

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 116

THURSDAY, 12 MARCH 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. Paper

The following Paper was laid on the Table by —

Parliamentary Secretary representing the Minister for Health

Notice —

Financial Management Act 2006 — Section 82 — Notice from the Minister for
Tourism in respect to Legislative Council Question without Notice No. 114 2627

3. Joint Standing Committee on Delegated Legislation — Report No. 80 — Shire of Kellerberrin: Cemeteries Local Law 2014; Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2014; Local Government (Council Meetings) Local Law 2014; and Fencing Local Law 2014

Hon Robin Chapple presented Report No. 80 of the Joint Standing Committee on Delegated Legislation, *Shire of Kellerberrin: Cemeteries Local Law 2014; Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2014; Local Government (Council Meetings) Local Law 2014; and Fencing Local Law 2014*. (Tabled Paper 2628).

4. Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 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 *Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 2014* published in the *Gazette* on 8 January 2015 and tabled in the Legislative Council on 19 February 2015 under the *Magistrates Court (Civil Proceedings) Act 2004*, be and are hereby disallowed. (Tabled Paper 2527).

5. Magistrates Court (General) Amendment Rules (No. 3) 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 *Magistrates Court (General) Amendment Rules (No. 3) 2014* published in the *Gazette* on 8 January 2015 and tabled in the Legislative Council on 19 February 2015 under the *Magistrates Court Act 2004*, be and are hereby disallowed. (Tabled Paper 2528).

6. Partial Revocation of State Forest No. 16

The Leader of the House moved, without notice —

That Motion No. 46, *Partial Revocation of State Forest No. 16*, be made an Order of the Day for the next day's sitting.

Question — put and passed.

7. Regional Roads — Fatality Rates

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

That the Legislative Council acknowledge the extraordinarily high fatality rate on Western Australian regional roads, particularly in the Wheatbelt, and calls on the Government to —

- (a) implement better strategies to reduce deaths and serious injuries; and
- (b) provide adequate funding to improve and maintain dangerous roads in order to make them safer.

Debate ensued.

Motion lapsed.

8. Trading Hours Reform

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

That the Legislative Council recognises the significant reforms to trading hours this Government has implemented to date, and consider greater flexibility in opening hours for Sunday trading.

Debate ensued.

Motion lapsed.

9. Order of Business

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

10. Electricity Corporations Amendment Bill 2015

The Leader of the House representing the Minister for Energy, pursuant to notice, moved —

That a Bill for “An Act to amend the *Electricity Corporations Act 2005*.” be introduced and read a first time.

Question — put and passed.

Bill read a first time.

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

The Leader of the House representing the Minister for Energy tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2629).

Debate stands adjourned.

11. Order of Business

Ordered — That Orders of the Day Nos 1, *School Education Amendment Regulations 2014 — Disallowance*, 2, *Shire of Kellerberrin Cemeteries Local Law 2014 — Disallowance*, 3, *Shire of Kellerberrin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2014 — Disallowance*, 4, *Shire of Kellerberrin Local Government (Council Meetings) Local Law 2014 — Disallowance*, 5, *Shire of Kellerberrin Fencing Local Law 2014 — Disallowance*, and 6, *Regulations 28 to 38 of the Public Sector Management (Redeployment and Redundancy) Regulations 2014 — Disallowance*, be taken after Order of the Day No. 10, *Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015*. (Leader of the House).

12. Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015

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

Hon Lynn MacLaren, by leave, tabled a letter from the Dean of Law and the Director of Clinical Programs at Murdoch University, in relation to the *Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015*. (Tabled Paper 2630).

Debate resumed.

13. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Premier tabled, and by leave incorporated into *Hansard*, a table in relation to Department of Health remuneration details, in response to a question without notice asked by Hon Amber-Jade Sanderson. (Tabled Paper 2631).

The Parliamentary Secretary representing the Minister for Health tabled, and by leave incorporated into *Hansard*, a table in relation to daily ambulance ramping hours at metropolitan hospitals from 5 to 10 January 2015, in response to a question without notice asked by Hon Alanna Clohesy. (Tabled Paper 2632).

The Leader of the House representing the Premier, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 2279 asked by Hon Sue Ellery will be provided on 21 April 2015.

14. Message from Her Excellency the Governor — Assent to Bills

The President reported the receipt of a Message from Her Excellency the Governor assenting to the following Bills —

9 March 2015 — Message No. 13	Act No.
Swan and Canning Rivers Management Amendment Bill 2014	6 of 2015
Perth Theatre Trust Amendment Bill 2014	7 of 2015
Taxation Legislation Amendment Bill 2014	8 of 2015

15. Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015

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

Interruption pursuant to order.

16. Adjournment

The Council adjourned at 5.20pm until Tuesday, 17 March 2015 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge and Hon Colin Holt.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council