

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 84

THURSDAY, 21 AUGUST 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 — Report No. 16 — Corruption and Crime Commission voluntary interviews with WA police officers

Hon Nick Goiran presented Report No. 16 of the Joint Standing Committee on the Corruption and Crime Commission, *Corruption and Crime Commission voluntary interviews with WA police officers*. (Tabled Paper 1798).

3. Joint Standing Committee on Delegated Legislation — Report No. 72 — Shire of Shark Bay Local Government Property Amendment Local Law 2014

Hon Robin Chapple presented Report No. 72 of the Joint Standing Committee on Delegated Legislation, *Shire of Shark Bay Local Government Property Amendment Local Law 2014*. (Tabled Paper 1799).

4. Private Property Proprietorship

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

That this House —

- (a) acknowledges the inherent rights of private property proprietorship of land in fee simple and the essential integrity of the Torrens Title System; and
- (b) calls on the Government to immediately repeal section 6 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, which deals with environmentally sensitive areas, and that the recognised convention of consultation, compensation and registration be used to acquire a public benefit from privately owned land.

Debate ensued.

Motion lapsed.

5. Surrogacy

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

That this House discuss surrogacy and the legal and ethical issues surrounding legislation.

Debate ensued.

Motion lapsed.

6. Order of Business

Ordered — That Orders of the Day Nos 1, *Regulation 11(3)(o) as inserted into the Retirement Villages Regulations 1992 by Regulation 6 of the Retirement Villages (Recurrent Charges, Prescribed Matters and Exemption Certificates) Amendment Regulations 2014 — Disallowance*, 2, *Shire of Shark Bay Local Government Property Amendment Local Law 2014 — Disallowance*, 3, *Firearms Amendment Regulations 2014 — Disallowance*, and 4, *Shire of Ashburton Fencing Local Law 2014 — Disallowance*, be taken after Order of the Day No. 11, *Mental Health Legislation Amendment Bill 2013*. (Leader of the House).

7. Partial Revocation of State Forest Nos 6, 22, 23, 28, 32, 33 and 65

The Minister for Mental Health representing the Minister for Environment, pursuant to notice, moved —

That the proposal for the partial revocation of State Forest Nos 6, 22, 23, 28, 32, 33 and 65 laid on the table of the Legislative Council on Wednesday, 13 August 2014 be carried out.

Debate ensued.

Question — put and passed.

8. Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry 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 Minister for Mental Health representing the Treasurer moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

9. Custodial Legislation (Officers Discipline) Amendment Bill 2013

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

Debate resumed.

Hon Ken Travers moved, without notice —

That the *Custodial Legislation (Officers Discipline) Amendment Bill 2013* be discharged and referred to the Standing Committee on Legislation for consideration and report not later than 21 October 2014.

On the motion of the Leader of the House the debate was adjourned to the next sitting.

10. Cognate Debate — Mental Health Bill 2013 and Mental Health Legislation Amendment Bill 2013

The Minister for Mental Health sought leave of the Council to debate Order of the Day No. 10, *Mental Health Bill 2013*, and Order of the Day No. 11, *Mental Health Legislation Amendment Bill 2013*, cognately [SO 127].

Leave granted.

11. Mental Health Bill 2013 and Mental Health Legislation Amendment Bill 2013

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

Debate resumed.

12. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Energy by leave incorporated into Hansard documents in relation to the Pilbara Underground Power Project, Horizon Power and Traditional Owners, in response to a question without notice asked by Hon Robin Chapple.

The Parliamentary Secretary representing the Minister for Health on behalf of the Parliamentary Secretary representing the Minister for Lands tabled, and by leave incorporated into Hansard, documents in relation to projects by LandCorp in Port Hedland and Karratha for the years 2009 to 2014, in response to a question without notice asked by Hon Stephen Dawson. (Tabled Paper 1800).

The Minister for Education tabled, and by leave incorporated into Hansard, documents in relation to the breakdown of costs for each staff category and sector (primary and secondary) of teachers in rural and remote schools, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 1801).

13. Mental Health Bill 2013 and Mental Health Legislation Amendment Bill 2013

Cognate debate resumed on the second reading of these Bills (*see item 11 above*).

Hon Sally Talbot sought leave to continue her remarks at the next sitting.

Leave granted.

On the motion of Leader of the House the debate was adjourned to the next sitting.

14. Taxation Legislation Amendment Bill 2014

The President reported the receipt of Message No. 71 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 1802).

Debate stands adjourned.

15. Adjournment

The Council adjourned at 5.17pm until Tuesday, 9 September 2014 at 3.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jacqui Boydell, Hon Brian Ellis, Hon Michael Mischin, Hon Amber-Jade Sanderson and Hon Adele Farina (leave of absence).

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council