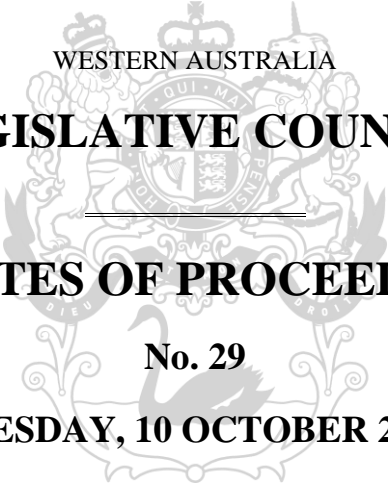


WESTERN AUSTRALIA



**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 29**

**TUESDAY, 10 OCTOBER 2017**

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**1. Meeting of Council**

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair and read prayers.

*The President left the Chair at 2.02pm*

*The President resumed the Chair at 2.46pm*

**2. Messages from Her Excellency the Governor — Assent to Bills**

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

<b>14 September 2017 — Message No. 13</b>	<b>Act No.</b>
Petroleum Legislation Amendment Bill 2017	7 of 2017
<b>15 September 2017 — Message No. 14</b>	<b>Act No.</b>
Port Kennedy Development Bill 2017	8 of 2017

**3. Statement by President — Joint Select Committee on End of Life Choices — Appointment of Chair and Deputy Chair**

The President made the following Statement —

I have received the following letter —

Dear Madam President

Appointment of Chair and Deputy Chair for the Joint Select Committee on End of Life Choices

Following resolutions made at recent committee meetings, I can now advise that I have been appointed Chair of the Joint Select Committee on End of Life Choices, and Hon Colin Holt MLC has been appointed Deputy Chair of the committee.

Yours sincerely

Ms A. Sanderson, MLA

Chair

**4. Petitions**

Hon Robin Chapple presented a petition from 180 petitioners requesting the Legislative Council to recommend an inquiry into the conduct of the Town of Victoria Park and its council members. (Tabled Paper 708).

Hon Laurie Graham presented a petition from 409 petitioners requesting the Legislative Council to place a moratorium on the application for a landfill site proposed by Alkina Holdings Pty Ltd, Great Southern Landfill part of Lot 4869 on Plan 224502, York. (Tabled Paper 709).

Hon Alison Xamon presented a petition from 957 petitioners requesting the Legislative Council to inquire into the clearing of bushland at the Shenton Park Hospital Redevelopment site under Improvement Scheme No. 1. (Tabled Paper 710).

Hon Robin Scott presented a petition from 799 petitioners requesting the Legislative Council to oppose changes to the Western Australia Gold Royalty proposed by the State Government. (Tabled Paper 711).

## 5. Ministerial Statement — Mental Health Week — 50th Anniversary

The Parliamentary Secretary to the Minister for Mental Health made a Ministerial Statement with respect to the 50<sup>th</sup> anniversary of Mental Health Week.

## 6. Papers

The following Papers were laid on the Table by —

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**7. Standing Committee on Uniform Legislation and Statutes Review — Report No. 107 — Domestic Violence Orders (National Recognition) Bill 2017**

Hon Michael Mischin presented Report No. 107 of the Standing Committee on Uniform Legislation and Statutes Review, *Domestic Violence Orders (National Recognition) Bill 2017*. (Tabled Paper 712).

**8. Animal Welfare Amendment Bill 2017**

The Minister for Agriculture and Food: To move on the next day of sitting —

That a Bill for “An Act to amend the *Animal Welfare Act 2002*.” be introduced and read a first time.

**9. Mining Amendment Regulations (No. 2) 2017 — Disallowance**

Hon Jacqui Boydell: To move on the next day of sitting —

That the *Mining Amendment Regulations (No. 2) 2017* published in the *Gazette* on 29 September 2017 and tabled in the Legislative Council on 10 October 2017 under the *Mining Act 1978*, be and are hereby disallowed. (Tabled paper No. 683).

**10. Mining Amendment Regulations (No. 2) 2017 — Disallowance**

Hon Robin Scott: To move on the next day of sitting —

That the *Mining Amendment Regulations (No. 2) 2017* published in the *Gazette* on 29 September 2017 and tabled in the Legislative Council on 10 October 2017 under the *Mining Act 1978*, be and are hereby disallowed. (Tabled paper No. 683).

**11. Suspension of Standing Orders**

The Leader of the House moved, without notice —

That so much of the Standing Orders be suspended so as to permit —

- (1) the Notice of Motion given today by Hon Jacqui Boydell to disallow the *Mining Amendment Regulations (No. 2) 2017* to be made an order of the day for a later stage of this day’s sitting; and
- (2) Hon Jacqui Boydell to move her motion to disallow the *Mining Amendment Regulations (No. 2) 2017* at a later stage of this day’s sitting.

The motion requiring the concurrence of an absolute majority.

Question — put.

