

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 30

WEDNESDAY, 16 OCTOBER 2013

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

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

2. Statement by President — Resignation of the Clerk

The President made the following Statement —

The Clerk of the Legislative Council and Clerk of the Parliaments, Malcolm Peacock, has informed me that due to continuing health issues he is taking extended leave from today— Wednesday, 16 October—and is standing down as the Clerk. Steps will be taken as soon as possible to advertise and fill the Clerk's position. In the interim, Nigel Lake is now the Acting Clerk of the Legislative Council.

Malcolm Peacock, as you know, has provided outstanding service to the Western Australian Parliament for nearly 30 years. We will certainly miss his experience, professionalism, sound management and wise advice. I will work on arranging an appropriate and more formal occasion soon to properly honour and recognise his contribution. We wish Malcolm and his family all the very best for the future.

3. Petition

Hon Robin Chapple presented a petition from 98 petitioners requesting the Legislative Council to inquire into possible conflicts between the proposed *Aquatic Resources Management Bill* and other existing and proposed legislation. (Tabled Paper 878).

4. Ministerial Statement — Mental Health Week

The Minister for Mental Health made a Ministerial Statement with respect to Mental Health Week.

5. Papers

The following Papers were laid on the Table by —

President

Reports —

Office of the Inspector of Custodial Services — Funeral Attendances by Incarcerated
People in Western Australia (September 2012) (Date received 16/09/2013)..... 852

Leader of the House

Regulations —

Duties Act 2008 (Duties Amendment Regulations (No. 2) 2013 G.G. 20/09/2013) 853

Education Service Providers (Full Fee Overseas Students) Registration Act 1991 (Education Service Providers (Full Fee Overseas Students) Registration Amendment Regulations 2013 G.G. 8/10/2013).....	854
Liquor Control Act 1988 (Liquor Control (Warralong Restricted Area) Regulations 2013 G.G. 20/09/2013 and Liquor Control Amendment Regulations (No. 5) 2013 G.G. 20/09/2013)	855
Pay-roll Tax Assessment Act 2002 (Pay-roll Tax Assessment Amendment Regulations (No. 2) 2013 G.G. 11/10/2013)	856
<i>Rules —</i>	
Lotteries Commission Act 1990 (Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules 2013 G.G. 1/10/2013).....	857
Minister for Mental Health	
<i>Addendums —</i>	
Department of Communities — Annual Report (2012–2013) (Date received 16/10/2013)	858
<i>Annual Reports —</i>	
Environmental Protection Authority (2012–2013) (Date received 15/10/2013).....	859
<i>Local Laws —</i>	
Dog Act 1976 (City of Stirling Dogs Amendment Local Law 2013 G.G. 20/09/2013)	860
Dog Act 1976 (Town of Mosman Park Dogs Amendment Local Law 2013 G.G. 27/09/2013)	861
Local Government Act 1995 (City of Kalgoorlie-Boulder Standing Orders Local Law 2013 G.G. 9/10/2013 and Shire of Carnamah Public Places and Local Government Property Amendment Local Law 2013 G.G. 27/09/2013).....	862
Local Government Act 1995 (Shire of Broome Local Government Property and Public Places Amendment Local Law 2013 G.G. 20/09/2013).....	863
<i>Regulations —</i>	
Conservation and Land Management Act 1984 (Conservation and Land Management Amendment Regulations (No. 3) 2013 G.G. 27/09/2013).....	864
Dog Act 1976 (Dog Amendment Regulations (No. 2) 2013 G.G. 1/10/2013).....	865
Environmental Protection Act 1986 (Environmental Protection (NEPM-UPM) Regulations 2013 G.G. 24/09/2013 and Environmental Protection Amendment Regulations (No. 2) 2013 G.G. 24/09/2013).....	866
<i>Reports —</i>	
Forest Products Commission — Statement of Corporate Intent (2013–2014)	867
Attorney General	
<i>Regulations —</i>	
Fair Trading Act 2010 (Fair Trading (Retirement Villages Interim Code) Regulations (No. 2) 2013 G.G. 26/09/2013).....	868
Freedom of Information Act 1992 (Freedom of Information Amendment Regulations (No. 2) 2013 G.G. 24/09/2013)	869
<i>Schemes —</i>	
Professional Standards Act 1997 (Institute of Chartered Accountants in Australia (WA) Scheme G.G. 4/10/2013)	870
Minister for Agriculture and Food	
<i>Management Plans —</i>	
Fish Resources Management Act 1994 (Gascoyne Demersal Scalefish Management Plan Amendment 2013 [1147] G.G. 20/09/2013).....	871
Fish Resources Management Act 1994 (West Coast Demersal Gillnet and Demersal Longline Interim Managed Fishery Management Plan Amendment 2013 [1157] G.G. 27/09/2013)	872

Regulations —

Biosecurity and Agriculture Management Act 2007 (Biosecurity and Agriculture Management (Infringement Notices) Regulations 2013 G.G. 24/09/2013)	873
Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations (No. 5) 2013 G.G. 24/09/2013)	874
Pearling Act 1990 (Pearling (General) Amendment Regulations 2013 G.G. 24/09/2013)	875

Parliamentary Secretary representing the Minister for Transport*Regulations —*

Road Traffic Act 1974 (Road Traffic (Charges and Fees) Amendment Regulations (No. 11) 2013 G.G. 4/10/2013)	876
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Parliamentary Secretary representing the Minister for Health*Notices —*

Health Act 1911 (City of Bunbury — Fees and Charges (2013) G.G. 20/09/2013)	877
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6. Deputy Chair of Committees

The Leader of the House moved, without notice —

That Hon Stephen Dawson be replaced by Hon Amber-Jade Sanderson as Deputy Chair of Committees.

