

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 208

TUESDAY, 20 SEPTEMBER 2016

1. Meeting of Council

The Council assembled at 2.00pm pursuant to Temporary Orders.

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

2. Papers

The following Papers were laid on the Table by —

President

Annual Reports —

Parliamentary Inspector of the Corruption and Crime Commission (2015–2016)
(Date received 15/09/2016) 4536

Attorney General

Annual Reports —

Public Advocate (2015–2016) (Date received 19/09/2016) 4537

Regulations —

Surveillance Devices Act 1998 (Surveillance Devices Amendment
Regulations 2016 G.G. 16/09/2016) 4538

Minister for Planning

Annual Reports —

Animal Resources Authority (2015–2016) (Date received 20/09/2016) 4539
Art Gallery of Western Australia (2015–2016) (Date received 20/09/2016) 4540
Botanic Gardens and Parks Authority (2015–2016) (Date received 19/09/2016) 4541
Environmental Protection Authority (2015–2016) (Date received 19/09/2016) 4542
Health and Disability Services Complaints Office (2015–2016) (Date received 20/09/2016) .. 4543
Healthway (2015–2016) (Date received 20/09/2016) 4544
Heritage Council (2015–2016) (Date received 19/09/2016) 4545
Keep Australia Beautiful Council (2015–2016) (Date received 19/09/2016) 4546
Local Health Authorities Analytical Committee (2015–2016) (Date received 20/09/2016) 4547
Museum, Western Australia (2015–2016) (Date received 20/09/2016) 4548
National Trust of Australia (W.A.) (2015–2016) (Date received 19/09/2016) 4549
Perth Theatre Trust (2015–2016) (Date received 20/09/2016) 4550
Postgraduate Medical Council (2015–2016) (Date received 20/09/2016) 4551
Quadruplegic Centre Board of Management (2015–2016) (Date received 20/09/2016) 4552
Queen Elizabeth II Medical Centre Trust (2015–2016) (Date received 20/09/2016) 4553

Reproductive Technology Council (2015–2016) (Date received 20/09/2016)	4554
ScreenWest (2015–2016) (Date received 20/09/2016)	4555
State Library of Western Australia (2015–2016) (Date received 20/09/2016)	4556
Swan Bells Foundation Inc (2015–2016) (Date received 20/09/2016)	4557
Zoological Parks Authority (2015–2016) (Date received 19/09/2016).....	4558

Local Laws —

Local Government Act 1995 (Shire of Irwin Meeting Procedures Local Law 2016 G.G. 16/09/2016 and Shire of Wyndham East Kimberley Meeting Procedures Local Law 2016 G.G. 13/09/2016) ..	4559
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Proposals —

Land Administration Act 1997 — Proposal No. 5/2016 — Easement over Class A Reserve No. 7123	4560
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Parliamentary Secretary to the Minister for Housing

Annual Reports —

Burswood Park Board (2015–2016) (Date received 20/09/2016)	4561
Country Housing Authority (2015–2016) (Date received 20/09/2016)	4562
Gaming and Wagering Commission (2015–2016) (Date received 20/09/2016)	4563
Liquor Commission (2015–2016) (Date received 20/09/2016)	4564
Racing Penalties Appeal Tribunal (2015–2016) (Date received 20/09/2016)	4565
Racing, Gaming and Liquor, Department of (2015–2016) (Date received 20/09/2016).....	4566

Regulations —

Liquor Control Act 1988 (Liquor Control (Warralong Restricted Area) Amendment Regulations 2016 G.G. 16/09/2016)	4567
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Parliamentary Secretary to the Minister for Agriculture and Food

Regulations —

Port Authorities Act 1999 (Transport Regulations Amendment (Vessel Pilotage) Regulations 2016 G.G. 16/09/2016)	4568
Taxi Act 1994 (Taxi Amendment Regulations 2016 G.G. 16/09/2016)	4569
Western Australian Meat Industry Authority Act 1976 (Western Australian Meat Industry Authority Amendment Regulations 2016 G.G. 16/09/2016).....	4570

Parliamentary Secretary to the Minister for Tourism

Annual Reports —

Tourism Western Australia (2015–2016) (Date received 19/09/2016)	4571
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3. Limited Partnerships Bill 2016

The Minister for Commerce: To move on the next day of sitting —

That a Bill for “An Act to —

- provide for the formation and registration of limited partnerships and incorporated limited partnerships; and
 - repeal the Limited Partnerships Act 1909; and
 - make consequential amendments to the Partnership Act 1895,
- and for related purposes.” be introduced and read a first time.

4. Order of Business

Ordered — That Order of the Day No. 1, *Motor Vehicle (Catastrophic Injuries) Regulations 2016 — Disallowance*, be taken after Order of the Day No. 16, *Swan Valley Protection Bill 2016*. (Leader of the House).