The President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

**12. Order of Business**

Ordered — That Orders of the Day Nos 1, *Road Traffic Regulations Amendment (Pilot Vehicle Drivers) Regulations 2016 — Disallowance*, 2, *Town of Cambridge Local Government and Public Property Local Law 2016 — Disallowance*, 3, *Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016 — Disallowance*, 4, *Shire of Kulin Animals, Environment and Nuisance Local Law 2016 — Disallowance*, 5, *Shire of Lake Grace Animals, Environment and Nuisance Local Law 2016 — Disallowance*, 6, *City of Busselton Waste Local Law 2016 — Disallowance*, 7, *Legal Profession (Law Library Fees) Rules 2017 — Disallowance*, 8, *Shire of Narambeen Animals, Environment and Nuisance Local Law 2016 — Disallowance*, 9, *Shire of Kondinin Animals, Environment and Nuisance Local Law 2016 — Disallowance*, 10 *Shire of Capel Waste Local Law 2016 — Disallowance*, 11, *Shire of Murray Waste Local Law 2016 — Disallowance*, 12, *Shire of Chittering Waste Local Law 2017 — Disallowance*, 13, *Shire of Cunderdin Animals, Environment and Nuisance Local Law 2016 — Disallowance*, 14, *City of Gosnells Waste Local Law 2016 — Disallowance*, 15, *Shire of Moora Dogs Local Law 2016 — Disallowance*, 16, *Shire of Moora Waste Local Law 2016 — Disallowance*, 17, *Town of East Fremantle Waste Local Law 2017 — Disallowance*, 18, *City of Joondalup Animals Amendment*

*Local Law 2016 — Disallowance, 19, Bunbury-Harvey Regional Council Standing Orders Local Law 2017 — Disallowance, 20, City of South Perth Waste Local Law 2017, 21, Police Regulations Amendment (Fees and Charges) Regulations 2017 — Disallowance, 22, City of Kalgoorlie-Boulder Cat Amendment Local Law 2017 — Disallowance, 23, Town of East Fremantle Plastic Bag Reduction Local Law 2017 — Disallowance, 24, City of Nedlands Waste Local Law 2016 — Disallowance, 25, Shire of Donnybrook-Balingup Waste Local Law 2017 — Disallowance, and 26, Shire of Donnybrook-Balingup Animals, Environment and Nuisance Local Law 2017 — Disallowance, be taken after Order of the Day No. 37, Standing Committee on Procedure and Privileges — Report No. 45 — Outstanding Matters from the 39<sup>th</sup> Parliament. (Leader of the House).*

### **13. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2017–2018**

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Environment representing the Treasurer as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 469A-D (2017–2018 Budget Statements), laid upon the Table of the House on Thursday, 7 September 2017.

Debate resumed.

Hon Peter Collier, by leave, tabled Government briefing notes relating to the State Budget 2017-18. (Tabled Paper 713).

Debate resumed.

### **14. Questions Without Notice**

Questions without notice were taken.

The Leader of the House representing the Attorney General tabled an answer in relation to employee costs and details in 2016-17 for staff under the Minister's control, in response to question on notice No. 248 asked by Hon Tjorn Sibma. (Tabled Paper 714).

The Leader of the House representing the Minister for Sport and Recreation tabled an answer in relation to the number of full-time equivalent employees for each year from 2009-10 to 2016-17 for the former Department of Sport and Recreation for towns in the South West Region, in response to question on notice No. 287 asked by Hon Diane Evers. (Tabled Paper 715).

The Leader of the House representing the Attorney General tabled an answer in relation to Confiscation Proceeds Account information for each financial year from 2001-02 to 2016-17 inclusive and projected into 2017-18, in response to question on notice No. 317 asked by Hon Michael Mischin. (Tabled Paper 716).

The Minister for Environment representing the Treasurer, by leave, incorporated into *Hansard* an answer in relation to Western Australian gold mines and their status at current gold prices, in response to a question without notice asked by Hon Robin Scott.

The Minister for Regional Development representing the Minister for Fisheries tabled an answer in relation to western rock lobster landings in 2015, 2016 and 2017, in response to question on notice No. 301 asked by Hon Robin Chapple. (Tabled Paper 717).

The Parliamentary Secretary to the Minister for Health tabled an answer in relation to the number of full-time equivalent employees for each year from 2009-10 to 2016-17 for the Department of Health for towns in the South West region, in response to question on notice No. 290 asked by Hon Diane Evers. (Tabled Paper 718).

### **15. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2017–2018**

Debate resumed on the motion of the Minister for Environment representing the Treasurer (*see item 13 above*).

Hon Peter Collier, by leave, tabled a Community Housing document titled, *A strategy for the WA community housing sector*. (Tabled Paper 719).

Debate resumed.

On the motion of Hon Martin Pritchard the debate was adjourned to the next sitting.

**16. Order of Business**

Ordered — That Order of the Day, *Mining Amendment Regulations (No. 2) 2017 — Disallowance*, be taken forthwith. (Leader of the House).

**17. Mining Amendment Regulations (No. 2) 2017 — Disallowance**

The Order of the Day having been read, Hon Jacqui Boydell moved the following motion —

That the *Mining Amendment Regulations (No. 2) 2017* published in the *Gazette* on 29 September 2017 and tabled in the Legislative Council on 10 October 2017 under the *Mining Act 1978*, be and are hereby disallowed.

Debate resumed.

*Interruption pursuant to order.*

**18. Members' Statements**

Statements were taken.

**19. Adjournment**

The Council adjourned at 10.07pm until Wednesday, 11 October 2017 at 1.00pm.

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

Attendance: Present all Members.

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON KATE DOUST MLC**  
President of the Legislative Council