

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 137

THURSDAY, 18 JUNE 2015

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**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. Petition**

Hon Liz Behjat presented a petition from 470 petitioners requesting the Legislative Council to review the proposals to enlarge the boundaries of the City of Perth. (Tabled Paper 3011).

**3. Ministerial Statement — Kindilinks Child and Parent Centres**

The Minister for Education made a Ministerial Statement with respect to two new initiatives aimed at improving the achievement and wellbeing of young children.

The Minister for Education, by leave incorporated into *Hansard*, a list of schools involved with the new Kindilinks and child and parent centres.

**4. Standing Committee on Procedure and Privileges — Report No. 35 — Legislative Council Prayer**

The President presented Report No. 35 of the Standing Committee on Procedure and Privileges, *Legislative Council Prayer*. (Tabled Paper 3012).

Hon Adele Farina moved, without notice —

That Recommendation 1 contained in Report No. 35 of the Standing Committee on Procedure and Privileges, *Legislative Council Prayer*, be agreed to.

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

**5. Paper**

The following Paper was laid on the Table by —

**Parliamentary Secretary representing the Minister for Transport**

*Directions* —

Pilbara Ports Authority — Ministerial Direction concerning Utah Port charges under  
section 72 of the Ports Authorities Act 1999 ..... 3010

**6. Joint Standing Committee on the Corruption and Crime Commission — Report No. 20 — The operation of section 196(4) of the Corruption and Crime Commission Act 2003**

Hon Nick Goiran presented Report No. 20 of the Joint Standing Committee on the Corruption and Crime Commission, *The operation of section 196(4) of the Corruption and Crime Commission Act 2003*. (Tabled Paper 3013).

**7. Joint Standing Committee on the Corruption and Crime Commission — Report No. 21 — Recent amendments to the Corruption and Crime Commission Act 2003: Some implications for Western Australia's integrity framework**

Hon Nick Goiran presented Report No. 21 of the Joint Standing Committee on the Corruption and Crime Commission, *Recent amendments to the Corruption and Crime Commission Act 2003: Some implications for Western Australia's integrity framework*. (Tabled Paper 3014).

**8. Regulation 6(1) of the Conservation and Land Management Amendment Regulations 2015 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, *Regulation 6(1) of the Conservation and Land Management Amendment Regulations 2015* published in the *Gazette* on 24 March 2015 and tabled in the Legislative Council on 21 April 2015 under the *Conservation and Land Management Act 1984*, be and is hereby disallowed. (Tabled paper 2754).

**9. Planning and Development (Development Assessment Panels) Amendment Regulations 2015 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Planning and Development (Development Assessment Panels) Amendment Regulations 2015* published in the *Gazette* on 17 April 2015 and tabled in the Legislative Council on 21 April 2015 under the *Planning and Development Act 2005*, be and are hereby disallowed. (Tabled paper 2756).

**10. Shire of Mount Marshall Health Local Law 2014 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Marshall Health Local Law 2014* published in the *Gazette* on 1 April 2015 and tabled in the Legislative Council on 21 April 2015 under the *Health Act 1911*, be and is hereby disallowed. (Tabled paper 2769).

**11. Shire of Mukinbudin Health Local Law — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mukinbudin Health Local Law* published in the *Gazette* on 10 April 2015 and tabled in the Legislative Council on 21 April 2015 under the *Health Act 1911*, be and is hereby disallowed. (Tabled paper 2769).

**12. Temporary Orders — Extension**

The Leader of the House moved, without notice —

That the operation of the 2015 Temporary Orders of the Legislative Council be extended to apply until (and including) 31 December 2015.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question — put.

The President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

### 13. **Amnesty International Report**

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

That in light of the Amnesty International Report, *There is always a brighter future: Keeping Indigenous kids in the community out of detention in Western Australia*, the Legislative Council address what should be done to address the 23 recommendations contained in the report.

Debate ensued.

*Motion lapsed.*

### 14. **High Road (Riverton) Hotel**

Private Members' Business No. 1 having been called, Hon Simon O'Brien moved, without notice —

That the Legislative Council —

- (a) expresses its dismay that the community is set to lose the benefits and amenity of the High Road (Riverton) Hotel;
- (b) while respecting the right of any commercial entity to pursue profit, invite Coles' management to also consider the responsibilities a major corporate entity has to the communities in which it operates; and
- (c) requests Coles reconsider its plans to demolish the hotel.

