

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 99**

**THURSDAY, 23 OCTOBER 2014**

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**1. Meeting of Council**

The Council assembled at 10.00am pursuant to order.

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

**2. Petitions**

Hon Lynn MacLaren presented a petition from 373 petitioners requesting the Legislative Council to oppose the residential development of bushland bounded by Gilmore, Challenger and Meares Avenues and Wellard Road, Kwinana. (Tabled Paper 2194).

**3. Ministerial Statement — Work Health and Safety Bill 2014 — Draft Bill**

The Minister for Commerce made a Ministerial Statement with respect to the draft Work Health and Safety Bill 2014, that has been circulated for public comment.

The Minister for Commerce tabled the *Draft Work Health and Safety Bill 2014; Draft Bill for public comment*. (Tabled Paper 2195).

**4. Paper**

The following Paper was laid on the Table by —

**President**

*Letter —*

Joint Standing Committee on the Commissioner for Children and Young People —  
Review of the functions exercised by the Commissioner for Children and  
Young People (16 October 2014)..... 2191

**5. Standing Committee on Procedure and Privileges — Report No. 32 — Further Review of Standing Orders 174 to 178: Committee Evidence, Documentation, Deliberations and Proceedings**

The President presented Report No. 32 of the Standing Committee on Procedure and Privileges, *Further Review of Standing Orders 174 to 178: Committee Evidence, Documentation, Deliberations and Proceedings*. (Tabled Paper 2196).

The Deputy President moved, without notice —

That Recommendations 1 to 6 contained in Report No. 32 of the Standing Committee on Procedure and Privileges, *Further Review of Standing Orders 174 to 178: Committee Evidence, Documentation, Deliberations and Proceedings*, be adopted and agreed to.

On the motion of Leader of the House the debate was adjourned to the next sitting.

## 6. Papers

The following Papers were laid on the Table by —

### Minister for Mental Health

*Plans* —

Western Australian Planning Commission — Improvement Plan No. 39 Lissiman Street Precinct (July 2014) ..... 2192

### Minister for Agriculture and Food

*Annual Reports* —

Department of Fisheries (2013–2014) (Date received 22/10/2014)..... 2193

## 7. Standing Committee on Legislation — Report No. 23 — Custodial Legislation (Officers Discipline) Amendment Bill 2013 — Extension of Time

Hon Sally Talbot presented Report No. 23 of the Standing Committee on Legislation, *Custodial Legislation (Officers Discipline) Amendment Bill 2013 — Extension of Time*. (Tabled Paper 2197).

Hon Sally Talbot moved, without notice —

That the reporting date for the Standing Committee on Legislation inquiry into the *Custodial Legislation (Officers Discipline) Amendment Bill 2013* be extended from 28 October 2014 to 11 November 2014.

Question — put and passed.

## 8. Standing Committee on Legislation — Report No. 24 — Taxation Legislation Amendment Bill 2014 — Extension of Time

Hon Sally Talbot presented Report No. 24 of the Standing Committee on Legislation, *Taxation Legislation Amendment Bill 2014 — Extension of Time*. (Tabled Paper 2198).

Hon Sally Talbot moved, without notice —

That the reporting date for the Standing Committee on Legislation inquiry into the *Taxation Legislation Amendment Bill 2014* be extended from 13 November 2014 to 20 November 2014.

Question — put and passed.

## 9. Standing Committee on Environment and Public Affairs — Report No. 37 — Overview of Petitions

Hon Stephen Dawson presented Report No. 37 of the Standing Committee on Environment and Public Affairs, *Overview of Petitions*. (Tabled Paper 2199).

## 10. Shire of Dardanup Dogs Local Law 2014 — Disallowance

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

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Dardanup Dogs Local Law 2014* published in the *Gazette* on 22 August 2014 and tabled in the Legislative Council on 9 September 2014 under the *Dog Act 1976*, be and is hereby disallowed. (Tabled Paper 1811).

## 11. Shire of Dardanup Keeping and Control of Cats Local Law 2014 — Disallowance

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

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Dardanup Keeping and Control of Cats Local Law 2014* published in the *Gazette* on 22 August 2014 and tabled in the Legislative Council on 9 September 2014 under the *Cat Act 2011*, be and is hereby disallowed. (Tabled Paper 1810).

## 12. Local Government Amalgamations

Non-Government Business No. 1 having been called, Hon Samantha Rowe moved, without notice —

That this House expresses concern at the botched Local Government amalgamation process and in particular —

- (a) the Government's use of boundary changes to deny some ratepayers a vote on their local community;
- (b) Minister Simpson's comment that we are only at "half time" in the process; and
- (c) the failure of the Premier to rule out applying the same botched process to regional Western Australia.

Debate ensued.

*Motion lapsed.*

## 13. State Transient Workers Accommodation Policy

Private Members' Business No. 1 having been called, Hon Dave Grills moved, without notice —

That this House supports the adoption of a State transient worker accommodation (TWA) policy to enable the transformation of regional communities into thriving and sustainable population centres.

Debate ensued.

*Motion lapsed.*

## 14. Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014

The Deputy President reported the receipt of Message No. 83 from the Legislative Assembly forwarding the Bill for concurrence.

