

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 52**

**TUESDAY, 25 FEBRUARY 2014**

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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 — Legislative Council Chamber — Air Conditioning**

The President made the following Statement —

Members may notice that it is quite warm in the Chamber today. There has been a glitch with the air conditioning but I am assured that it has been fixed. It is now actually operating at full pace but it will take a while to cool the Chamber down.

**3. Papers**

The following Papers were laid on the Table by —

**Leader of the House**

*Regulations* —

Teacher Registration Act 2012 (Teacher Registration (General) Amendment Regulations 2014  
G.G. 28/01/2014)..... 1228

*Statutes* —

University of Western Australia Act 1911 (University of Western Australia - Amending Statute  
No. 1 of 2013 G.G. 7/02/2014) ..... 1229

**Minister for Mental Health**

*Local Laws* —

Cemeteries Act 1986 (Shire of Broome Cemeteries Amendment Local Law 2013 G.G. 14/01/2014) .... 1230

Cemeteries Act 1986 (Shire of Mundaring Cemeteries Amendment Local Law 2013  
G.G. 18/02/2014)..... 1231

Dog Act 1976 (City of Fremantle Dog (Exercise Areas) Amendment Local Law 2013  
G.G. 17/01/2014 and Shire of Shark Bay Dog Local Law 2013 G.G. 30/01/2014) ..... 1232

Local Government Act 1995 (City of Busselton Keeping and Control of Cats Local Law 2014  
G.G. 10/02/2014, Shire of Dardanup Repeal Local Law 2013 G.G. 10/01/2014, Shire of  
Donnybrook-Balingup Outdoor Eating Areas Local Law 2013 G.G. 24/01/2014, Shire of  
Laverton Fencing Local Law 2013 G.G. 21/01/2014, Shire of Menzies Activities in  
Thoroughfares and Public Places Amendment Local Law 2013 G.G. 21/01/2014, Shire of  
Shark Bay Repeal and Amendment Local Law 2013 G.G. 30/01/2014, Town of Bassendean  
Fencing Local Law 2013 G.G. 5/02/2014 and Town of Port Hedland Repeal Local Law 2014  
G.G. 14/02/2014)..... 1233

Local Government Act 1995 (Shire of Mundaring Extractive Industries Amendment Local Law  
2013 G.G. 18/02/2014 and Shire of Mundaring Local Government Property Amendment Local  
Law 2013 G.G. 18/02/2014)..... 1234

**Attorney General***Annual Reports* —

Director of Public Prosecutions, Office of the (2012-2013) (Date received 24/02/2014)..... 1235

*Regulations* —

Occupational Safety and Health Act 1984 (Occupational Safety and Health Amendment Regulations (No. 4) 2013 G.G. 21/01/2014)..... 1236

State Administrative Tribunal Act 2004 (State Administrative Tribunal Amendment Regulations (No. 2) 2013 G.G. 14/01/2014) ..... 1237

Workers' Compensation and Injury Management (Acts of Terrorism) Act 2001 (Workers' Compensation and Injury Management (Acts of Terrorism) (Final Day) Amendment Regulations 2013 G.G. 17/01/2014) ..... 1238

*Rules* —

State Administrative Tribunal Act 2004 (State Administrative Tribunal Amendment Rules (No. 2) 2013 G.G. 28/01/2014) ..... 1239

*Schemes* —

Professional Standards Act 1997 (CPA Australia Limited Professional Standards Scheme G.G. 31/01/2014)..... 1240

**Parliamentary Secretary representing the Minister for Transport***Regulations* —

Jetties Act 1926 (Jetties Amendment Regulations 2014 G.G. 7/02/2014) ..... 1241

Road Traffic Act 1974 (Road Traffic (Breath Analysis) Amendment Regulations 2014 G.G. 28/01/2014)..... 1242

**Parliamentary Secretary representing the Minister for Health***Regulations* —

Hospitals and Health Services Act 1927 (Hospitals (Services Charges) Amendment Regulations 2014 G.G. 28/01/2014) ..... 1243

Rottneest Island Authority Act 1987 (Rottneest Island Amendment Regulations 2013 G.G. 24/01/2014)..... 1244

**4. Standing Committee on Legislation — Report No. 21 — Workforce Reform Bill 2013 — Extension of Time**

Hon Robyn McSweeney presented Report No. 21 of the Standing Committee on Legislation, *Workforce Reform Bill 2013 — Extension of Time*. (Tabled Paper 1245).

