

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 197

WEDNESDAY, 17 AUGUST 2016

1. Meeting of Council

The Council assembled at 1.00pm pursuant to Temporary Orders.

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

2. Petitions

Hon Sue Ellery presented a petition from 264 petitioners requesting the Legislative Council to refer the *Biodiversity Conservation Bill 2015* to the Standing Committee on Environment and Public Affairs. (Tabled Paper 4383).

Hon Robin Chapple presented a petition from 55 petitioners requesting the Legislative Council to investigate whether it is in the public interest for Synergy to compete in the renewable energy sector against private enterprise in the supply and installation of solar power systems. (Tabled Paper 4384).

Hon Lynn MacLaren presented a petition from 207 petitioners requesting the Legislative Council to refer the *Biodiversity Conservation Bill 2015* to the Standing Committee on Environment and Public Affairs. (Tabled Paper 4385).

3. Ministerial Statement — New Initiatives for Students with Disability

The Minister for Education made a Ministerial Statement with respect to the establishment of specialised learning programs for students with Autism Spectrum Disorder and initiatives to support students with learning difficulties and disabilities.

4. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Information and Communication Technology (ICT) in Education (Report No. 19)
(August 2016)..... 4344

Leader of the House

By-laws —

Energy Operators (Powers) Act 1979 (Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-laws 2016 G.G. 28/06/2016 and Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2016 G.G. 28/06/2016)..... 4345

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Fish Resources Management Act 1994 (South Coast Crustacean Managed Fishery Management Plan Amendment 2016 [1288] G.G. 8/07/2016).....	4351
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State Superannuation Act 2000 (State Superannuation Amendment Regulations (No. 4) 2016 G.G. 1/07/2016; and State Superannuation Amendment Regulations 2016 G.G. 5/07/2016).....	4360

Reports —

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Terrorism (Preventative Detention) Act 2006 — Quarterly Report (for the quarter ending 30 June 2016).....	4362

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Standards —

Fair Trading Act 2010 (Country of Origin Food Labelling Information Standard 2016 G.G. 1/08/2016).....	4364
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Minister for Planning*By-laws —*

Cemeteries Act 1986 (Albany Cemetery Board By-Law Amendment 2016 G.G. 28/06/2016).....	4365
Queen Elizabeth II Medical Centre Act 1966 (Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2016 G.G. 1/07/2016; and (Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws 2016 G.G. 1/07/2016).....	4366

Local Laws —

Cat Act 2011 (City of Wanneroo Cats Local Law 2016 G.G. 28/07/2016, Shire of Narrogin Cats Local Law 2016 G.G. 08/08/2016; and Town of East Fremantle Cats Local Law 2016 G.G. 21/07/2016).....	4367
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Minister for Planning on behalf of the Parliamentary Secretary to the Minister for Housing*Regulations —*

Liquor Control Act 1988 (Liquor Control (Transitional Housing and Support Program Restricted Areas) Regulations 2016 G.G. 26/07/2016; and Liquor Control Amendment Regulations (No. 3) 2016 G.G. 26/07/2016).....	4378
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Water Services Act 2012 (Water Services Amendment (Fees and Charges) Regulations 2016 G.G. 27/06/2016).....	4379
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Parliamentary Secretary to the Minister for Agriculture and Food

Determinations —

Biosecurity and Agriculture Management Act 2007 (Rangelands Local Government District for Financial Year 2016-2017 G.G. 21/06/2016).....	4380
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Road Traffic (Authorisation to Drive) Act 2008 (On-demand Transport Regulations Amendment Regulations 2016 G.G. 28/06/2016).....	4381
Transport Co-ordination Act 1966 (Transport Co-ordination Amendment Regulations 2016 G.G. 5/08/2016).....	4382

5. Environment Portfolio

Motion No. 1 having been called, Hon Simon O'Brien, pursuant to notice, moved —

That this House congratulates the Liberal-National Government on its excellent performance in the environment portfolio.

Debate ensued.

Interruption pursuant to order.

6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Adele Farina in the Chair)

Standing Committee on Estimates and Financial Operations — Report No. 62 — Provision of Information to the Parliament

Hon Ken Travers moved, That consideration be postponed until the next sitting.

Question — put and passed.

Select Committee into the Operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc) — Report No. 1 — Select Committee into the Operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc)

Debate resumed on the motion of Hon Sue Ellery, That the Report be noted.

