

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 29

TUESDAY, 15 OCTOBER 2013

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### 1. Meeting of Council

The Council assembled at 3.00pm pursuant to order.

The President, Hon Barry House, took the Chair and read prayers.

### 2. Statement by President — Usher of the Black Rod

The President made the following Statement —

I am pleased to advise that Dr Paul Lobban commenced yesterday as the Usher of the Black Rod of the Legislative Council. Prior to this appointment, Paul has been employed by the House of Assembly in South Australia since 2001 and brings that significant parliamentary experience to the role of Usher. On behalf of all Members, I welcome and congratulate Paul on his appointment, and I wish him every success in his new position.

### 3. Messages from His Excellency the Governor — Assent to Bills

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

<b>24 September 2013 — Message No. 14</b>	<b>Act No.</b>
Revenue Laws Amendment Bill 2013	10 of 2013
<b>4 October 2013 — Message No. 15</b>	<b>Act No.</b>
Fair Trading Amendment Bill 2013	11 of 2013
Criminal Code Amendment Bill (No. 2) 2013	12 of 2013
Family Court Amendment (Family Violence and Other Measures) Bill 2013	13 of 2013
Restraining Orders Amendment Bill 2013	14 of 2013

### 4. Fair Trading Amendment Bill 2013

The following Message from the Legislative Assembly was reported —

Mr President	Message No. 27
The Legislative Assembly acquaints the Legislative Council that it has agreed to the <i>Fair Trading Amendment Bill 2013</i> without amendment.	
Hon M.W. Sutherland	
Speaker	
Legislative Assembly Chamber	
Perth, 24 September 2013	

## 5. Criminal Code Amendment Bill (No. 2) 2013

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 28

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Criminal Code Amendment Bill (No. 2) 2013* without amendment.

Ms W.M. Duncan

Deputy Speaker

Legislative Assembly Chamber

Perth, 25 September 2013

## 6. Partial Revocation of State Forest Nos 7, 14, 20 and 56

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 29

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

That the proposal of the partial revocation of State Forest Nos 7, 14, 20 and 56, laid on the Table of the Legislative Assembly on Tuesday, 24 September 2013, by command of His Excellency the Governor be carried out.

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

Mr I.C. Blayney

Acting Speaker

Legislative Assembly Chamber

Perth, 26 September 2013

The Leader of the House moved, without notice —

That in response to Legislative Assembly Message No. 29, the proposal for the Partial Revocation of State Forest Nos 7, 14, 20 and 56, laid on the Table of the Legislative Council on Tuesday, 15 October 2013, by command of His Excellency be carried out.

On the motion of Hon Phil Edman the debate was adjourned to the next sitting.

## 7. Family Court Amendment (Family Violence and Other Measures) Bill 2013

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 30

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Family Court Amendment (Family Violence and Other Measures) Bill 2013* without amendment.

Mr I.C. Blayney

Acting Speaker

Legislative Assembly Chamber

Perth, 26 September 2013

## 8. Restraining Orders Amendment Bill 2013

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 31

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Restraining Orders Amendment Bill 2013* without amendment.

Mr I.C. Blayney

Acting Speaker

Legislative Assembly Chamber

Perth, 26 September 2013

## 9. Petitions

Hon Stephen Dawson presented a petition from 2,115 petitioners requesting the Legislative Council to oppose plans to introduce a \$4,000 fee for dependent children of 457 visas holders to attend public schools. (Tabled Paper 843).

Hon Darren West presented a petition from 174 petitioners requesting the Legislative Council to oppose specific dog breed restrictions and bans under the *Dog Act 1976* (WA). (Tabled Paper 844).

## 10. Ministerial Statement — Metropolitan Region Scheme Amendment No. 1225/41 — Upper Swan Urban Precinct

The Minister for Mental Health representing the Minister for Planning made a Ministerial Statement with respect to Metropolitan Region Scheme Amendment No. 1225/41 — Upper Swan Urban Precinct.

The Minister for Mental Health representing the Minister for Planning tabled plans relating to Metropolitan Region Scheme Amendment No. 1225/41 — Upper Swan Urban Precinct. (Tabled Paper 845).

The Minister for Mental Health representing the Minister for Planning tabled a report on submissions and transcripts of hearings relating to Metropolitan Region Scheme Amendment No. 1225/41 — Upper Swan Urban Precinct. (Tabled Paper 846).