Question — put and passed.

7. Legislative Council Prayer

Motion No. 1 having been called, Hon Sally Talbot, continued her introductory remarks in moving the motion as follows —

That a revised form of Prayer, as contained in the Schedule to this motion, be adopted by the Council.

Schedule

Almighty God, we ask for your blessing upon this Parliament. Direct and prosper our deliberations to the true welfare of Western Australia and its people. *Amen.*

Hon Sally Talbot moved, without notice —

That Motion No. 1, *Legislative Council Prayer*, be discharged and referred to the Standing Committee on Procedure and Privileges to inquire into and consider whether the current Council prayer should be changed and, if so, recommend an appropriately worded alternative.

Debate ensued.

Question — put and passed.

8. Browse Basin LNG Development – Inquiry

Motion No. 2, having been called, Hon Robin Chapple, pursuant to notice, moved —

That an inquiry be established into all aspects of the West Australian Government's involvement in regard to all decisions associated with the proposed Browse Liquefied Natural Gas processing precinct at James Price Point.

Debate ensued.

9. Questions Without Notice

Questions without notice were taken.

The Minister for Education tabled, and by leave incorporated into Hansard, documents in relation to funding cuts for government schools located in the Balcatta electorate, in response to a question without notice asked by Hon Ljiljana Ravlich. (Tabled Paper 879).

10. Browse Basin LNG Development – Inquiry

Debate resumed on the motion of Hon Robin Chapple (see item 8 above).

Interruption pursuant to order.

11. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Adele Farina in the Chair)

Joint Standing Committee on the Corruption and Crime Commission — Report No. 5 — The timeliness of misconduct investigations undertaken or overseen by the CCC: Supplementary Report

Hon Nick Goiran moved, That the Report be noted.

Question — put and passed.

Joint Standing Committee on Delegated Legislation — Report No. 63 — Information Report in Relation to the Children’s Court (Fees) Amendment Regulations (No. 2) 2012, Civil Judgments Enforcement Amendment Regulations 2012, Coroners Amendment Regulations 2012, District Court (Fees) Amendment Regulations (No. 3) 2012, Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2012, Magistrates Court (Fees) Amendment Regulations (No. 3) 2012, State Administrative Tribunal Amendment Regulations (No. 3) 2012 and Supreme Court (Fees) Amendment Regulations (No. 3) 2012

Hon Ljiljana Ravlich moved, That the Report be noted.

Debate ensued.

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 —

- (1) Joint Standing Committee on the Corruption and Crime Commission — Report No. 5 — *The timeliness of misconduct investigations undertaken or overseen by the CCC: Supplementary Report* and had noted same.
- (2) Joint Standing Committee on Delegated Legislation — Report No. 63 — *Information Report in Relation to the Children’s Court (Fees) Amendment Regulations (No. 2) 2012, Civil Judgments Enforcement Amendment Regulations 2012, Coroners Amendment Regulations 2012, District Court (Fees) Amendment Regulations (No. 3) 2012, Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2012, Magistrates Court (Fees) Amendment Regulations (No. 3) 2012, State Administrative Tribunal Amendment Regulations (No. 3) 2012 and Supreme Court (Fees) Amendment Regulations (No. 3) 2012* and had noted same.

Report adopted.

12. 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 7, *Fire Brigades Amendment Regulations 2013 – Disallowance*, be taken after Order of the Day No. 9, *Criminal Investigation (Identifying People) Amendment Bill 2013*. (Leader of the House).

13. Appropriation (Consolidated Account) Recurrent 2013–14 Bill 2013 and Appropriation (Consolidated Account) Capital 2013–14 Bill 2013

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills. Debate resumed.

On the motion of the Leader of the House the debate was adjourned to a later stage of this day's sitting.

14. Order of Business

Ordered — That Order of the Day No. 10, *Courts and Tribunals (Electronic Processes Facilitation) Bill 2013*, be taken forthwith. (Leader of the House).

15. Courts and Tribunals (Electronic Processes Facilitation) Bill 2013

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 moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

16. Order of Business

Ordered — That Orders of the Day Nos 11, *Appropriation (Consolidated Account) Recurrent 2013-14 Bill 2013* and 12, *Appropriation (Consolidated Account) Capital 2013-14 Bill 2013* be taken forthwith. (Leader of the House).

17. Appropriation (Consolidated Account) Recurrent 2013–14 Bill 2013 and Appropriation (Consolidated Account) Capital 2013–14 Bill 2013

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills.

Debate resumed.

Interruption pursuant to order.

18. Members' Statements

Statements were taken.

19. Adjournment

The Council adjourned at 9.57pm until Thursday, 17 October 2013 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Stephen Dawson, Hon Nigel Hallett and Hon Darren West.

NIGEL LAKE
Acting Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council