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

Standing Committee on Public Administration — Report No. 26 — Transport of Persons in Custody

The Leader of the House moved, That consideration be postponed until the next sitting.

Question — put and passed.

Standing Committee on Uniform Legislation and Statutes Review — Report No. 99 — Inquiry into the Statue Book

Debate resumed on the motion of Hon Kate Doust, That the Report be noted.

Question — put and passed.

Joint Standing Committee on the Commissioner for Children and Young People — Report No. 7 — Everybody's Business. An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse

Hon Sally Talbot moved, That the Report be noted.

7. Questions Without Notice

Questions without notice were taken.

The Minister for Planning representing the Minister for Environment tabled, and by leave incorporated into *Hansard*, documents in relation to pressure relief valves on the Yara Fertiliser ammonia storage tanks on the Burrup Peninsula, in response to a question without notice asked by Hon Robin Chapple. (Tabled Paper 4386).

The Minister for Planning representing the Minister for Community Services tabled, and by leave incorporated into *Hansard*, documents in relation to child care centres and community centres, in response to a question without notice asked by Hon Amber-Jade Sanderson. (Tabled Paper 4387).

The Minister for Education, by leave incorporated into *Hansard*, information in relation to Certificate II courses offered at Australind Senior High School, in response to a question without notice asked by Hon Sally Talbot.

The Minister for Education, by leave incorporated into *Hansard*, information in relation to languages taught at public schools in Semester 1 of 2016, in response to a question without notice asked by Hon Sue Ellery.

The Minister for Education, by leave incorporated into *Hansard*, information in relation to the number of staff at Engagement Centres, in response to question without notice No. 668 asked by Hon Sue Ellery.

8. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports (*see item 6 above*).

In Committee

(Hon Adele Farina in the Chair)

Joint Standing Committee on the Commissioner for Children and Young People — Report No. 7 — Everybody's Business. An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse

Debate resumed on the motion of Hon Sally Talbot, That the Report be noted.

Interruption pursuant to order.

The Acting President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Standing Committee on Estimates and Financial Operations — Report No. 62 — *Provision of Information to the Parliament* and postponed consideration to the next sitting.
- (2) Select Committee into the Operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc) — Report No. 1 — *Select Committee into the Operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc)*, made progress, and seeks to sit again.
- (3) Standing Committee on Public Administration — Report No. 26 — *Transport of Persons in Custody* and postponed consideration to the next sitting.
- (4) Standing Committee on Uniform Legislation and Statutes Review — Report No. 99 — *Inquiry into the Statute Book* and had noted same.
- (5) Joint Standing Committee on the Commissioner for Children and Young People — Report No. 7 — *Everybody's Business. An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse*, made progress, and seeks to sit again.

Report adopted.

9. Marketing of Potatoes Amendment and Repeal Bill 2016

The Acting President reported the receipt of Message No. 165 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Minister for Agriculture and Food moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Parliamentary Secretary to the Minister for Agriculture and Food moved, That the Bill be read a second time.

The Parliamentary Secretary to the Minister for Agriculture and Food tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 4388).

Debate stands adjourned.

10. Terrorism (Preventative Detention) Amendment Bill 2016

The Acting President reported the receipt of Message No. 164 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House on behalf of 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 Leader of the House on behalf of the Attorney General representing the Minister for Police moved, That the Bill be read a second time.

The Leader of the House on behalf of the Attorney General representing the Minister for Police tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 4389).

Debate stands adjourned.

11. Order of Business

Ordered — That Orders of the Day Nos 1, *Albany Cemetery Board By-laws Amendment 2015 — Disallowance*, and 2, *Shire of Kellerberrin Dogs Local Law 2016 — Disallowance*, be taken after Order of the Day No. 11, *Retail Trading Hours Amendment Bill 2015*. (Leader of the House).

12. School Boarding Facilities Legislation Amendment and Repeal Bill 2015

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

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

13. Biodiversity Conservation Bill 2015

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

Debate resumed.

Hon Sue Ellery moved, without notice —

That the *Biodiversity Conservation Bill 2015*, be discharged and referred to the Standing Committee on Environment and Public Affairs for consideration and report by no later than Friday, 4 November 2016.

Debate ensued.

Interruption pursuant to order.

14. Adjournment

There being no Members' Statements the Council adjourned at 6.20pm until Thursday, 18 August 2016 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ken Baston, Hon Colin Holt, Hon Mark Lewis and Hon Darren West.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council