## 11. Papers

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## **12. Jetties Amendment Regulations (No. 2) 2013 — Disallowance**

Hon Ljiljanna Ravlich: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Jetties Amendment Regulations (No. 2) 2013* published in the *Gazette* on 28 June 2013 and tabled in the Legislative Council on 7 August 2013 under the *Jetties Act 1926*, be and are hereby disallowed. (Tabled Paper 479)

## **13. Order of Business**

Ordered — That Orders of the Day Nos 1, *Proposal No. 1/2013, Excision of land from Class A Reserve 33581 for the upgrade of Gilmore Avenue, Leda to a dual carriageway in the City of Kwinana — Disallowance*, 2, *City of Fremantle Plastic Bag Reduction Local Law 2012 — Disallowance*, 3, *Legal Profession Conduct Amendment Rules 2013 — Disallowance*, 4, *Town of Victoria Park Parking and Parking Facilities Amendment Local Law 2013 — Disallowance*, 5, *Supreme Court Amendment Rules 2013 — Disallowance*, 6, *Firearms Amendment Regulations 2013 — Disallowance*, and 7, *Fire Brigades Amendment Regulations 2013 — Disallowance*, be taken after Order of the Day No. 10, *Criminal Investigation (Identifying People) Amendment Bill 2013*. (Leader of the House).

## **14. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2013–2014**

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Mental Health representing the Treasurer as follows —

That pursuant to Standing Order 68(1) the Legislative Council take note of Tabled Paper 506A–E (2013–2014 Budget Statements), laid upon the Table of the House on Thursday, 8 August 2013.

Debate resumed.

Question — put and passed.

## **15. Land Tax Amendment Bill 2013**

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 Finance moved, That the Bill be read a third time.

Debate ensued.

Question — put and passed.

Bill read a third time and passed.

**16. Cognate Debate — Appropriation (Consolidated Account) Recurrent 2013–14 Bill 2013 and Appropriation (Consolidated Account) Capital 2013–14 Bill 2013**

The Minister for Mental Health representing the Treasurer sought leave of the House to debate Order of the Day No. 13, *Appropriation (Consolidated Account) Recurrent 2013–14 Bill 2013* and Order of the Day No. 14, *Appropriation (Consolidated Account) Capital 2013–14 Bill 2013* cognately [SO 127].

Leave granted.

**17. Appropriation (Consolidated Account) Recurrent 2013–14 Bill 2013 and Appropriation (Consolidated Account) Capital 2013–14 Bill 2013**

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills. Debate resumed.

**18. Distinguished Visitors**

The President drew attention to the presence in the gallery of Hon Rosemary Armitage from the Legislative Council of Tasmania and, on behalf of Honourable Members, extended a warm welcome to her.

**19. Questions Without Notice**

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Local Government, by leave, incorporated into Hansard documents in relation to statistics of Pit Bull Terrier dog attacks in New South Wales, in response to a question without notice asked by Hon Lynn MacLaren.

The Minister for Mental Health representing the Minister for Environment tabled documents in relation to Western Ringtail Possums, in response to question on notice No. 269 asked by Hon Lynn MacLaren. (Tabled Paper 848).

The Minister for Mental Health representing the Minister for Environment tabled documents in relation to the translocation of Western Ringtail Possums, in response to question on notice No. 271 asked by Hon Lynn MacLaren. (Tabled Paper 849).

The Parliamentary Secretary representing the Minister for Training and Workforce Development tabled documents in relation to apprentices and trainees in the East Metropolitan Region as at 31 March 2013, in response to question on notice No. 288 asked by Hon Alanna Clohesy. (Tabled Paper 850).

The Parliamentary Secretary representing the Minister for Training and Workforce Development tabled documents in relation to training numbers of apprentices and trainees in the East Metropolitan Region for the three months ended 31 March 2013, in response to question on notice No. 289 asked by Hon Alanna Clohesy. (Tabled Paper 851).

**20. Appropriation (Consolidated Account) Recurrent 2013–14 Bill 2013 and Appropriation (Consolidated Account) Capital 2013–14 Bill 2013**

Cognate debate resumed on the second reading of these Bills (*see item 17 above*).

*Interruption pursuant to order.*

**21. Members' Statements**

Statements were taken.

**22. Adjournment**

The Council adjourned at 10.04pm until Wednesday, 16 October 2013 at 2.00pm.

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

Attendance: Present all Members except Hon Jacqui Boydell.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

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