

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 181

WEDNESDAY, 19 OCTOBER 2011

1. Meeting of Council

The Council assembled at 2.00pm pursuant to Temporary Orders.

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

2. Ministerial Statement - Synthetic Cannabinoids

The Minister for Mental Health made a Ministerial Statement with respect to the decline in use of synthetic cannabinoids following the Government's decision to ban the possession, sale or supply of 21 synthetic cannabinoids in Western Australia.

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

3. Ministerial Statement - Stirling Improvement Plan No. 36

The Minister for Mental Health representing the Minister for Planning made a Ministerial Statement with respect to Improvement Plan No. 36 for the Stirling City Centre.

The Minister for Mental Health representing the Minister for Planning tabled Improvement Plan No. 36 for Stirling City Centre. (Tabled paper 3973).

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

4. Papers

The following Papers were laid on the Table by -

President

Auditor General's Papers -

Use of CCTV Equipment and Information (Report No. 9) (October 2011)..... 3968

Leader of the House

Annual Reports -

Greyhound Racing Association (2010-2011) (Date received 18/10/2011) 3969

Minister for Energy*Annual Reports -*

Independent Market Operator (2010-2011) (Date received 18/10/2011)..... 3970

Parliamentary Secretary representing the Attorney General*Annual Reports -*

Court Security and Custodial Services (2010-2011) (Date received 18/11/2011) 3971

Parliamentary Secretary representing the Minister for Regional Development*Proposals -*

Land Administration Act 1997 - Submission No. 10/2011 - Excisions of Class A Reserve 25141 - Shire of Augusta-Margaret River..... 3972

5. Evidence and Public Interest Disclosure Legislation Amendment Bill 2011

The Parliamentary Secretary representing the Attorney General: To move on the next day of sitting -

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.

6. Industrial Relations (Equal Remuneration) Amendment Bill 2011

Hon Alison Xamon: To move on the next day of sitting -

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

7. Resources Boom - Access to Future Economic Benefits

Hon Jon Ford: To move on the next day of sitting -

That this House condemns the Barnett Government for its lack of vision, investment and action in ensuring that Western Australia uses the resource boom to build its capacity to provide economic certainty for all citizens well beyond the boom years.

8. Household Fees and Charges

Motion No. 1 having been called, debate resumed on the motion of Hon Ken Travers as follows -

That this House condemns the Barnett/Grylls Government for the savage increases in household fees and charges and the abolition of assistance payments to families such as the \$400 “It pays to learn allowance” which has resulted in families being up to \$1 700 worse off.

We note that the savage 57 percent increase in electricity and 46 percent increase in water charges over two years has resulted in an increase in the dividends the State Government is receiving from the power and water utilities.

We say enough is enough and call on the Barnett/Grylls Government to keep future increases to below the rate of inflation.

Question - put.

The House divided.

Ayes (13)

Hon Helen Bullock
 Hon Robin Chapple
 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 (19)

Hon Jim Chown
 Hon Peter Collier
 Hon Mia Davies
 Hon Wendy Duncan
 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 Max Trenorden
 Hon Ken Baston (*Teller*)

Motion thus negatived.

9. Climate Change Adaptation and Mitigation Strategy

Motion No. 2 having been called, Hon Sally Talbot, pursuant to notice, moved -

That this House condemns the Government for entering its third year of office without the Climate Change Adaptation and Mitigation Strategy promised by the Liberals before the 2008 election.

Debate ensued.

Interruption pursuant to Temporary Orders.

10. Questions Without Notice

Questions without notice were taken.

11. Consideration of Committee Reports and Ministerial Statements

Pursuant to Temporary Orders for the consideration of Committee Reports and Ministerial Statements.

In Committee

(Hon Michael Mischin in the Chair)

Standing Committee on Environment and Public Affairs - Report No. 21 - Shack Sites in Western Australia - Committee Report

Debate resumed on the motion of Hon Brian Ellis, That the Report be noted.

Question - put and passed.

Public Transport Bus Network - Additional Security Measures - Ministerial Statement

Hon Ljiljanna Ravlich moved, That the Ministerial Statement be noted.

