

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 158**

**THURSDAY, 22 OCTOBER 2015**

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**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. Ministerial Statement — Fight the Bite Campaign**

The Parliamentary Secretary representing the Minister for Health made a Ministerial Statement with respect to the Fight the Bite Campaign to control mosquitoes and reduce the incidence of mosquito-borne disease.

**3. Papers**

The following Papers were laid on the Table by —

**Leader of the House**

*Reports* —

Consultants Engaged by Government (for the six months ended 31 December 2014)..... 3550

Overseas Air Travel undertaken by Ministers, Parliamentary Secretaries and  
Government Officers on Official Business (for the three months ended 31  
March 2015) ..... 3551

**Attorney General**

*Annual Reports* —

Criminal Injuries Compensation, Office of the (2014-2015) (Date received 21/10/2015) ..... 3552

**4. Joint Standing Committee on the Commissioner for Children and Young People — Report No. 5 — 2014-2015 Annual Report**

Hon Robyn McSweeney presented Report No. 5 of the Joint Standing Committee on the Commissioner for Children and Young People, *2014–2015 Annual Report*. (Tabled Paper 3553).

**5. Planning and Development Amendment Regulations 2015 — Disallowance**

Hon Lynn MacLaren: To move on the next day of sitting —

That the *Planning and Development Amendment Regulations 2015* published in the *Gazette* on 25 August 2015 and tabled in the Legislative Council on 8 September 2015 under the *Planning and Development Act 2005*, be and are hereby disallowed.

**6. Poverty in Western Australia**

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

That in recognition of Anti-Poverty Week 2015, the Parliament commends the work of all the Western Australian groups, schools and organisations who actively participated in the week's

activities and calls on the Government to acknowledge that poverty and severe hardship affect the lives of too many Western Australians.

Debate ensued.

Hon Sally Talbot, by leave, tabled a document relating to the “Couches for Poverty” initiative as part of Anti-Poverty Week 2015. (Tabled Paper 3554).

Debate resumed.

*Motion lapsed.*

## **7. Regional Aviation Services in Western Australia**

Private Members’ Business No. 1 having been called, Hon Jacqui Boydell moved, without notice —

That this House recognises the importance of regular public transport air routes to regional Western Australia and discuss the implications of regulation and deregulation on regional aviation services.

Debate ensued.

*Motion lapsed.*

## **8. Order of Business**

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

## **9. School Boarding Facilities Legislation Amendment and Repeal Bill 2015**

The Minister for Education, pursuant to notice, moved —

That a Bill for “An Act to —

- amend the *School Education Act 1999* to make provision for student residential colleges; and
  - repeal the *Country High School Hostels Authority Act 1960* and regulations made under that Act; and
  - make consequential amendments to various other Acts,
- and for related purposes.” be introduced and read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Education moved, That the Bill be read a second time.

The Minister for Education tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3555).

Debate stands adjourned.

## **10. Child Support (Adoption of Laws) Amendment Bill 2015**

The Attorney General, pursuant to notice, moved —

That a Bill for “An Act to amend the *Child Support (Adoption of Laws) Act 1990*.” be introduced and read a first time.

Question — put and passed.

Bill read a first time.

The Attorney General moved, That the Bill be read a second time.

The Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3556).

Debate stands adjourned.

## **11. Order of Business**

Ordered — That Orders of the Day Nos No. 1, *Shire of Ravensthorpe Fencing Local Law 2015 — Disallowance*, and 2, *City of Mandurah Fencing Local Law 2015 — Disallowance*, be taken after Order of the Day No. 7, *Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015*. (Leader of the House).

**12. Shire of Halls Creek Standing Orders Local Law 2015 — 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. 3, *Shire of Halls Creek Standing Orders Local Law 2015 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

**13. Cement Works (Cockburn Cement Limited) Agreement 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.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Leader of the House representing the Minister for State Development moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

**14. Standing Committee on Estimates and Financial Operations — Report No. 55 — 2014-15 Annual Report Hearings — Timetable**

Hon Ken Travers presented Report No. 55 of the Standing Committee on Estimates and Financial Operations, *2014-15 Annual Report Hearings — Timetable*. (Tabled Paper 3557).

