

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 32

TUESDAY, 22 OCTOBER 2013

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. Message from His Excellency the Governor — Assent to Bills

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

21 October 2013 — Message No. 23	Act No.
Land Tax Amendment Bill 2013	15 of 2013
Appropriation (Consolidated Account) Recurrent 2013–14 Bill 2013	16 of 2013
Appropriation (Consolidated Account) Capital 2013–14 Bill 2013	17 of 2013

3. Petitions

Hon Lynn MacLaren presented a petition from 172 petitioners requesting the Legislative Council to oppose specific dog breed restrictions and bans under the *Dog Act 1976* (WA). (Tabled Paper 892).

Hon Paul Brown presented a petition from 4,256 petitioners requesting the Legislative Council to inquire into waste management planning for the metropolitan area in relation to the disposal of metropolitan waste in landfill sites in rural Western Australia. (Tabled Paper 893).

4. Papers

The following Papers were laid on the Table by —

Minister for Mental Health

Local Laws —

Local Government Act 1995 (City of Joondalup Meeting Procedures Local Law 2013 G.G. 14/10/2013).....	887
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Attorney General

Regulations —

Emergency Management Act 2005 (Emergency Management Amendment Regulations 2013 G.G. 15/10/2013).....	888
Workers' Compensation and Injury Management Act 1981 (Workers' Compensation and Injury Management (Scales of Fees) Amendment Regulations 2013 G.G. 15/10/2013).....	889

Minister for Agriculture and Food*Management Plans —*

Fish Resources Management Act 1994 (West Coast Demersal Scalefish (Interim) Management Plan Amendment (No. 3) 2013 [1161] G.G. 18/10/2013 and West Coast Estuarine Fishery (Interim) Management Plan Amendment (No. 2) 2013 [1162] G.G. 18/10/2013)..... 890

Orders —

Fish Resources Management Act 1994 (Prohibition on Fishing for Rock Lobster Order 2013 G.G. 15/10/2013)..... 891

5. 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 8, *Jetties Amendment Regulations (No. 2) 2013 — Disallowance*, be taken after Order of the Day No. 13, *Coal Industry Superannuation Amendment Bill 2013*. (Leader of the House).

6. Fire Brigades Amendment Regulations 2013 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Peter Katsambanis moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 7, *Fire Brigades Amendment Regulations 2013*, be discharged from the Notice Paper.

Question — put and passed.

7. Dog Amendment Bill 2013

The Order of the Day for the consideration of this Bill, in Committee of the Whole House, having been read.

The President left the Chair.

In Committee

(Hon Adele Farina in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Hon Lynn MacLaren moved —

Page 3, line 21 — To delete the line.

Debate ensued.

Amendment — put and negatived.

Hon Lynn MacLaren moved —

Page 3, lines 26 to 31 — To delete the lines.

Debate ensued.

Amendment — put and negatived.

Debate resumed.

Question, That the clause stand as printed — put and passed.

Clauses 5 to 7 agreed to.

Clause 8.

Debate ensued.

8. Questions Without Notice

Questions without notice were taken.

The Minister for Education tabled, and by leave incorporated into Hansard, documents in relation to long service leave for each education support centre and education support school, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 894).

The Minister for Education tabled, and by leave incorporated into Hansard, documents in relation to Kulunga Aboriginal kindergarten, in response to question without notice No. 649 asked by Hon Lynn MacLaren. (Tabled Paper 895).

The Leader of the House representing the Minister for State Development tabled documents in relation to Alcoa and its subsidiaries' bauxite mining operations in Western Australia, in response to question on notice No. 273 asked by Hon Robin Chapple. (Tabled Paper 896).

The Minister for Child Protection tabled documents in relation to applicants to the Hardship Utility Grant Scheme for August 2013, in response to question on notice No. 286 asked by Hon Sally Talbot. (Tabled Paper 897).

The Minister for Mental Health representing the Minister for Environment tabled the *Land Management Unit 2012* report by the Conservation Commission of Western Australia, in response to a question without notice No. 579 asked by Hon Sally Talbot. (Tabled Paper 898).

9. Dog Amendment Bill 2013

Resumption of consideration of this Bill in Committee of the Whole House (*see item 7 above*).

The President left the Chair.

In Committee

(Hon Adele Farina in the Chair)

Clause 8.

Debate resumed.

Clause agreed to.

Clause 9 agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clauses 11 to 20 agreed to.

Clause 21.

Debate ensued.

Clause agreed to.

Clauses 22 to 24 agreed to.

Clause 25.

Debate ensued.

Clause agreed to.

Clauses 26 to 29 agreed to.

Clause 30.

Debate ensued.

Clause agreed to.

Clauses 31 and 32 agreed to.

Clause 33.

Debate ensued.

Clause agreed to.

Clauses 34 and 35 agreed to.

Clause 36.

Hon Lynn MacLaren moved —

Page 53, after line 15 — To insert —

- (9A) A dangerous dog (restricted breed) is exempt from subsections (1) to (9) if it has successfully completed a prescribed training programme.

Debate ensued.

Amendment — put and negatived.

Hon Lynn MacLaren moved —

Page 55, after line 23 — To insert —

- (7) A dangerous dog (restricted breed) is exempt from this section if it has successfully completed a prescribed training programme.

Debate ensued.

Amendment — put and negatived.

Hon Simon O'Brien moved —

Page 55, after line 6 — To insert —

or

- (c) the Minister has given permission for a transfer of ownership in circumstances that the Minister considers justify it.

Debate ensued.

The Minister for Mental Health representing the Minister for Local Government moved, That the Chair report progress and seek to sit again.

Question — put and passed.

The Deputy 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.

10. Criminal Investigation (Identifying People) Amendment Bill 2013

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

Debate resumed.

Interruption pursuant to order.

11. Members' Statements

Statements were taken.

12. Adjournment

The Council adjourned at 10.00pm until Wednesday, 23 October 2013 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jim Chown, Hon Kate Doust, Hon Mark Lewis and Hon Ken Travers.

NIGEL LAKE
Acting Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council