Hon Robyn McSweeney moved, without notice —

That the reporting date for the Standing Committee on Legislation inquiry into the *Workforce Reform Bill 2013* be extended from 25 February 2014 to 10 March 2014.

Debate ensued.

Question — put and passed.

**5. Children's Court (Fees) Amendment Regulations 2013 — 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 *Children's Court (Fees) Amendment Regulations 2013* published in the *Gazette* on 15 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *Children's Court of Western Australia Act 1988*, be and are hereby disallowed. (Tabled Paper 995).

**6. Civil Judgments Enforcement Amendment Regulations 2013 — 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 *Civil Judgments Enforcement Amendment Regulations 2013* published in the *Gazette* on 15 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *Civil Judgments Enforcement Act 2004*, be and are hereby disallowed. (Tabled Paper 996).

**7. Coroners Amendment Regulations 2013 — 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 *Coroners Amendment Regulations 2013* published in the *Gazette* on 15 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *Coroners Act 1996*, be and are hereby disallowed. (Tabled Paper 997).

**8. District Court (Fees) Amendment Regulations (No. 2) 2013 — 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 *District Court (Fees) Amendment Regulations (No. 2) 2013* published in the *Gazette* on 15 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *District Court of Western Australia Act 1969*, be and are hereby disallowed. (Tabled Paper 998).

**9. Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2013 — 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 *Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2013* published in the *Gazette* on 15 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *Evidence Act 1906*, be and are hereby disallowed. (Tabled Paper 999).

**10. Magistrates Court (Fees) Amendment Regulations (No. 2) 2013 — 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 (Fees) Amendment Regulations (No. 2) 2013* published in the *Gazette* on 15 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *Magistrates Court Act 2004*, be and are hereby disallowed. (Tabled Paper 1001).

**11. State Administrative Tribunal Amendment Regulations (No. 4) 2013 — 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 *State Administrative Tribunal Amendment Regulations (No. 4) 2013* published in the *Gazette* on 15 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *State Administrative Tribunal Act 2004*, be and are hereby disallowed. (Tabled Paper 1005).

**12. Supreme Court (Fees) Amendment Regulations (No. 2) 2013 — 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 *Supreme Court (Fees) Amendment Regulations (No. 2) 2013* published in the *Gazette* on 15 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *Supreme Court Act 1935*, be and are hereby disallowed. (Tabled Paper 1006).

**13. Water Services (Water Corporations Charges) Regulations 2013 — 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 *Water Services (Water Corporations Charges) Regulations 2013* published in the *Gazette* on 14 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *Water Services Act 2012*, be and are hereby disallowed. (Tabled Paper 1020).

**14. Water Services Regulations 2013 — 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 *Water Services Regulations 2013* published in the *Gazette* on 14 November 2013 and tabled in the Legislative Council on 20 November 2013 under the *Water Services Act 2012*, be and are hereby disallowed. (Tabled Paper 1020).

**15. Order of Business**

Ordered — That Order of the Day No. 1, *Environmental Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013 — Disallowance*, be taken after Order of the Day No. 11, *Sentencing Legislation Amendment Bill 2013*. (Leader of the House).

**16. Electronic Conveyancing Bill 2013**

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

**17. Questions Without Notice**

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Local Government tabled a report in relation to the assessment by the Local Government Advisory Board of the proposal to amalgamate the Shires of Cunderdin, Quairading, Tammin and York, in response to a question without notice asked by Hon Darren West. (Tabled Paper 1246).

**18. Electronic Conveyancing Bill 2013**

Debate resumed on the second reading of this Bill (*see item 16 above*).

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

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**In Committee**

(Hon Amber-Jade Sanderson in the Chair)

Clause 1 agreed to.

Clauses 2 to 5 agreed to.

Clause 6A agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clauses 7A to 76 agreed to.

Clause 77.

Debate ensued.

Clause agreed to.

Clauses 78 to 95 agreed to.

Schedule 1 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

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

The Acting 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.

### **19. Local Government 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 sought leave to continue his remarks.

Leave denied.

Debate resumed.

*Interruption pursuant to order.*

### **20. Members' Statements**

Statements were taken.

### **21. Adjournment**

The Council adjourned at 10.02pm until Wednesday, 26 February 2014 at 2.00pm.

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

Attendance: Present all Members except Hon Kate Doust, Hon Adele Farina and Hon Nigel Hallett.

**NIGEL PRATT**  
Clerk of the Legislative Council

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