**15. Standing Committee on Legislation — Report No. 29 — Bell Group Companies (Finalisation of Matters and Distribution of Proceeds) Bill 2015 — Extension of Time**

Hon Robyn McSweeney presented Report No. 29 of the Standing Committee on Legislation, *Bell Group Companies (Finalisation of Matters and Distribution of Proceeds) Bill 2015 – Extension of Time*. (Tabled Paper 3558).

Hon Robyn McSweeney moved, without notice —

That the reporting date for the Standing Committee's inquiry into the *Bell Group Companies (Finalisation of Matters and Distribution of Proceeds) Bill 2015* be extended from 10 November to 12 November 2015.

Debate stands adjourned pursuant to order.

**16. Terrorism (Extraordinary Powers) Amendment Bill 2015**

The Acting President reported the receipt of Message No. 126 from the Legislative Assembly forwarding the Bill for concurrence.

The Attorney General representing the Minister for Police moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Attorney General representing the Minister for Police moved, That the Bill be read a second time.

The Attorney General representing the Minister for Police tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3559).

Debate stands adjourned.

**17. Railway (Forrestfield-Airport Link) Bill 2015**

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

Debate resumed.

On the motion of the Leader of the House the debate was adjourned to a later stage of this day's sitting.

Question — put and passed.

### **18. Order of Business**

Ordered — That the Order of the Day in relation to the Standing Committee on Legislation's Report 29, *Bell Group Companies (Finalisation of Matters and Distribution of Proceeds) Bill 2015 — Extension of Time*, be taken forthwith. (Leader of the House).

### **19. Standing Committee on Legislation — Report No. 29 — Bell Group Companies (Finalisation of Matters and Distribution of Proceeds) Bill 2015 — Extension of Time**

The Order of the Day having been read for the adjourned debate on the motion of Hon Robyn McSweeney that the report be adopted.

Debate ensued.

Question — put and passed.

### **20. Order of Business**

Ordered — That Order of the Day No. 12, *Railway (Forrestfield-Airport Link) Bill 2015*, be taken forthwith. (Leader of the House).

### **21. Railway (Forrestfield-Airport Link) Bill 2015**

Debate resumed on the second reading of this Bill (*see item 17 above*).

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

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### **In Committee**

(Hon Liz Behjat in the Chair)

The Deputy Chair of Committees made the following statement —

We are dealing with the *Railway (Forrestfield–Airport Link) Bill 2015*. Before I launch into clause 1, I just want to take this opportunity to say to Members with regard to this part of the debate in particular on this bill that during the second reading phase a lot of leniency was shown by various people in the Chair to the issues that were canvassed as part of the policy surrounding this bill and general transport policy issues. That was allowed, quite rightly and properly. I draw your attention to the first procedural note relating to the clause 1 debate. It states —

A Member of the Legislative Council speaking to Clause 1 of a Bill may make points that are pertinent to various other clauses of a Bill so long as the remarks do not effectively amount to a Second Reading debate speech. Members may foreshadow amendments and indicate, consistent with the policy of the Bill, how the Bill's formal content may be improved. Debate on Clause 1 should not be used to challenge the policy of the Bill nor to repeat matters raised by the Member in their Second Reading debate speech.

The policy of this bill is now settled.

Clause 1.

Debate ensued.

### **22. Questions Without Notice**

Questions without notice were taken.

**23. Messages from Her Excellency the Governor — Assent to Bills**

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

<b>19 October 2015 — Message No. 41</b>	<b>Act No.</b>
Conservation and Land Management Amendment Bill 2015	28 of 2015
<b>21 October 2015 — Message No. 42</b>	<b>Act No.</b>
Misuse of Drugs Amendment (Psychoactive Substances) Bill 2015	29 of 2015

**24. Railway (Forrestfield-Airport Link) Bill 2015**

Resumption of consideration of this Bill in Committee of the Whole House (*see item 21 above*).

The President left the Chair.

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**In Committee**

(Hon Liz Behjat in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clauses 2 to 8 agreed to.

Title agreed to.

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The President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Parliamentary Secretary representing the Minister for Transport moved, That the Bill be read a third time.

The President announced that the Deputy Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put and passed.

Bill read a third time and passed.

**25. Order of Business**

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

**26. Members' Statements**

Statements were taken.

**27. Adjournment**

The Council adjourned at 5.50pm until Tuesday, 17 November 2015 at 2.00pm.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Amber-Jade Sanderson (*leave of absence*).

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON BARRY HOUSE**  
President of the Legislative Council