

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 51

THURSDAY, 20 FEBRUARY 2014

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. Joint Standing Committee on the Corruption and Crime Commission and Joint Standing Committee on Delegated Legislation — Appointment of Members

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 46

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

“That the appointment by the Speaker on 11 February 2014 of the member for Albany to the Joint Standing Committee on the Corruption and Crime Commission to fill the vacancy caused by the member for Warnbro’s resignation is confirmed.

and

That the member for Warnbro be appointed to the Joint Standing Committee on Delegated Legislation to fill the vacancy caused by the resignation of the member for Albany.”

Hon M. Sutherland

Speaker

Legislative Assembly Chamber

Perth, 20 February 2014

3. Petitions

Hon Sue Ellery presented a petition from 88 petitioners requesting the Council to call on the State Government to revoke its decision that results in funding cuts occurring in public schools. (Tabled Paper 1222).

Hon Sue Ellery presented a petition from 6 petitioners requesting the Legislative Council to investigate the impact of staffing and funding cost cuts in public schools. (Tabled Paper 1223).

4. Ministerial Statement — Metropolitan Region Scheme Amendment 1222/41 – Perth-Darwin National Highway (Maralla Road Bullsbrook to Northern MRS Boundary Muchea)

The Minister for Mental Health representing the Minister for Planning made a Ministerial Statement with respect to Metropolitan Region Scheme Amendment 1222/41 – Perth-Darwin National Highway (Maralla Road Bullsbrook to Northern MRS Boundary Muchea).

The Minister for Mental Health representing the Minister for Planning tabled plans relating to the Metropolitan Region Scheme Amendment 1222/41 – Perth – Darwin National Highway (Maralla Road Bullsbrook to Northern MRS Boundary Muchea). (Tabled Paper 1224).

The Minister for Mental Health representing the Minister for Planning tabled a report on submissions relating to the Metropolitan Region Scheme Amendment 1222/41 – Perth-Darwin National Highway (Maralla Road Bullsbrook to Northern MRS Boundary Muchea). (Tabled Paper 1225).

5. Papers

The following Papers were laid on the Table by —

Leader of the House

By-laws -

Vocational Education and Training Act 1996 (Durack Institute of Technology By-laws 2013 G.G. 13/12/2013)..... 1200

Regulations -

Electricity Corporations Act 2005 (Electricity Corporations (Competition Laws Authorisation) Repeal Regulations 2013 G.G. 27/12/2013, Electricity Corporations (Consequential Amendments) Regulations 2013 G.G. 27/12/2013, Electricity Corporations (Transitional) Regulations 2013 G.G. 27/12/2013 and Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013 G.G. 27/12/2013)..... 1201

First Home Owner Grant Act 2000 (First Home Owner Grant Amendment Regulations (No. 2) 2013 G.G. 17/12/2013) 1202

Taxation Administration Act 2003 (Taxation Administration Amendment Regulations 2013 G.G. 17/12/2013)..... 1203

Vocational Education and Training Act 1996 (Vocational Education and Training (Colleges) Amendment Regulations 2013 G.G. 17/12/2013 and Vocational Education and Training (General) Amendment Regulations 2013 G.G. 17/12/2013)..... 1204

Minister for Mental Health

Local Laws -

Local Government Act 1995 (City of Cockburn (Local Government Act) Amendment No. 2 Local Law 2013 G.G. 20/12/2013, Shire of Augusta-Margaret River Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2013 G.G. 23/12/2013, Shire of Augusta-Margaret River Environment and Nuisance Local Law 2013 G.G. 23/12/2013, Shire of Augusta-Margaret River Local Government Property Local Law 2013 G.G. 23/12/2013, Shire of Augusta-Margaret River Parking and Parking Facilities Local Law 2013 G.G. 23/12/2013 and Shire of Manjimup Fencing Amendment Local Law 2013 G.G. 13/12/2013) 1205

Regulations -

Education and Care Services National Law (WA) Act 2012 (Education and Care Services National Amendment Regulations 2013 G.G. 13/12/2013) 1206

Legal Deposit Act 2012 (Legal Deposit Regulations 2013 G.G. 17/12/2013) 1207

Working with Children (Criminal Record Checking) Act 2004 (Working with Children (Criminal Record Checking) Amendment Regulations (No. 3) 2013 G.G. 31/12/2013)..... 1208

Attorney General

Annual Reports -

Board of the Australian Crime Commission (2012-2013) (Date received 19/02/2014) 1209

