

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 182

THURSDAY, 20 OCTOBER 2011

1. Meeting of Council

The Council assembled at 10.00am pursuant to Temporary Orders.

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

2. Petitions

Hon Matt Benson-Lidholm presented a petition from 23 petitioners requesting the Legislative Council oppose Western Power's proposal to construct a new 132kV overhead powerline between the Rangeway substation and a proposed new substation in the Geraldton Port precinct. (Tabled paper 3982).

Hon Helen Bullock on behalf of Hon Jon Ford presented a petition from 624 petitioners requesting the Legislative Council oppose the demolition of the Bassett Road Seniors Village and to urge the Shire of Roebourne to seek alternatives to the relocation of Sharpe Avenue. (Tabled paper 3983).

3. Standing Committee on Procedure and Privileges - Report No. 22 - Review of the Standing Orders of the Legislative Council

The President presented Report No. 22 of the Standing Committee on Procedure and Privileges in relation to the *Review of the Standing Orders of the Legislative Council*. (Tabled paper 3975).

The President tabled a Comparative Table of the Current Standing Orders and Proposed Standing Orders to supplement Report No. 22 of the Standing Committee on Procedure and Privileges in relation to the *Review of the Standing Orders of the Legislative Council*. (Tabled paper 3976).

The President tabled a copy of the Proposed Standing Orders to supplement Report No. 22 of the Standing Committee on Procedure and Privileges in relation to the *Review of the Standing Orders of the Legislative Council*. (Tabled paper 3977).

The Leader of the House moved, That the Report do lie upon the Table and be printed and adopted and agreed to.

On the motion of Hon Matt Benson-Lidholm the debate was adjourned to the next sitting.

4. Papers

The following Papers were laid on the Table by -

President

Reports -

Inspector of Custodial Services - Review of Regional Youth Custodial Transport Services in Western Australia (Report No. 74) (August 2011) 3974

Leader of the House on behalf of the Minister for Finance

Reports -

Economic Regulation Authority - Inquiry into State Underground Power Program Cost Benefit Study (Final Report) (Date received 19/10/2011) 3978

Parliamentary Secretary to the Premier on behalf of the Minister for Mental Health

Annual Reports -

Conservation Commission (WA) (2010-2011) (Date received 19/10/2011) 3979

Waste Authority (2010-2011) (Date received 19/10/2011) 3980

Parliamentary Secretary representing the Attorney General

Annual Reports -

Acacia Prison Services Agreement (2010-2011) (Date received 19/10/2011) 3981

5. **Standing Committee on Environment and Public Affairs - Report No. 24 - Inquiry into Cockburn Cement Limited, Munster**

Hon Brian Ellis presented Report No. 24 of the Standing Committee on Environment and Public Affairs in relation to the *Inquiry into Cockburn Cement Limited, Munster*. (Tabled paper 3984).

Hon Brian Ellis moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

6. **Temporary Orders - Extension**

The Leader of the House moved, without notice -

That the duration of the Temporary Orders, adopted by the House on 25 March 2010, be extended to (and including) Friday, 30 December 2011.

The motion requiring the concurrence of an absolute majority.

Question - put.

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

7. Container Deposit Scheme

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

That this House calls on the Government to take a leadership role and introduce a Western Australian container deposit scheme without further delay.

Debate ensued.

Motion lapsed pursuant to Temporary Orders.

8. Order of Business

Ordered - That Bills for Introduction No. 4 be taken forthwith. (Leader of the House).

9. Industrial Relations (Equal Remuneration) Amendment Bill 2011

Hon Alison Xamon, pursuant to notice, moved -

That a Bill for “An Act to amend the *Industrial Relations Act 1979*.” be introduced and read a first time.

Question - put and passed.

Bill read a first time.

Hon Alison Xamon moved, That the Bill be now read a second time.

Debate stands adjourned.

