

LEGISLATIVE COUNCIL
WEDNESDAY, 24 SEPTEMBER 2014

2.00pm

Prayers

2.00PM - ORDER OF BUSINESS

Condolence Motions

Petitions

(Hon Stephen Dawson x 2)

Statements by Ministers and Parliamentary Secretaries

Papers for Tabling

(Leader of the House)

(Minister for Mental Health)

(Attorney General)

(Minister for Agriculture and Food)

(Parliamentary Secretary representing the Minister for Transport)

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

Motions on Notice

4.30pm Questions without Notice

5.00pm Committee Reports

7.30pm Orders of the Day

9.45pm Members' Statements

10.25pm House adjourns

MOTIONS ON NOTICE

1. Local Government Amalgamations (*Notice given 11 September 2014, re-ordered 16 September 2014 [SO 17(5)]*)

Continuation of remarks Hon Darren West — 15 mins (Wednesday, 17 September 2014) on the motion of Hon Ken Travers as follows –

That this House

- (a) expresses its view that the *Local Government Act 1995* (the Act) never contemplated the use of boundary changes to amalgamate Local Governments;
- (b) believes that the correct approach under the Act is to abolish existing Local Governments and to create new Local Governments as this ensures that local communities are given a voice as intended by the Dadour provisions of the Act;
- (c) is of the view that any attempt to force Local Government amalgamations by using boundary changes to circumvent the intent of the Dadour provisions is an abuse of the Act; and
- (d) therefore calls on the Government to ensure that any proposals for amalgamation of existing Local Governments involve the abolition of all affected Councils and the creation of new Councils.

Total time remaining on motion — 2hrs.

2. Western Australian Schools (*Notice given 19 June 2013*)

Hon Sue Ellery: To move –

That this Council expresses its concern at the lack of transparent planning for the announced changes across Western Australian schools in 2015.

3. Marine Parks in Western Australia (*Notice given 11 June 2013, re-ordered 27 February 2014, amended 11 September 2014*)

Hon Rick Mazza: To move –

That the Council supports —

- (a) a moratorium on the creation of any further marine parks in Western Australia; and
- (b) an investigation into the access to and management of the current marine parks in Western Australia, including allowing shore based fishing in sanctuary zones.

CONSIDERATION OF COMMITTEE REPORTS

1. [Joint Standing Committee on Delegated Legislation – Report No. 75 – Identifying a Systemic Issue Arising out of Nine Court and Tribunal Instruments](#) (*Tabled 18 September 2014*)

Consideration. *See Tabled paper No. 1903.*

ORDERS OF THE DAY

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

Moved *pro forma* (SO 67(3)) 19 June 2014 on the motion of Hon Kate Doust (Question to be put at this day's sitting)

That 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* published in the *Gazette* on 21 March 2014 and tabled in the Legislative Council on 1 April 2014 under the *Retirement Villages Act 1992*, be and is hereby disallowed. (Tabled paper 1346).

2. *Shire of Shark Bay Local Government Property Amendment Local Law 2014 – Disallowance

Moved *pro forma* (SO 67(3)) 26 June 2014 on the motion of Hon Robin Chapple (Days remaining 3 after today (Indicative date — 15 October 2014))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Shark Bay Local Government Property Amendment Local Law 2014* published in the *Gazette* on 18 March 2014 and tabled in the Legislative Council on 1 April 2014 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 1341).

See [Joint Standing Committee on Delegated Legislation Report No. 72](#) (Tabled 21 August 2014).

3. Firearms Amendment Regulations 2014 – Disallowance

Moved *pro forma* (SO 67(3)) 13 August 2014 on the motion of Hon Rick Mazza (Days remaining 5 after today (Indicative date — 21 October 2014))

That the *Firearms Amendment Regulations 2014* published in the *Gazette* on 17 June 2014 and tabled in the Legislative Council on 24 June 2014 under the *Firearms Act 1973*, be and are hereby disallowed. (Tabled paper 1586).

4. Shire of Ashburton Fencing Local Law 2014 – Disallowance

Moved *pro forma* (SO 67(3)) 21 August 2014 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 19 November 2014))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Ashburton Fencing Local Law 2014* published in the *Gazette* on 11 April 2014 and tabled in the Legislative Council on 6 May 2014 under the *Dividing Fences Act 1961*, be and is hereby disallowed. (Tabled paper 1414).

5. Metropolitan Region Scheme Amendment No. 1239/41 – Gidgegannup Urban Precinct – Disallowance

Moved *pro forma* (SO 67(3)) 16 September 2014 on the motion of Hon Alanna Clohesy (Days remaining 14 after today (Indicative date — 2 December 2014))

That the *Metropolitan Region Scheme Amendment No. 1239/41 – Gidgegannup Urban Precinct* published in the *Gazette* on 6 June 2014 and tabled in the Legislative Council on 19 June 2014 under the *Planning and Development Act 2005*, be and is hereby disallowed. (Tabled papers 1566 and 1567).

6. Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 2014 – Disallowance

Moved *pro forma* (SO 67(3)) 16 September 2014 on the motion of Hon Ken Travers (Days remaining 14 after today (Indicative date — 2 December 2014))

That the *Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 2014* published in the *Gazette* on 13 June 2014 and tabled in the Legislative Council on 18 June 2014 under the *Road Traffic Act 1974*, be and are hereby disallowed. (Tabled paper 1551).

7. City of Greater Geraldton Animals, Environment and Nuisance Local Law 2014 – Disallowance

Moved *pro forma* (SO 67(3)) 18 September 2014 on the motion of Hon Robin Chapple (Days remaining 15 after today (Indicative date — 3 December 2014))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Greater Geraldton Animals, Environment and Nuisance Local Law 2014* published in the *Gazette* on 13 May 2014 and tabled in the Legislative Council on 17 June 2014 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 1484).

11. [*Mental Health Bill 2013](#) [LA 41–2] Minister for Mental Health

Cognate debate with *Mental Health Legislation Amendment Bill 2013*.

Committee progress clause 447 Amendment reference No. 155/447 (Tuesday, 23 September 2014). *cf SNP 41 Issue 6 – 23 September 2014*.

12. [Mental Health Legislation Amendment Bill 2013](#) [LA 54–2] Minister for Mental Health

Cognate debate with *Mental Health Bill 2013*.

Committee (Tuesday, 23 September 2014).

14. [Statutes \(Repeals\) Bill 2013](#) [LA 38–01] Leader of the House representing the Premier

Second reading adjourned (Wednesday, 20 August 2014).

16. [Mines Safety and Inspection Amendment Bill 2014](#) [LA 76–1] Minister for Agriculture and Food representing the Minister for Mines and Petroleum

Second reading adjourned (Thursday, 11 September 2014).

BILLS FOR INTRODUCTION

1. Sentencing Amendment Bill 2014 (*Notice given 23 September 2014*)

Attorney General: To move –

That a Bill for “An Act to amend the *Sentencing Act 1995*.” be introduced and read a first time.

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

NIGEL PRATT

Clerk of the Legislative Council