

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 216

TUESDAY, 19 JUNE 2012

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 — Cook Islands Parliament

The President drew attention to the presence in the gallery of a delegation from the Cook Islands Parliament, and, on behalf of Honourable Members, extended a warm welcome to members of the delegation.

3. Petitions

Hon Kate Doust presented a petition from 130 petitioners requesting the Legislative Council to recommend that the State Government implement a concession on energy costs for senior citizens. (Tabled Paper 4653).

Hon Robin Chapple presented a petition from 66 petitioners requesting the Legislative Council to support a moratorium on hydraulic fracturing. (Tabled Paper 4654).

4. Ministerial Statement — Building Approvals

The Minister for Commerce made a Ministerial Statement with respect to tackling the decline in building approvals.

5. Ministerial Statement — National Disability Insurance Scheme

The Minister for Disability Services made a Ministerial Statement with respect to the progress of the National Disability Insurance Scheme.

6. Ministerial Statement — Fremantle Hospital — Chief Psychiatrist's Reviews

The Minister for Mental Health made a Ministerial Statement with respect to two reviews undertaken by Dr Rowan Davidson, Chief Psychiatrist.

7. Ministerial Statement — Question on Notice No. 5361 — Correction of Answer

The Minister for Mental Health made a Ministerial Statement with respect to question on notice No. 5361 asked by Hon Ljiljanna Ravlich and incorrect data provided in response.

The Minister for Mental Health tabled a corrected response to question on notice No. 5361. (Tabled Paper 4655).

8. Papers

The following Papers were laid on the Table by —

President*Reports —*

Corruption and Crime Commission — Report on the Investigation of Alleged Public Sector Misconduct by Any Public Officer in Relation to the Perth Hills Bushfires of 6 February 2011 (15 June 2012) (Deemed tabled 15 June 2012)..... 4615

Minister for Finance*Notices —*

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Marine Navigational Aids Act 1973 (Marine Navigational Aids Amendment Regulations 2012 G.G. 15/06/2012)..... 4635

Motor Vehicle Dealers Act 1973 (Motor Vehicle Dealers (Licensing) Amendment Regulations 2012 G.G. 15/06/2012)..... 4636

Motor Vehicle Repairers Act 2003 (Motor Vehicle Repairers Amendment Regulations 2012 G.G. 15/06/2012)..... 4637

Occupational Safety and Health Act 1984 (Occupational Safety and Health Amendment Regulations (No. 3) 2012 G.G. 15/06/2012) 4638

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Real Estate and Business Agents Act 1978 (Real Estate and Business Agents (General) Amendment Regulations 2012 G.G. 15/06/2012)..... 4640

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Travel Agents Act 1985 (Travel Agents Amendment Regulations (No. 2) 2012 G.G. 15/06/2012) 4643

Water Services Licensing Act 1995 (Water Services Licensing (Plumbers Licensing and Plumbing Standards) Amendment Regulations (No. 2) 2012 G.G. 15/06/2012) 4644

Western Australian Marine Act 1982 (W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations (No. 2) 2012 G.G. 15/06/2012, W.A. Marine (Hire and Drive Vessels) Amendment Regulations (No. 2) 2012 G.G. 15/06/2012 and W.A. Marine (Load Lines) Amendment Regulations 2012 G.G. 15/06/2012).....	4645
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Police Act 1892 (Police (Fees) Amendment Regulations 2012 G.G. 15/06/2012).....	4648
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Parliamentary Secretary representing the Minister for Justice

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Rules —

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9. Retirement Villages Amendment Bill 2012

The Minister for Commerce: To move on the next day of sitting —

That a Bill for “An Act to amend the *Retirement Villages Act 1992*.” be introduced and read a first time.

10. Building Regulations 2012 — Disallowance — Discharge from Notice Paper

Hon Sally Talbot moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 25, *Building Regulations 2012 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Order of Business