Debate ensued.

*Motion lapsed.*

### 15. **Order of Business**

Ordered — That Orders of the Day Nos 1, *Shire of Trayning Public Places and Local Government Property Local Law 2014 — Disallowance*, and 3, *City Of Fremantle Plastic Bag Reduction Local Law 2015 — Disallowance*, be taken after Order of the Day No. 12, *Rail Safety National Law (WA) Bill 2014*. (Leader of the House).

### 16. **City of Gosnells Cat Local Law 2014 — Disallowance — Discharge from Notice Paper**

The Order of the Day having been called, Hon Robin Chapple moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 2, *City of Gosnells Cat Local Law 2014*, be discharged from the Notice Paper.

Question — put and passed.

### 17. **Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2015–2016**

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Mental Health representing the Treasurer as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 2877A–E (2015–2016 Budget Statements), laid upon the Table of the House on Thursday, 14 May 2015.

Debate resumed.

On the motion of Hon Samantha Rowe the debate was adjourned to the next sitting.

### 18. **Loan Bill 2015**

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 Acting President left the Chair.

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**In Committee**

(Hon Liz Behjat in the Chair)

Clause 1.

Debate ensued.

**19. Questions Without Notice**

Questions without notice were taken.

The Minister for Aboriginal Affairs, by leave incorporated into *Hansard*, information in relation to the number of section 18 applications dealt with at Aboriginal Cultural Materials Committee meetings in the years 2010 to 2015 to date, in response to a question without notice asked by Hon Robin Chapple.

The Leader of the House representing the Premier, by leave incorporated into *Hansard*, information in relation to the number of applications for grants received by Lotterywest from 2012 to 2015 to date, in response to a question without notice asked by Hon Martin Pritchard.

The Minister for Education, by leave incorporated into *Hansard*, information in relation to the number of primary schools with more than 450 students and secondary schools with more than 1,600 students, in response to a question without notice asked by Hon Sue Ellery.

The Minister for Child Protection, by leave incorporated into *Hansard*, information in relation to the Jacaranda Community Centre and the number of clients served, in response to a question without notice asked by Hon Samantha Rowe.

The Minister for Aboriginal Affairs, by leave incorporated into *Hansard*, a list of Aboriginal heritage sites that have had their status changed to “not a site”, in response to a question without notice asked by Hon Robin Chapple.

The Minister for Aboriginal Affairs, by leave incorporated into *Hansard*, information in relation to legal advice sought by the Aboriginal Cultural Material Committee in relation to Aboriginal sacred sites, in response to a question without notice asked by Hon Robin Chapple.

The Minister for Education, by leave incorporated into *Hansard*, information in relation to total expenditure on the construction of, or other capital works in secondary schools for the period October 2008 to 30 April 2015, in response to a question without notice asked by Hon Martin Pritchard.

The Minister for Education, by leave incorporated into *Hansard*, information in relation to total expenditure on the construction of, or other capital works in primary schools for the period October 2008 to 30 April 2015, in response to a question without notice asked by Hon Martin Pritchard.

The Minister for Education tabled documents in relation to student details for each school in the South West education region for the years 2013 and 2014, in response to question on notice No. 3142 asked by Hon Adele Farina. (Tabled Paper 3015).

The Minister for Mental Health tabled documents in relation to the One Life Research Project executive summary, in response to question on notice No. 3089 asked by Hon Adele Farina. (Tabled Paper 3016).

**20. Loan Bill 2015**

Resumption of consideration of this Bill in Committee of the Whole House (*see item 18 above*).

The President left the Chair.

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**In Committee**

(Hon Alanna Clohesy in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clauses 2 to 5 agreed to.

Title agreed to.

The President resumed the Chair.

Bill reported without amendment.

Report adopted.

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

The 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.

**21. Order of Business**

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

**22. Adjournment**

The Council adjourned at 5.10pm until Tuesday, 11 August 2015 at 2.00pm.

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

Attendance: Present all Members except Hon Paul Brown and Hon Lynn MacLaren (*leave of absence*).

**NIGEL PRATT**

Clerk of the Legislative Council

**HON BARRY HOUSE**

President of the Legislative Council