

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 125

THURSDAY, 23 APRIL 2015

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 Mark Lewis presented a petition from 518 petitioners requesting the Legislative Council to recommend the re-gazettal of Rowles Lagoon as a water ski area to allow the goldfields people an area to undertake water skiing whenever it has available water to ski safely. (Tabled Paper 2807).

3. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

SIHI: District Medical Workforce Investment Program (Report No. 4) (April 2015)..... 2805

Leader of the House

Notices —

Notice under section 82 of the Financial Management Act 2006, in respect to questions asked by the Legislative Council Standing Committee on Estimates and Financial Operations on 20 March 2015 2806

4. Standing Committee on Legislation — Report No. 27 — Inquiry into a Demise of the Crown Statute – Extension of Time

Hon Robyn McSweeney presented Report No. 27 of the Standing Committee on Legislation, *Inquiry into a Demise of the Crown Statute – Extension of Time*. (Tabled Paper 2808).

Hon Robyn McSweeney moved, without notice —

That the reporting date for the Standing Committee on Legislation's *Inquiry into a Demise of the Crown Statute* be extended from 14 May 2015 to 13 August 2015.

Debate ensued.

Question — put and passed.

5. City of Gosnells Cat Local Laws 2014 — 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 *City of Gosnells Cat Local Law 2014* published in the *Gazette* on 13 January 2015 and tabled in the Council on 24 February 2015 under the *Cat Act 2011*, be and is hereby disallowed.

6. City of Joondalup Local Government and Public Property Local Law 2014 — 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 *City of Joondalup Local Government and Public Property Local Law 2014* published in the *Gazette* on 14 January 2015 and tabled in the Council on 24 February 2015 under the *Local Government Act 1995*, be and is hereby disallowed.

7. Shire of Trayning Public Places and Local Government Property Local Law 2014 — 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 *Shire of Trayning Public Places and Local Government Property Local Law 2014* published in the *Gazette* on 12 February 2015 and tabled in the Council on 24 February 2015 under the *Local Government Act 1995*, be and is hereby disallowed.

8. ANZAC Day

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

That this House recognises the significance of the 100th Anniversary of the ANZAC landing at Gallipoli and supports —

- (a) the continued recognition of ANZAC Day as a solemn commemoration of the sacrifice of all service men and women;
- (b) the recognition of those returned service men and women who live with mental and physical health problems; and
- (c) the recognition of the sacrifice and suffering experienced by the families of service men and women serving overseas.

Debate ensued.

Motion lapsed.

9. National ANZAC Centre

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

That the House congratulate the Government, both State and Federal, for building the award winning National ANZAC Centre in Albany which is dedicated to honouring the ANZACs of the First World War and pay tribute to our ANZACs in this 100 year centenary of the First World War.

Debate ensued.

Motion lapsed.

10. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Kellerberrin Cemeteries Local Law 2014 — Disallowance*, 2, *Shire of Kellerberrin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2014 — Disallowance*, 3, *Shire of Kellerberrin Local Government (Council Meetings) Local Law 2014 — Disallowance*, 4, *Shire of Kellerberrin Fencing Local Law 2014 — Disallowance*, and 5, *Regulations 28 to 38 of the Public Sector Management (Redeployment and Redundancy) Regulations 2014 — Disallowance*, be taken after Order of the Day No. 13, *Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015*. (Leader of the House).

11. Magistrates Court (Civil Proceedings) Amendment Rules 2014 — 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. 6, *Magistrates Court (Civil Proceedings) Amendment Rules 2014 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

12. Shire of Dalwallinu General Amendment Local Law 2014 — 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. 7, *Shire of Dalwallinu General Amendment Local Law 2014 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

13. Shire of Serpentine Jarrahdale Parking and Parking Facilities Local Law 2014 — 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. 8, *Shire of Serpentine Jarrahdale Parking and Parking Facilities Local Law 2014 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

14. Shire of Dalwallinu Dogs Local Law 2014 — 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. 9, *Shire of Dalwallinu Dogs Local Law 2014 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

15. Barrow Island Amendment Bill 2015

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

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Liz Behjat in the Chair)

Clause 1.

Debate ensued.

The Leader of the House representing the Minister for State Development tabled a document regarding the growth of CO₂ plume over time. (Tabled Paper 2809).

Debate resumed.

The Leader of the House representing the Minister for State Development moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

The Acting President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

16. Questions Without Notice

Questions without notice were taken.

The Leader of the House on behalf of the Minister for Mental Health representing the Minister for Environment tabled, and by leave incorporated into *Hansard*, documents in relation to issues affecting the habitat and population of little penguins at Garden Island and Penguin Island, in response to a question without notice asked by Hon Lynn MacLaren. (Tabled Paper 2810).

The Minister for Education tabled, and by leave incorporated into *Hansard*, documents in relation to the number of education assistants recruited between 25 April 2014 and 22 April 2015, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2811).

17. Taxation Legislation Amendment Bill 2015

The President reported the receipt of Message No. 103 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister for Finance moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Minister for Finance moved, That the Bill be read a second time.

The Leader of the House representing the Minister for Finance tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2812).

Debate stands adjourned.

18. Order of Business

Ordered — That Members' Statements, be taken forthwith. (Leader of the House).

19. Members' Statements

Statements were taken.

20. Adjournment

The Council adjourned at 5.34pm until Tuesday, 5 May 2015 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Paul Brown, Hon Helen Morton, Hon Sally Talbot and Hon Darren West.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council