5. Taxi Amendment Bill 2016

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

Want of Quorum

There not being a quorum present, the President gave instructions for the ringing of the Bells. A quorum being formed, the debate continued.

Want of Quorum

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells. A quorum being formed, the debate continued.

Want of Quorum

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells. A quorum being formed, the debate continued.

6. Questions Without Notice

Questions without notice were taken.

The Minister for Planning representing the Minister for Child Protection tabled documents in relation to the Western Australian Project Plan regarding the National Partnership Agreement on Homelessness, in response to a question without notice asked by Hon Lynn MacLaren. (Tabled Paper 4572).

The Parliamentary Secretary to the Minister for Housing tabled documents in relation to the decommission of Brownlie Towers in Bentley, in response to a question without notice asked by Hon Kate Doust. (Tabled Paper 4573).

The Parliamentary Secretary to the Minister for Forestry tabled documents in relation to the memorandum of understanding between the Forests Products Commission and the Department of Parks and Wildlife, in response to a question without notice asked by Hon Lynn MacLaren. (Tabled Paper 4574).

The Attorney General representing the Minister for Corrective Services, by leave incorporated into *Hansard*, information in relation to children and young people admitted to the Banksia Hill Detention Centre during 2014–15 and 2015–16, in response to a question without notice asked by Hon Stephen Dawson.

The Minister for Planning representing the Minister for Child Protection, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 4285 asked by Hon Alanna Clohesy will be provided on 11 October 2016.

The Minister for Planning representing the Minister for Child Protection, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 4294 asked by Hon Stephen Dawson will be provided on 11 October 2016.

The Minister for Planning representing the Minister for Child Protection, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 4288 asked by Hon Samantha Rowe will be provided on 11 October 2016.

The Minister for Planning representing the Minister for Child Protection, in accordance with Standing Order No. 108(2), advised that an answer to questions on notice Nos 4280, 4281, 4284, 4289, 4290, 4291 and 4292 asked by Hon Stephen Dawson will be provided on 11 October 2016.

The Minister for Planning representing the Minister for Child Protection, in accordance with Standing Order No. 108(2), advised that an answer to questions on notice Nos 4272, 4273, 4274, 4275, 4276, 4277 and 4278 asked by Hon Adele Farina will be provided on 11 October 2016.

The Minister for Planning representing the Minister for Health tabled documents in relation to the Health Practitioner Regulation National Law Amendment (Midwife Insurance) Regulations, in response to question on notice No. 4321 asked by Hon Adele Farina. (Tabled Paper 4575).

7. Statement by President — Standing Committee on Estimates and Financial Operations — Appointment of Chair

The President made the following Statement —

I have a letter from the Standing Committee on Estimates and Financial Operations that states —

Dear Mr President

I advise that on Monday, 19 September 2016 I was appointed the Chair of the Standing Committee on Estimates and Financial Operations, and, as a consequence, by the operation of paragraph 7.3 of the Terms of Reference of the Joint Standing Committee on Audit, Chair of that committee.

Yours sincerely

Hon Rick Mazza MLC

8. Statement by President — Disclosure of Financial Interests for Members of the Legislative Council — Annual Return

The President made the following Statement —

I remind any Members who have not already done so, to lodge with the Deputy Clerk their annual returns for the 2015–16 financial year under the *Members of Parliament (Financial Interests) Act 1992*. I understand 13 are still outstanding. I note that Thursday this week is the last sitting day before the 30 September statutory deadline for the lodgement of returns.

9. Taxi Amendment Bill 2016

Debate resumed on the second reading of this Bill (*see item 5 above*).

Question — put and passed.

Bill read a second time.

Ordered — That consideration of the Bill, in Committee of the Whole House, be made an Order of the Day for the next sitting.

10. Pilbara Port Assets (Disposal) 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.

The Council divided.

Ayes (17)

Hon Martin Aldridge
Hon Ken Baston
Hon Liz Behjat
Hon Jacqui Boyde
Hon Jim Chown
Hon Peter Collier
Hon Nick Goiran
Hon Dave Grills
Hon Nigel Hallett

Hon Col Holt
Hon Mark Lewis
Hon Rick Mazza
Hon Robyn McSweeney
Hon Michael Mischin
Hon Helen Morton
Hon Simon O'Brien
Hon Brian Ellis (*Teller*)

Noes (8)

Hon Alanna Clohesy
Hon Kate Doust
Hon Adele Farina
Hon Lynn MacLaren

Hon Martin Pritchard
Hon Sally Talbot
Hon Darren West
Hon Samantha Rowe (*Teller*)

Question thus passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Adele Farina in the Chair)

Clause 1.

Debate ensued.

Interruption pursuant to order.

The President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

11. Members' Statements

Statements were taken.

12. Adjournment

The Council adjourned at 10.00pm until Wednesday, 21 September 2016 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Robin Chapple and Hon Stephen Dawson.

NIGEL PRATT

Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council