The Attorney General representing the Minister for Police moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Attorney General representing the Minister for Police moved, That the Bill be read a second time.

The Attorney General representing the Minister for Police tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2200).

Debate stands adjourned.

## 15. Order of Business

Ordered — That Orders of the Day Nos 1, *Metropolitan Region Scheme Amendment No. 1239/41 — Gidgegannup Urban Precinct — Disallowance*, 2, *Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 2014 — Disallowance*, 3, *City of Greater Geraldton Animals, Environment and Nuisance Local Law 2014 — Disallowance*, 5, *City of Fremantle Alfresco Dining Local Law 2014 — Disallowance*, 6, *Road Traffic (Drug Driving) Amendment Regulations 2014 — Disallowance*, and 7, *Transport (Country Taxi-Car) Amendment Regulations (No. 2) 2014 — Disallowance*, be taken after Order of the Day No. 13, *Child Support (Adoption of Laws) Amendment Bill 2014*. (Leader of the House).

## 16. Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 2014 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lynn MacLaren on behalf of Hon Robin Chapple moved, without notice —

That, Order of the Day No. 4, *Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 2014 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

**17. Mandatory Testing (Infectious Diseases) Bill 2014**

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

Question — put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Attorney General representing the Minister for Police moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

**18. Environmental Protection Amendment (Validation) Bill 2014**

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

The Acting President left the Chair.

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**In Committee**

(Hon Brian Ellis in the Chair)

Clause 4.

Debate resumed on the amendment moved by Hon Stephen Dawson as follows —

Page 6, after line 11 — To insert —

- (c) the report and recommendations of the Environmental Protection Authority on the Roe Highway Stage 8 extension (Report 1489, September 2013).

The Minister for Mental Health representing the Minister for Environment tabled the Environmental Protection Authority Codes of Conduct for 2008, 2010 and 2014. (Tabled Paper 2201).

Debate resumed.

**19. Questions Without Notice**

Questions without notice were taken.

The Minister for Child Protection tabled, and by leave incorporated into Hansard, a document in relation to homelessness services in Western Australia, in response to a question without notice asked by Hon Lynn MacLaren. (Tabled Paper 2202).

The Minister for Education tabled a document in relation to international students enrolled in Western Australian public primary and secondary schools for the years 2011 to 2014, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2203).

The Minister for Education tabled, and by leave incorporated into Hansard, a document in relation to vacant Aboriginal and Islander Education Officer positions, in response to a question without notice asked by Hon Stephen Dawson. (Tabled Paper 2204).

The Attorney General representing the Minister for Emergency Services, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1679 asked by Hon Lynn MacLaren will be provided on 11 November 2014.

The Minister for Agriculture and Food representing the Minister for Forestry, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1517 asked by Hon Lynn MacLaren will be provided on 20 November 2014.

The Minister for Agriculture and Food representing the Minister for Forestry, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1518 asked by Hon Lynn MacLaren will be provided on 20 November 2014.

The Minister for Agriculture and Food representing the Minister for Forestry tabled a document in relation to contractors that have contracts with the Forest Products Commission for the supply of both native forest and plantation logs, in response to question on notice No. 1527 asked by Hon Lynn MacLaren. (Tabled Paper 2205).

The Parliamentary Secretary representing the Minister for Health tabled, and by leave incorporated into Hansard, a document in relation to funding for the child health survey conducted by the Telethon Institute for Child Health Research, in response to a question without notice asked by Hon Sally Talbot. (Tabled Paper 2206).

## 20. Papers

The following Papers were laid on the Table by —

### Leader of the House

*Reports —*

Department of Education — Annual Report (2013–2014) ..... 2207

Potato Marketing Board — Annual Report (2013–2014) ..... 2208

## 21. Environmental Protection Amendment (Validation) Bill 2014

Resumption of consideration of this Bill in Committee of the Whole House (*see item 18 above*).

The President left the Chair.

### In Committee

(Hon Adele Farina in the Chair)

Clause 4.

Debate resumed on the amendment moved by Hon Stephen Dawson as follows —

Page 6, after line 11 — To insert —

- (c) the report and recommendations of the Environmental Protection Authority on the Roe Highway Stage 8 extension (Report 1489, September 2013).

*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.

## 22. Members' Statements

Statements were taken.

### *Want of Quorum*

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

A quorum being formed, statements continued.

## 23. Petroleum Titles (Browse Basin) Bill 2014

The President reported the receipt of Message No. 84 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Agriculture and Food representing the Minister for Mines and Petroleum moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Agriculture and Food representing the Minister for Mines and Petroleum moved, That the Bill be read a second time.

The Minister for Agriculture and Food representing the Minister for Mines and Petroleum tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2209).

Debate stands adjourned.

**24. Adjournment**

The Council adjourned at 5.50pm until Tuesday, 18 November 2014 at 3.00pm.

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

Attendance: Present all Members except Hon Paul Brown, Hon Kate Doust, Hon Simon O'Brien and Hon Amber-Jade Sanderson.

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON BARRY HOUSE**  
President of the Legislative Council