

# 103

# Business Program

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**LEGISLATIVE COUNCIL**

**THURSDAY, 6 DECEMBER 2018**

**10.00am**

Prayers

Acknowledgement of Country

**ORDER OF BUSINESS**

Condolence Motions

Petitions

Hon Robin Chapple x 2

Hon Adele Farina

Statements by Ministers and Parliamentary Secretaries

Minister for Education and Training

Minister for Regional Development

Papers for Tabling

Hon Michael Mischin

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Hon Robin Chapple

Notices of Motions

Motions without Notice

Leader of the House

Non-Government Business

Orders of the Day

3.30pm Questions without Notice

5.00pm Orders of the Day

5.20pm Members' Statements

6.00pm House adjourns

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## NON-GOVERNMENT BUSINESS

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### 1. Minister for Regional Development; Agriculture and Food — Discharge of Ministerial Responsibilities

Hon Peter Collier to move —

That this House expresses its concern with the manner in which the Minister for Regional Development; Agriculture and Food has discharged her Ministerial responsibilities.

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## ORDERS OF THE DAY

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### 1. City of Mandurah Cemeteries Amendment Local Law — Disallowance

Moved *pro forma* (SO 67(3)) 8 November 2018 on the motion of Hon Robin Chapple (Days remaining 8 after today (Indicative date — 13 March 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Mandurah Cemeteries Amendment Local Law 2018* published in the *Gazette* on 7 September 2018 and tabled in the Legislative Council on 11 September 2018 under the *Cemeteries Act 1986*, be and is hereby disallowed. (Tabled paper No. 1711).

### 2. Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 20 November 2018 on the motion of Hon Robin Scott (Days remaining 9 after today (Indicative date — 14 March 2019))

That the *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018* published in the *Gazette* on 30 October 2018 and tabled in the Legislative Council on 6 November 2018 under the *Rights in Water and Irrigation Act 1914*, be and are hereby disallowed. (Tabled paper No. 2152).

### 3. Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Local Law 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

### 4. Shire of Mount Magnet Animals, Environment and Nuisance Local Law 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Animals, Environment and Nuisance Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

**5. Shire of Mount Magnet Cats Local Law 2018 — Disallowance**

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Cats Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Cat Act 2011*, be and is hereby disallowed. (Tabled paper No. 1963).

**6. Shire of Mount Magnet Cemeteries Local Law 2018 — Disallowance**

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Cemeteries Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Cemeteries Act 1986*, be and is hereby disallowed. (Tabled paper No. 1964).

**7. Shire of Mount Magnet Dogs Local Law 2018 — Disallowance**

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Dogs Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Dog Act 1976*, be and is hereby disallowed. (Tabled paper No. 1965).

**8. Shire of Mount Magnet Extractive Industries Local Law 2018 — Disallowance**

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Extractive Industries Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

**9. Shire of Mount Magnet Fencing Local Law 2018 — Disallowance**

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Fencing Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

**10. Shire of Mount Magnet Health Local Law 2018 — Disallowance**

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Health Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

**11. Shire of Mount Magnet Standing Orders Local Law 2018 — Disallowance**

Moved *pro forma* (SO 67(3)) 29 November 2018 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 3 April 2019))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Standing Orders Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

**19. \*Criminal Law Amendment (Intimate Images) Bill 2018 [LA 76–1] Leader of the House representing the Attorney General**

Committee progress clause 4 (Thursday, 1 November 2018).  
*cf SNP 76 Issue 3 – 5 December 2018.*

**20. \*Public and Health Sector Legislation Amendment (Right of Return) Bill 2018 [LA 86–1] Leader of the House representing the Premier**

Second reading adjourned (Thursday, 8 November 2018).  
*cf SNP 86 Issue 1 – 6 November 2018.*

**37. \*Standing Committee on Procedure and Privileges — Report No. 53 — Review of the Standing Orders relating to motions on notice (Moved 6 November 2018)**

Consideration in Committee of the Whole, on the motion of Hon Simon O'Brien, of Recommendation 1 contained in Report No. 53 of the Standing Committee on Procedure and Privileges, *Review of the Standing Orders relating to motions on notice*.  
*See Tabled paper No. 2146 (Tabled 6 November 2018).*

**35. \*Standing Committee on Procedure and Privileges — Report No. 49 — Treaty Function — Standing Committee on Uniform Legislation and Statutes Review — Recommendation 1 (Tabled 10 May 2018)**

Consideration in Committee of the Whole, on the motion of Hon Rick Mazza, of Recommendation 1 contained in Report No. 49 of the Standing Committee on Procedure and Privileges, *Treaty Function — Standing Committee on Uniform Legislation and Statutes Review*.  
*See Tabled paper No. 1344 (Tabled 10 May 2018).*

Recommendation 1 states —

The Committee recommends that the Legislative Council delete clause 6.3(c) in Schedule 1 of the Standing Orders of the Legislative Council and re-number the remaining subclauses accordingly.

Clause 6 of Schedule 1 of the Standing Orders sets out the terms of reference of the Standing Committee on Uniform Legislation and Statutes Review. Clause 6.3(c) provides that one of its functions is —

(c) to examine the provisions of any treaty that the Commonwealth has entered into or presented to the Commonwealth Parliament, and determine whether the treaty may impact upon the sovereignty and law-making powers of the Parliament of Western Australia;

**31. \*Standing Committee on Procedure and Privileges — Report No. 45 — Outstanding Matters from the 39<sup>th</sup> Parliament – Recommendation 2 (Tabled 24 August 2017)**

Continuation of remarks Hon Adele Farina — 45 mins (Thursday, 24 August 2017) in moving the following motion —

That Recommendation 2 contained in Report No. 45 of the Standing Committee on Procedure and Privileges, *Outstanding Matters from the 39th Parliament*, be adopted and agreed to.

*See Tabled paper Nos 435 and 3650 (Tabled 25 November 2015).*

Recommendation 2 states —

That Recommendation 3 contained in Report No. 37 of the Standing Committee on Procedure and Privileges, *Temporary Orders – 2016*, be adopted and agreed to.

Recommendation 3 of Report No. 37, *Temporary Orders – 2016*, as follows —

That this be a Temporary Order —

Standing Order 190(2) is suspended and replaced by the following Temporary Order —

- (2) When a motion is moved under (1), before putting the question the President shall ask whether any Member wishes to speak to the motion and —
  - (a) if no Member indicates that they wish to speak to the motion, the President shall put the question immediately;
  - (b) if any Member indicates that they wish to speak to the motion, then no debate shall ensue at that time and the debate shall be adjourned until a later stage of the sitting;
  - (c) an adjournment under (b) does not affect the movers right to speak to the motion.

\* For amendments see Supplementary Notice Paper and/or Committee Report

**NIGEL PRATT**

Clerk of the Legislative Council