Debate ensued.

Interruption pursuant to Temporary Orders.

The Deputy President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee of the Whole House had considered the -

- (1) Standing Committee on Environment and Public Affairs - Report No. 21 - Shack Sites in Western Australia - Committee Report and had noted same.
- (2) Public Transport Bus Network - Additional Security Measures - Ministerial Statement, made progress, and asked leave to sit again.

Report adopted.

12. Order of Business

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

13. Petroleum (Submerged Lands) Amendment Bill 2011

The Minister for Mines and Petroleum, pursuant to notice, moved -

That a Bill for “An Act to amend the *Petroleum (Submerged Lands) Act 1982*.” be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Mines and Petroleum moved, That the Bill be now read a second time.

Debate stands adjourned.

14. Petroleum and Geothermal Energy Safety Levies Amendment Bill 2011

The Deputy President reported the receipt of Message No. 214 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Mines and Petroleum moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Mines and Petroleum moved, That the Bill be now read a second time.

Debate stands adjourned.

15. Petroleum and Geothermal Energy Safety Levies Bill 2011

The Deputy President reported the receipt of Message No. 218 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Mines and Petroleum moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Mines and Petroleum moved, That the Bill be now read a second time.

Debate stands adjourned.

16. Inspector of Custodial Services Amendment Bill 2011

The Deputy President reported the receipt of Message No. 219 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Finance representing the Minister for Corrective Services moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Finance representing the Minister for Corrective Services moved, That the Bill be now read a second time.

Debate stands adjourned.

17. 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 Order of the Day No. 13, *Misuse of Drugs Amendment Bill 2011*. (Leader of the House).

18. Cat Bill 2011

The Order of the Day for the further consideration of this Bill, in Committee, having been read.

The Deputy President left the Chair.

In Committee

(Hon Brian Ellis in the Chair)

Clause 35.

Debate resumed.

Clause agreed to.

Clauses 36 to 41 agreed to.

Clause 42.

Debate ensued.

Clause agreed to.

Clauses 43 to 47 agreed to.

Clause 48.

Debate ensued.

Clause agreed to.

Clauses 49 to 54 agreed to.

Clause 55.

Debate ensued.

Clause agreed to.

Clauses 56 to 78 agreed to.

Clause 79.

Debate ensued.

Clause agreed to.

Clauses 80 to 86 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported with amendments.

Ordered - That consideration of the Committee's Report be made an Order of the Day for the next sitting.

19. Industrial Legislation Amendment Bill 2011

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

Debate resumed.

The Minister for Commerce sought leave to continue his remarks, in reply, at a later stage of this day's sitting.

Leave granted.

Debate resumed.

Question - put and passed.

Bill read a second time.

The Deputy President left the Chair.

In Committee

(Hon Michael Mischin in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 5 agreed to.

Clause 6.

Debate ensued.

Hon Jon Ford moved -

Page 7, lines 4 to 26 — To delete the lines and insert —

- (b) 4 persons appointed from among persons whose names are on a panel of 8 names comprised of —
 - (i) 4 names submitted by the Master Builders' Association of Western Australia; and
 - (ii) 4 names submitted by the Chamber of Commerce and Industry of Western Australia (Inc);

- (c) 4 persons appointed from among persons whose names are on a panel of 8 names comprised of —
 - (i) 4 names submitted by UnionsWA; and
 - (ii) 4 names submitted by The Building Trades Association of Unions of Western Australia (Association of Workers).

Debate ensued.

Amendment - put and negatived.

Question, That the clause stand as printed - put and passed.

Clauses 7 to 61 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Commerce moved, That the Bill be now read a third time.

The Deputy President having reported that the Deputy 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.

20. 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.

Interruption pursuant to Temporary Orders.

21. Members' Statements

Statements were taken.

22. Adjournment

The House adjourned at 10.15pm until Thursday, 20 October 2011 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Liz Behjat, Hon Matt Benson-Lidholm and Hon Kate Doust.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council