10. Order of Business

Ordered - That Orders of the Day Nos 1, *City of Gosnells Waste Local Law 2011 - Disallowance*, 2, *Town of Cottesloe Dogs Local Law 2011 - Disallowance*, 3, *Shire of Augusta - Margaret River Standing Orders Local Law 2011 - Disallowance*, 4, *Mindarie Regional Council Standing Orders Local Law 2010 - Disallowance*, 5, *City of South Perth Dog Local Law 2011 - Disallowance*, and 6, *Taxi Amendment Regulations (No. 3) 2011 - Disallowance*, be taken after Committee Report No. 8, *Standing Committee on Environment and Public Affairs - Report No. 22 - Overview of Petitions*. (Leader of the House).

11. Cat Bill 2011

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

The Leader of the House on behalf of the Minister for Child Protection representing the Minister for Local Government 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. Agricultural Practices (Disputes) Repeal Bill 2011

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

Debate resumed.

Question - put.

The House divided.

Ayes (17)

Hon Jim Chown
Hon Peter Collier
Hon Mia Davies
Hon Phil Edman
Hon Brian Ellis
Hon Donna Faragher
Hon Philip Gardiner
Hon Nick Goiran
Hon Nigel Hallett

Hon Alyssa Hayden
Hon Col Holt
Hon Robyn McSweeney
Hon Michael Mischin
Hon Norman Moore
Hon Simon O'Brien
Hon Max Trenorden
Hon Ken Baston (*Teller*)

Noes (12)

Hon Matt Benson-Lidholm
Hon Helen Bullock
Hon Robin Chapple
Hon Kate Doust
Hon Sue Ellery
Hon Lynn MacLaren

Hon Ljiljanna Ravlich
Hon Sally Talbot
Hon Ken Travers
Hon Giz Watson
Hon Alison Xamon
Hon Linda Savage (*Teller*)

Question thus passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Minister for Child Protection representing the Minister for Agriculture and Food moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

13. Order of Business

Ordered - That Bills for Introduction No. 3 be taken forthwith. (Leader of the House).

14. Evidence and Public Interest Disclosure Legislation Amendment Bill 2011

The Parliamentary Secretary representing the Attorney General, pursuant to notice, moved -

That a Bill for "An Act to amend the *Evidence Act 1906* and the *Public Interest Disclosure Act 2003*." be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Attorney General moved, That the Bill be now read a second time.

Debate stands adjourned.

15. Misuse of Drugs Amendment Bill 2011

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.

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Clause 1.

Debate ensued.

16. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Premier on behalf of the Minister for Mental Health, in accordance with Standing Order No. 138(d), advised that answers to questions on notice Nos 4619 and 4620 asked by Hon Ljiljanna Ravlich will be provided on 3 November 2011.

17. Misuse of Drugs Amendment Bill 2011

The Order of the Day for the further consideration of this Bill, in Committee, having been read (cf item 15 above).

The President left the Chair.

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Clause 1.

Debate resumed.

The Minister for Energy representing the Minister for Police tabled a document detailing sentencing of offenders charged with drug manufacture or attempted drug manufacture in 2010-2011 where children were present or resident at the premises. (Tabled paper 3985).

Debate resumed.

Clause agreed to.

Clauses 2 to 8 agreed to.

Clause 9.

Hon Kate Doust moved -

Page 6, line 22 — To delete “a first” and insert —

an

Page 7, lines 4 to 9 — To delete the lines.

Debate ensued.

Interruption pursuant to Temporary Orders.

The Deputy 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.

18. Members' Statements

Statements were taken.

19. Special Adjournment

The Leader of the House moved, without notice -

That the House at its rising adjourn until Tuesday, 1 November 2011.

Question - put and passed.

20. Adjournment

The House adjourned at 5.58pm until Tuesday, 1 November 2011 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Liz Behjat, Hon Ed Dermer, Hon Wendy Duncan and Hon Helen Morton.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council