Regulations -

Building Services (Registration) Act 2011 (Building Services (Registration) Amendment Regulations (No. 4) 2013 G.G. 31/12/2013)..... 1210

Construction Industry Portable Paid Long Service Leave Act 1985 (Construction Industry Portable Paid Long Service Leave Amendment Regulations 2013 G.G. 27/12/2013)..... 1211

Rules -

District Court of Western Australia Act 1969 (District Court Amendment Rules (No. 2) 2013 G.G. 31/12/2013).....	1212
Magistrates Court (Civil Proceedings) Act 2004 (Magistrates Court (Civil Proceedings) Amendment Rules 2013 G.G. 31/12/2013 and Magistrates Court (Minor Cases Procedure) Amendment Rules 2013 G.G. 31/12/2013)	1213
Magistrates Court Act 2004 (Magistrates Court (General) Amendment Rules 2013 G.G. 31/12/2013).....	1214
Supreme Court Act 1935 (Supreme Court Amendment Rules (No. 3) 2013 G.G. 17/12/2013)	1215
<i>Schemes -</i>	
Professional Standards Act 1997 (Engineers Australia Northern Territory Professional Standards Scheme G.G. 16/12/2013).....	1216

Minister for Agriculture and Food*Management Plans -*

Fish Resources Management Act 1994 (Mackerel Managed Fishery Management Plan Amendment 2013 [1172] G.G. 13/12/2013).....	1217
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Orders -

Fish Resources Management Act 1994 (Prohibition on Commercial Fishing (Roebuck Bay) Order 2013 [1166] G.G. 17/12/2013)	1218
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Parliamentary Secretary to the Minister for Transport*Regulations -*

Road Traffic Act 1974 (Road Traffic Code Amendment Regulations (No. 2) 2013 G.G. 31/12/2013) ..	1219
Shipping and Pilotage Act 1967 (Navigable Waters Amendment Regulations (No. 4) 2013 G.G. 13/12/2013).....	1220
Transport Co-ordination Act 1966 (Country Taxi-cars (Fares and Charges) Amendment Regulations 2013 G.G. 13/12/2013).....	1221

6. Government Railways (Parking Stations) Amendment By-law 2013 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Government Railways (Parking Stations) Amendment By-law 2013* published in the *Gazette* on 5 November 2013 and tabled in the Legislative Council on 19 November 2013 under the *Government Railways Act 1904*, be and is hereby disallowed.

7. Public Transport Authority Amendment Regulations 2013 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Public Transport Authority Amendment Regulations 2013* published in the *Gazette* on 5 November 2013 and tabled in the Council on 19 November 2013 under the *Public Transport Authority Act 2003*, be and are hereby disallowed.

8. Asbestos Diseases Compensation Bill 2013

Non-Government Business No. 1 having been read for the adjourned debate on the second reading of this Bill.

Debate resumed.

Interruption pursuant to order.

9. Better Driving Habits

Private Members' Business No. 1 having been called, Hon Simon O'Brien moved, without notice —

That this House encourages the Government to make greater efforts to inculcate better driving habits in Western Australian motorists.

Debate ensued.

Motion lapsed.

10. Metropolitan Region Scheme Amendment 1225/41 — Upper Swan Urban Precinct — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 1, *Metropolitan Region Scheme Amendment 1225/41 — Upper Swan Urban Precinct — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Order of Business

Ordered — That Orders of the Day No. 2, *Environmental Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013 - Disallowance*, be taken after Order of the Day No. 12, *Sentencing Legislation Amendment Bill*. (Leader of the House).

12. Local Government Amendment Bill 2013

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

Debate resumed.

13. Questions Without Notice

Questions without notice were taken.

The Minister for Education tabled, and by leave incorporated into Hansard, contracts in relation to the construction of new transportable buildings, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 1226).

The Parliamentary Secretary representing the Minister for Transport tabled a prioritised list of highways and major roads at risk due to a possible rise in sea level caused by climate change as identified by Main Roads, in response to question on notice No. 639 asked by Hon Adele Farina. (Tabled Paper 1227).

14. Local Government Amendment Bill 2013

Debate resumed on the second reading of this Bill (*see item 12 above*).

Interruption pursuant to order.

15. Adjournment

The Council adjourned at 5.20pm until Tuesday, 25 February 2014 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Nigel Hallett and Hon Sally Talbot.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council