

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 221

THURSDAY, 28 JUNE 2012

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. Petitions

Hon Adele Farina presented a petition from 58 petitioners requesting the Legislative Council to support the enactment of a moratorium on hydraulic fracturing. (Tabled Paper 4710).

Hon Giz Watson presented a petition from 5,454 petitioners requesting the Legislative Council to inquire into and report on the adequacy of legislation, policies, practices and procedures pertaining to land use and/or land management and their impact upon endangered species that are indigenous to Western Australia. (Tabled Paper 4711).

Hon Alison Xamon presented a petition from 12 petitioners requesting the Legislative Council to inquire into the decision-making processes surrounding Amendment 18 to the Shire of Kalamunda Local Planning Scheme No. 3. (Tabled Paper 4712).

3. Ministerial Statement — Department of Indigenous Affairs — Strategic Framework 2012–2014

The Minister for Indigenous Affairs made a Ministerial Statement with respect to the launch of the 2012–2014 strategic framework for the Department of Indigenous Affairs.

The Minister for Indigenous Affairs tabled the *Department of Indigenous Affairs Strategic Framework 2012–2014*. (Tabled paper 4713).

4. Ministerial Statement — Fremantle Hospital — Chief Psychiatrist's Clinical Reviews

The Minister for Mental Health made a Ministerial Statement with respect to the following reports of the Chief Psychiatrist: *Chief Psychiatrist's Examination of the Clinical Care of Four Cases Fremantle Hospital* and *Chief Psychiatrist's Review of Clinical Practice Admissions and Discharges (12 months) of Mental Health Presentations to Fremantle Hospital*.

5. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Public Sector Performance Report 2012 (Report No. 9) (June 2012) 4707

Information Systems Audit Report (Report No. 10) (June 2012) 4708

Joint Standing Committees on Treaties (Commonwealth of Australia) —

Treaties tabled on 19 June 2012 — Agreement between the Government of Australia and the Government of the Republic of Singapore concerning the location of a Republic of Singapore Air Force Helicopter Squadron at the Australian Army Aviation Centre Oakey (Singapore, 1 June 2012), Agreement between the Government of Australia and the Government of the Principality of Andorra on the exchange of information with respect to taxes done at New York on 24 September 2011, Agreement between the Government of Australia and the Government of the Kingdom of Bahrain on the exchange of information with respect to taxes (Manama, 15 December 2011)..... 4709

6. Joint Standing Committee on the Corruption and Crime Commission — Report No. 28 — Proceeds of crime and unexplained wealth: A role for the Corruption and Crime Commission?

Hon Nick Goiran presented Report No. 28 of the Joint Standing Committee on the Corruption and Crime Commission in relation to the *Proceeds of crime and unexplained wealth: A role for the Corruption and Crime Commission?* (Tabled Paper 4714).

7. Standing Committee on Uniform Legislation and Statutes Review — Report No. 72 — Wills Amendment (International Wills) Bill 2012

Hon Adele Farina presented Report No. 72 of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Wills Amendment (International Wills) Bill 2012*. (Tabled Paper 4715).

8. City of Bayswater Standing Orders Local Law 2012 — Disallowance

Hon Sally Talbot: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Bayswater Standing Orders Local Law 2012* published in the *Gazette* on 22 May 2012 and tabled in the Legislative Council on 12 June 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 4573).

9. Shire of York Local Government Property Local Law 2012 — Disallowance

Hon Sally Talbot: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of York Local Government Property Local Law 2012* published in the *Gazette* on 1 May 2012 and tabled in the Legislative Council on 15 May 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 4495).

10. Mindarie Regional Council Waste Facility Site Local Law 2012 — Disallowance

Hon Sally Talbot: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Mindarie Regional Council Waste Facility Site Local Law 2012* published in the *Gazette* on 11 May 2012 and tabled in the Legislative Council on 15 May 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 4495).

11. Fines, Penalties and Infringement Notices Enforcement Amendment (Taxation) Bill 2012 — Rescission of Vote

The Parliamentary Secretary representing the Minister for Justice: To move on the next day of sitting —

That the vote passed by this Council on 27 June 2012 on the second reading of the *Fines, Penalties and Infringement Notices Enforcement Amendment (Taxation) Bill 2012* is hereby rescinded and consequent thereon that the Bill be restored to the Notice Paper.

12. Hon Ljiljanna Ravlich — Personal Explanation

Hon Ljiljanna Ravlich, by leave, made a personal explanation [SO 112] with respect to a question without notice asked to the Minister for Mental Health regarding mental health services.

13. Mental Health Services — Community Expectations

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

That this Council condemns the Minister for Mental Health for failing to meet community expectations in the delivery of quality mental health services across the State.

Debate ensued.

Motion lapsed.

14. Regional Health Infrastructure and Services

Private Members' Business No. 1 having been called, Hon Mia Davies moved, without notice —

That this Council condemns the Federal Government for its failure to provide adequate General Practitioner services for regional Western Australians and applauds the State Government for its investment in regional health infrastructure and services.

Debate ensued.

Motion lapsed.

15. 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*, 25, *City of Swan Standing Orders Local Law 2010 — Disallowance*, and 26, *Mindarie Regional Council Standing Orders Amendment Local Law 2012 — Disallowance*, be taken after Order of the Day No. 29, *Evidence and Public Interest Disclosure Legislation Amendment Bill 2011*. (Minister for Finance).

16. Lotteries Commission Amendment Bill 2011

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

Debate resumed.

17. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Justice tabled, and by leave incorporated into Hansard, documents in relation to deaths due to unknown causes or homicide in the Kimberley Region for the years 2005–2006 to 2010–11, in response to a question without notice asked by Hon Jon Ford. (Tabled Paper 4720).

18. Lotteries Commission Amendment Bill 2011

Debate resumed on the second reading of this Bill (*see item 16 above*).

Hon Sally Talbot sought leave to continue her remarks at the next sitting.

Leave granted.

On the motion of Minister for Finance the debate was adjourned to the next sitting.

19. Papers

The following Papers were laid on the Table by —

Minister for Finance on behalf of the Leader of the House

Reports —

Gold Corporation Statement of Corporate Intent (2012/2013) (Date received 28/06/2012)..... 4716

Gold Corporation Strategic Development Plan (2012/13 — 2016/17)
(Date received 28/06/2012)..... 4717

Lotterywest Statement of Corporate Intent (Annual Business Plan and Budget)
(2012/2013) (Date received 28/06/2012)..... 4718

Lotterywest Strategic Development Plan (2011/12 — 2015/16) (Date received 28/06/2012)... 4719

20. Order of Business

Ordered — That Members' Statements be taken forthwith. (Minister for Finance).

21. Members' Statements

Statements were taken.

22. Adjournment

The Council adjourned at 5.49pm until 14 August 2012 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Brian Ellis, Hon Lynn MacLaren, Hon Norman Moore, Hon Ken Travers and Hon Max Trenorden.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council