questions Without Notice**

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Environment tabled documents in relation to the Mangles Bay Marina Proposal from the Conservation Commission, in response to a question without notice asked by Hon Lynn MacLaren. (Tabled Paper 301).

The Parliamentary Secretary representing the Minister for Science on behalf of the Parliamentary Secretary representing the Minister for Health, by leave incorporated into Hansard, a table of a comparison of the breakdown of the beds at Princess Margaret Hospital and the new children's hospital, in response to a question without notice asked by Hon Samantha Rowe.

The Minister for Agriculture and Food representing the Minister for Regional Development tabled the Statement of Agreement of the Withers Community Renewal Action Plan, in response to a question without notice asked by Hon Adele Farina. (Tabled Paper 302).

The Leader of the House representing the Minister for State Development tabled documents in relation to the potential impact on maritime archaeological sites of the Browse Liquefied Natural Gas (LNG) Precinct, in response to question on notice No. 69 asked by Hon Robin Chapple. (Tabled Paper 303).

The Minister for Education tabled documents in relation to misconduct allegations reported in the Department of Education 2011–2012 Annual Report, in response to a question without notice asked by Hon Ljiljana Ravlich. (Tabled Paper 304).

The Minister for Education, by leave incorporated into Hansard, an answer to a question without notice No. 108 asked by Hon Darren West.

The Minister for Education, by leave incorporated into Hansard, answers to questions without notice Nos 6 and 112 asked by Hon Sue Ellery.

The Minister for Mental Health tabled documents in relation to mental health patients treated in 2009–10, 2010–11, 2011–12 and 2012 to-date, in response to question on notice No. 9 asked by Hon Sally Talbot. (Tabled Paper 305).

The Parliamentary Secretary representing the Minister for Transport tabled, and by leave incorporated into Hansard, documents in relation to the Metro Area Express (MAX) Light Rail Project, in response to a question without notice No. 52 asked by Hon Ken Travers. (Tabled Paper 306).

#### **18. Address-in-Reply**

Debate resumed on the Address-in-Reply (*see item 16 above*).

Hon Jim Chown sought leave of the House to continue his remarks at a later stage of this day's sitting. Leave granted.

Debate resumed.

Hon Jim Chown sought leave of the House to continue his remarks at a later stage of this day's sitting. Debate resumed.

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

#### **19. State Agreements Legislation Repeal Bill 2013**

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 Leader of the House representing the Premier moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

#### **20. Supply Bill 2013**

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

Debate resumed.

*Interruption pursuant to order.*

**21. Members' Statements**

Statements were taken.

Hon Ljiljanna Ravlich, by leave, tabled and incorporated into Hansard, a list of homes that were built by Iwan Iwanoff as Iwan Iwanoff Homes in Western Australia. (Tabled Paper 307).

**22. Adjournment**

The Council adjourned at 10.11pm until Wednesday, 12 June 2013 at 2.00pm.

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

Attendance: Present all Members except Hon Sue Ellery and Hon Alyssa Hayden.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

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