Ordered — That Orders of the Day Nos 1, *Women’s and Children’s Hospitals Amendment By-laws (No. 2) 2011 — Disallowance*, 2, *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 — Disallowance*, 3, *Royal Perth Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 4, *Metropolitan Health Service Amendment By-laws (No. 2) 2011 — Disallowance*, 5, *Fremantle Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 6, *Osborne Park Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 7, *Hospitals (Services Charges) Amendment Regulations (No. 7) 2011 — Disallowance*, 8, *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 — Disallowance*, 9, *Fremantle Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 10, *Osborne Park Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 11, *Royal Perth Hospital Amendment By-laws (No. 2) 2011 — Disallowance*, 12, *Women’s and Children’s Hospitals Amendment By-laws (No. 2) 2011 — Disallowance*, 13, *Liquor Control Amendment Regulations (No. 10) 2011 — Disallowance*, 14, *Children’s Court (Fees) Amendment Regulations (No. 2) 2011 — Disallowance*, 15, *Civil Judgments Enforcement Amendment Regulations (No. 2) 2011 — Disallowance*, 16, *Coroners Amendment Regulations (No. 2) 2011 — Disallowance*, 17, *District Court (Fees) Amendment Regulations (No. 2) 2011 — Disallowance*, 18, *Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2011 — Disallowance*, 19, *Magistrates Court (Fees) Amendment Regulations (No. 2) 2011 — Disallowance*, 20, *State Administrative Tribunal Amendment Regulations (No. 5) 2011 — Disallowance*, 21, *Supreme Court (Fees) Amendment Regulations (No. 2) 2011 — Disallowance*, 22, *Town of Bassendean Repeal Local Law 2010 — Disallowance*, 23, *Town of Bassendean Dust and Sand Local Law 2011 — Disallowance*, 24, *City of Busselton Busselton Regional Airport Local Law 2012 — Disallowance*, and 26, *City of Swan Standing Orders Local Law 2010 — Disallowance*, be taken after Order of the Day No. 37, *Lotteries Commission Amendment Bill 2011*. (Minister for Finance).

12. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2012–2013

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

That pursuant to Standing Order No. 68(1) the Legislative Council take note of Tabled Paper No. 4536A–F (2012–2013 Budget Statements) laid upon the Table of the Council on Thursday, 17 May 2012.

Debate resumed.

13. Questions Without Notice

Questions without notice were taken.

The Minister for Finance representing the Minister for Transport tabled, and by leave incorporated into Hansard, a document in relation to details of accidents occurring between trains and other trains or vehicles in 2009–10 to 2011–12, in response to question on notice No. 5544 asked by Hon Ken Travers. (Tabled Paper 4656).

The Minister for Training and Workforce Development tabled documents in relation to Government funded courses and qualifications offered between 2008 and 2011, in response to question on notice No. 5577 asked by Hon Alison Xamon. (Tabled Paper 4657).

The Minister for Finance representing the Minister for Transport, in accordance with Standing Order No. 107(2), advised that an answer to question on notice No. 5555 asked by Hon Ken Travers will be provided on 21 June 2012.

The Minister for Child Protection representing the Minister for Agriculture and Food tabled documents in relation to assistance provided to the apple industry by the Department of Agriculture and Food Western Australia, in response to question on notice No. 5565 asked by Hon Giz Watson. (Tabled Paper 4658).

The Minister for Mental Health representing the Minister for Water tabled documents in relation to monitoring of the Harvey River levels, in response to question on notice No. 5595 asked by Hon Giz Watson. (Tabled Paper 4659).

The Minister for Mental Health representing the Minister for Environment tabled documents in relation to reclassification of old growth forest, in response to question on notice No. 5606 asked by Hon Sally Talbot. (Tabled Paper 4660).

14. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2012–2013

Debate resumed on the motion of the Minister for Finance representing the Treasurer. (*see item 12 above*).

On the motion of Hon Ken Baston the debate was adjourned to the next sitting.

15. Order of Business

Ordered — That Order of the Day No. 32, *Retail Trading Hours Amendment Bill 2012*, be taken forthwith. (Minister for Finance).

16. Retail Trading Hours Amendment Bill 2012

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

Debate resumed.

Question — put.

The Council divided.

Ayes (19)

Hon Liz Behjat
 Hon Matt Benson-Lidholm
 Hon Jim Chown
 Hon Peter Collier
 Hon Ed Dermer
 Hon Kate Doust
 Hon Sue Ellery
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Adele Farina

Hon Nigel Hallett
 Hon Alyssa Hayden
 Hon Michael Mischin
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Linda Savage
 Hon Sally Talbot
 Hon Ken Travers
 Hon Ken Baston (*Teller*)

Noes (9)

Hon Mia Davies
 Hon Wendy Duncan
 Hon Philip Gardiner
 Hon Col Holt
 Hon Lynn MacLaren

Hon Max Trenorden
 Hon Giz Watson
 Hon Alison Xamon
 Hon Robin Chapple (*Teller*)

Question thus passed.

Bill read a second time.

17. Members' Statements

Statements were taken.

18. Adjournment

The Council adjourned at 10.05pm until Wednesday, 20 June 2012 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jon Ford and Hon Norman Moore.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council