

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 173

THURSDAY, 8 SEPTEMBER 2011

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**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. Statement by President - Chamber Attendants - Lisa Parrella and Lucy Moyle**

The President made the following Statement -

Members, at the outset I will update you on a couple of events concerning our chamber attendants. Members might be aware that just a few days ago Lisa Parrella had a baby boy, Cristian. We are delighted for Lisa and wish her very well. I also welcome into the President's gallery, Lucy Moyle, who is here for three days on work experience with the Legislative Council.

**3. Petition**

Hon Kate Doust presented a petition from 210 petitioners requesting the Legislative Council support the restoration of a feed-in tariff scheme. (Tabled paper 3698).

**4. Ministerial Statement - Office of Shared Services - Early Decommissioning of Recruitment Function**

The Minister for Finance made a Ministerial Statement with respect to the early decommissioning of the recruitment function at the Office of Shared Services.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

**5. Ministerial Statement - Training Sector - State Government Investment**

The Minister for Training and Workforce Development made a Ministerial Statement with respect to the State Government's investment in the training sector and the increased number of Western Australians in training.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

## 6. Papers

The following Papers were laid on the Table by -

### Minister for Energy

#### *Reports -*

Western Power - Statement of Corporate Intent 2011-2012 .....	3695
Synergy - Statement of Corporate Intent 2011-2012 .....	3696
Verve Energy - Statement of Corporate Intent 2011-2012.....	3697

## 7. Joint Standing Committee on the Corruption and Crime Commission - Report No. 18 - Parliamentary Inspector's Report Concerning the Procedures Adopted by the Corruption and Crime Commission when Dealing with Complaints of the Excessive Use of Force by Police

Hon Nick Goiran presented Report No. 18 of the Joint Standing Committee on the Corruption and Crime Commission in relation to the *Parliamentary Inspector's Report Concerning the Procedures Adopted by the Corruption and Crime Commission when Dealing with Complaints of the Excessive Use of Force by Police*. (Tabled paper 3699).

Hon Nick Goiran moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

## 8. Health and Welfare of Children in the Northern Goldfields

Non-Government Business No. 1 having being called, Hon Helen Bullock moved, without notice -

That this House expresses its lack of confidence in the Minister for Regional Development, the Minister for Indigenous Affairs and the Minister for Child Protection for their incompetence, inaction and lack of accountability in addressing the serious issues raised by the Goldfields-Esperance Development Commission Project Officer reports into the health and welfare of children in the Northern Goldfields.

Debate ensued.

*Motion lapsed pursuant to Temporary Orders.*

## 9. Order of Business

Ordered - That Bills for Introduction be taken forthwith. (Leader of the House).

## 10. Criminal Appeals Amendment (Double Jeopardy) Bill 2011

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

That a Bill for "An Act to amend the *Criminal Appeals Act 2004* and, as a consequence, various other Acts, and for related matters." 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 and Bill referred to the Standing Committee on Uniform Legislation and Statutes Review.

## 11. Order of Business

Ordered - That Order of the Day No. 1, *Planning and Development Amendment Regulations (No. 4) 2011 - Disallowance*, be taken after Order of the Day No. 7, *Professional Combat Sports Amendment Bill 2009*. (Leader of the House).

**12. Trustee Companies (Commonwealth Regulation) Amendment Bill 2010**

The Order of the Day having been read for the third reading of this Bill.

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

The Deputy President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

**13. Renewable Energy Feed-in Tariff (REFiT WA) Bill 2010**

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

Debate resumed.

Hon Kate Doust moved, without notice -

That -

- (1) The *Renewable Energy Feed-in Tariff (REFiT WA) Bill 2010* be discharged and referred to the Standing Committee on Environment and Public Affairs for consideration and report.
- (2) The committee is to inquire into and report on the policy of the Bill.

Debate ensued.

Question - put.

The House divided.

**Ayes (13)**

Hon Robin Chapple  
Hon Kate Doust  
Hon Sue Ellery  
Hon Adele Farina  
Hon Jon Ford  
Hon Lynn MacLaren  
Hon Ljiljanna Ravlich

Hon Linda Savage  
Hon Sally Talbot  
Hon Ken Travers  
Hon Giz Watson  
Hon Alison Xamon  
Hon Ed Dermer (*Teller*)

**Noes (18)**

Hon Liz Behjat  
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 Helen Morton  
Hon Simon O'Brien  
Hon Ken Baston (*Teller*)

Question thus negatived.

Debate resumed on the second reading of this Bill.

Question - put.

The House divided.

#### Ayes (12)

Hon Ed Dermer  
Hon Kate Doust  
Hon Sue Ellery  
Hon Adele Farina  
Hon Jon Ford  
Hon Lynn MacLaren

Hon Ljiljanna Ravlich  
Hon Linda Savage  
Hon Sally Talbot  
Hon Ken Travers  
Hon Alison Xamon  
Hon Robin Chapple (*Teller*)

#### Noes (17)

Hon Liz Behjat  
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 Helen Morton  
Hon Ken Baston (*Teller*)

Question thus negatived.

Bill defeated.

#### 14. Special Adjournment

The Leader of the House moved, without notice -

That the House at its rising adjourn until Tuesday, 20 September 2011.

Question - put and passed.

#### 15. Metropolitan Redevelopment Authority Bill 2011

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

Debate resumed.

Hon Sally Talbot moved, without notice -

That Order of the Day No. 6, the *Metropolitan Redevelopment Authority Bill 2011* be discharged and referred to the Standing Committee on Legislation for consideration and report not later than 24 November 2011.

Debate ensued.

#### 16. Questions Without Notice

Questions without notice were taken.

The Minister for Mines and Petroleum tabled documents in relation to the terms of reference of the Lesueur Community Consultative Committee, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 3700).

The Minister for Finance representing the Treasurer tabled documents in relation to details of new tariffs, fees and charges that have changed or been implemented since 23 September 2008 across all government agencies, in response to question on notice No. 4480 asked by Hon Ken Travers. (Tabled paper 3701).

**17. Metropolitan Redevelopment Authority Bill 2011**

Debate resumed on the second reading of this Bill (cf item 15 above).

Hon Sally Talbot, by leave, withdrew her motion.

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

**18. Order of Business**

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

**19. Members' Statements**

Statements were taken.

**20. Adjournment**

The House adjourned at 5.50pm until Tuesday, 20 September 2011 at 3.00pm.

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

Attendance: Present all Members except Hon Wendy Duncan and Hon Max Trenorden.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

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