

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL
TUESDAY, 22 AUGUST 2017

2.00pm

Prayers

ORDER OF BUSINESS

Condolence Motions

Notification of Royal Assent – Message Nos 7 and 8

Petitions

Hon Tjorn Sibma

Statements by Ministers and Parliamentary Secretaries

Minister for Education and Training

Papers for Tabling

President

Leader of the House

Minister for Environment

Minister for Regional Development

Parliamentary Secretary to the Deputy Premier

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Leader of the House

Motions without Notice

Orders of the Day

4.30pm Questions without Notice

5.00pm Orders of the Day (continued)

9.45pm Members' Statements

10.25pm House adjourns

The business listed for today's sitting and sequence in which it is to be considered may be altered by the House without notice. To see what is currently being debated in the course of today's sitting please see the electronic Business Program at: www.parliament.wa.gov.au/WebCMS/WebCMS.nsf/content/legislative-council-live-broadcast-lc

ORDERS OF THE DAY

[NB: It is intended that Order of the Day No. 14 be discharged]

1. Firearms Amendment Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 25 May 2017 on the motion of Hon Rick Mazza (Days remaining 4 after today (Indicative date — 6 September 2017))

That the *Firearms Amendment Regulations 2017* published in the *Gazette* on 3 February 2017 and tabled in the Legislative Council on 17 May 2017 under the *Firearms Act 1973*, be and are hereby disallowed. (Tabled paper No. 133).

2. Road Traffic Regulations Amendment (Pilot Vehicle Drivers) Regulations 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 15 August 2017 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 19 October 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Road Traffic Regulations Amendment (Pilot Vehicle Drivers) Regulations 2016* published in the *Gazette* on 15 November 2016 and tabled in the Legislative Council on 22 November 2016 under the *Road Traffic (Administration) Act 2008* and the *Road Traffic (Vehicles) Act 2012*, be and is hereby disallowed. (Tabled paper No. 4926).

3. Town of Cambridge Local Government and Public Property Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Cambridge Local Government and Public Property Local Law 2016* published in the *Gazette* on 24 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 76).

4. Town of Cambridge Private Property Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Cambridge Private Property Local Law 2016* published in the *Gazette* on 24 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 76).

5. Town of Cambridge Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Cambridge Waste Local Law 2016* published in the *Gazette* on 24 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled paper No. 112).

6. Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 25 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Health Act 1911*, be and is hereby disallowed. (Tabled paper No. 165).

7. Shire of Kulin Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Kulin Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 25 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Health Act 1911*, be and is hereby disallowed. (Tabled paper No. 165).

8. Shire of Gingin — Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Gingin — Waste Local Law 2016* published in the *Gazette* on 2 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled paper No. 113).

9. Shire of Narrogin — Public Places and Local Government Property Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Narrogin — Public Places and Local Government Property Local Law 2016* published in the *Gazette* on 6 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 75).

10. Shire of Lake Grace Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Lake Grace Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 20 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, *Health Act 1911* and the *Cat Act 2011*, be and is hereby disallowed. (Tabled paper No. 75).

11. City of Busselton Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Busselton Waste Local Law 2016* published in the *Gazette* on 3 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled paper No. 112).

12. Legal Profession (Law Library Fees) Rules 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Legal Profession (Law Library Fees) Rules 2017* published in the *Gazette* on 13 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Legal Profession Act 2008*, be and are hereby disallowed. (Tabled paper No. 104).

13. Shire of Narambeen Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Narambeen Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 25 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Health Act 1911* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 165).

14. Limited Partnerships Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Limited Partnerships Regulations 2017* published in the *Gazette* on 31 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Limited Partnerships Act 2016*, be and are hereby disallowed. (Tabled paper No. 140).

15. Shire of Kondinin Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Kondinin Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 10 February 2017 and tabled in the Legislative Council on 17 May 2017 under the *Health Act 1911* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 167).

16. Shire of Capel Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Capel Waste Local Law 2016* published in the *Gazette* on 13 February 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 114).

17. Shire of Murray Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Murray Waste Local Law 2016* published in the *Gazette* on 16 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

18. Shire of Chittering Waste Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Chittering Waste Local Law 2017* published in the *Gazette* on 23 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

19. Shire of Cunderdin Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Cunderdin Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 4 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Health Act 1911*, be and is hereby disallowed. (Tabled paper No. 165).

20. City of Gosnells Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Gosnells Waste Local Law 2016* published in the *Gazette* on 1 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 113).

21. Shire of Moora Dogs Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Moora Dogs Local Law 2016* published in the *Gazette* on 22 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Dog Act 1976* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 73).

22. Shire of Moora Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Moora Waste Local Law 2016* published in the *Gazette* on 22 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

23. Town of East Fremantle Waste Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of East Fremantle Waste Local Law 2017* published in the *Gazette* on 31 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

24. City of Joondalup Animals Amendment Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Martin Pritchard (Days remaining 17 after today (Indicative date — 2 November 2017))

That the *City of Joondalup Animals Amendment Local Law 2016* published in the *Gazette* on 10 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 76).

29. Joint Select Committee on End of Life Choices — Establishment (15 August 2017)

Consideration of Legislative Assembly Message No. 15 as follows –

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution –

- (1) That a Joint Select Committee of the Legislative Assembly and Legislative Council on End of Life Choices be established.
- (2) That the Committee inquire into and report on the need for laws in Western Australia to allow citizens to make informed decisions regarding their own end of life choices and, in particular, the Committee should –
 - (a) assess the practices currently being utilised within the medical community to assist a person to exercise their preferences for the way they want to manage their end of life when experiencing chronic and/or terminal illnesses, including the role of palliative care;
 - (b) review the current framework of legislation, proposed legislation and other relevant reports and materials in other Australian States and Territories and overseas jurisdictions;
 - (c) consider what type of legislative change may be required, including an examination of any federal laws that may impact such legislation; and
 - (d) examine the role of Advanced Health Directives, Enduring Power of Attorney and Enduring Power of Guardianship laws and the implications for individuals covered by these instruments in any proposed legislation.
- (3) That the Joint Select Committee consist of eight members, of whom –
 - (a) four will be members of the Assembly; and
 - (b) four will be members of the Council.

- (4) The Standing Orders of the Legislative Assembly relating to Standing and Select Committees will be followed as far as they can be applied.
- (5) That the Joint Select Committee report to both Houses no later than twelve months after the Committee has been established.

and requests the Legislative Council to agree to a similar resolution.

- 28.** [Child Support \(Adoption of Laws\) Amendment Bill 2017](#) [LA 14–1] *Leader of the House representing the Attorney General*

Second reading adjourned (Tuesday, 15 August 2017).

- 27.** *[First Home Owner Grant Amendment Bill 2017](#) [LA 16–1B] *Minister for Environment representing the Treasurer*

Second reading adjourned (Tuesday, 15 August 2017).

cf SNP 16 Issue 1 – 22 August 2017.

- 25.** [Local Government Amendment \(Auditing\) Bill 2017](#) [LA 3–1] *Leader of the House representing the Minister for Local Government*

Second reading adjourned (Tuesday, 15 August 2017).

- 26.** [Port Kennedy Development Bill 2017](#) [LA 17–1B] *Minister for Environment representing the Minister for Planning*

Second reading adjourned (Tuesday, 15 August 2017).

* For amendments see Supplementary Notice Paper and/or Committee Report

NIGEL PRATT

Clerk of the Legislative Council