

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 55

TUESDAY, 11 MARCH 2014

1. Meeting of Council

The Council assembled at 3.00pm pursuant to order.

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

2. Statement by President — International Women's Day — Commonwealth Women Parliamentarians

The President made the following Statement —

Each year International Women's Day is celebrated on 8 March. The day has a long history, with the first International Women's Day held in 1911. The day celebrates the social, political and economic achievements of women while focusing attention on areas requiring further action.

One area that is often cited as requiring attention is the representation of women in Parliament. I am pleased to say that in this House the number of women Members has grown steadily over my time in this place. In 2010, this House had the highest proportion of female Members of Parliament in any Australian jurisdiction at any time in this nation's history. At that time 47 per cent of the total membership was female. We are not far off that number presently, with women comprising 44 per cent of our Chamber.

An example of women's advocacy in keeping with the objectives of International Women's Day has been the growth of the Commonwealth Women Parliamentarians as part of the Commonwealth Parliamentary Association. Twenty-six female Members of the Western Australian Parliament are members of this body, with 14 coming from the Legislative Council. One of the objects of the CWP is to further the representation of women in Parliaments throughout the commonwealth. I recently attended a meeting of the executive committee of the Australian region of the CPA in which it was agreed to formally incorporate the rules of the Commonwealth Women Parliamentarians into the CPA rules. Indeed, on an international level, where I have been an Australian representative on the CPA executive committee for the past two years, I supported the move to have the chair of the Commonwealth Women Parliamentarians become a full member of the coordinating committee, a powerful inner cabinet to the international executive committee and the CPA more broadly.

As part of International Women's Day, I would like to acknowledge each and every female Member in this place, the contribution they have made on behalf of their constituents and this State, and the role model that they are to other women aspiring to public office.

3. Statement by President — Commonwealth Day

The President made the following Statement —

Yesterday was Commonwealth Day, with the annual Commonwealth Day celebrations being conducted in London. Commonwealth Day is an annual event held on the second Monday in March and celebrates the benefits of the commonwealth and the work of its 53 constituent countries in promoting parliamentary democracy, just and peaceful societies, sustainable and inclusive social progress, and the common good.

The 2014 Commonwealth Day one-day program was a collaborative effort by the Commonwealth Parliamentary Association headquarters and the CPA UK branch, with a focus on young citizens of the commonwealth. Nominations were invited from all CPA branches for young persons to attend and participate in the celebration, with the program including a debating session at Westminster under the *Team Commonwealth* theme and attendance at the observance at Westminster Abbey in the presence of Her Majesty the Queen. Two young persons were nominated by the CPA Western Australian branch. Ms Clare Creegan and Mr Christopher Alexander, whose names were submitted by Hon Martin Aldridge, represented our jurisdiction in the proceedings. On behalf of all Members, I acknowledge those responsible for the conduct of this important event and trust that the young persons who represented our Parliament found the experience to be a rich and rewarding one. I also wish to thank Hon Martin Aldridge, who just a few minutes ago forwarded me an email containing photographs of those two young people enjoying proceedings in Westminster Hall in London.

4. Message from His Excellency the Governor — Assent to Bill

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bill —

26 February 2014 — Message No. 3

Western Australian Photo Card Bill 2013

Act No.

1 of 2014

5. Petitions

Hon Donna Faragher presented a petition from 408 petitioners requesting the Legislative Council to support the installation of 40 km per hour flashing signage at Inglewood Primary School and the Inglewood Pre-primary School and Kindergarten. (Tabled Paper 1281).

Hon Ken Travers presented a petition from 1,757 petitioners requesting the Legislative Council to oppose the changes to the *Local Government Act 1995* that reduce electors' rights to decide on boundary changes and amalgamations. (Tabled Paper 1282).

6. Papers

The following Paper was laid on the Table by —

President

Reports -

Office of the Inspector of Custodial Services – Report of an Announced Inspection of Casuarina Prison (Report No. 88) (January 2014) 1266

Standing Committee on Legislation -

Workforce Reform Bill 2013 (Report No. 22) (Deemed tabled 10/03/2014 pursuant to Standing Order 188) 1267

Minister for Mental Health

Proposals -

Land Administration Act 1997 – Proposal No. 2/2014 – Excision of land from and addition of land to Class A Reserve 15702 to facilitate a land exchange to resolve an encroachment by the adjoining landowner over a portion of Class A Reserve 15702 in the Shire of Wongan-Ballidu 1268

Regulations -

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| Local Government Act 1995 (Local Government (Administration) Amendment Regulations 2014 G.G. 28/02/2014)..... | 1269 |
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Reports -

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| Government of Western Australia, Quarterly Financial Results Report (2013-2014) (December 2013) (Date Received 07/03/2014)..... | 1270 |
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Attorney General*Regulations -*

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| Workers' Compensation and Injury Management Act 1981 (Workers' Compensation and Injury Management Amendment Regulations (No. 2) 2014 G.G. 25/02/2014) | 1271 |
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Rules -

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| Criminal Procedure Act 2004 (Criminal Procedure (District Court) Amendment Rules 2014 G.G. 28/02/2014)..... | 1272 |
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Minister for Agriculture and Food*Annual Report -*

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| Co-operative Bulk Handling Group (CBH) 2013 (Date Received 06/03/2014)..... | 1273 |
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Regulations -

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| Petroleum (Submerged Lands) Act 1982 (Petroleum (Submerged Lands) Amendment Regulations 2014 G.G. 25/02/2014) | 1274 |
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| Petroleum (Submerged Lands) Registration Fees Act 1982 (Petroleum (Submerged Lands) Registration Fees Amendment Regulations 2014 G.G. 25/02/2014) | 1275 |
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| Petroleum and Geothermal Energy Resources (Registration Fees) Act 1967 (Petroleum and Geothermal Energy Resources (Registration Fees) Amendment Regulations 2014 G.G. 25/02/2014)..... | 1276 |
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| Petroleum and Geothermal Energy Resources Act 1967 (Petroleum and Geothermal Energy Resources Amendment Regulations 2014 G.G. 25/02/2014)..... | 1277 |
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| Petroleum Pipelines Act 1969 (Petroleum Pipelines Amendment Regulations 2014 G.G. 25/02/2014)..... | 1278 |
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Reports -

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| Forest Products Commission of Western Australia (Half Yearly Report) (31 December 2013)..... | 1279 |
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Parliamentary Secretary representing the Minister for Health*Regulations -*

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| Cremation Act 1929 (Cremation Amendment Regulations 2014 G.G. 25/02/2014)..... | 1280 |
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7. Order of Business

Ordered — That Orders of the Day Nos 1, *Environmental Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013 – Disallowance*, 2, *Government Railways (Parking Stations) Amendment By-law 2013 – Disallowance*, 3, *Public Transport Authority Amendment Regulations 2013 – Disallowance*, 4, *Children’s Court (Fees) Amendment Regulations 2013 – Disallowance*, 5, *Civil Judgments Enforcement Amendment Regulations 2013 – Disallowance*, 6, *Coroners Amendment Regulations 2013 – Disallowance*, 7, *District Court (Fees) Amendment Regulations (No. 2) 2013 – Disallowance*, 8, *Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2013 – Disallowance*, 9, *Magistrates Court (Fees) Amendment Regulations (No. 2) 2013 – Disallowance*, 10, *State Administrative Tribunal Amendment Regulations (No. 4) 2013 – Disallowance*, 11, *Supreme Court (Fees) Amendment Regulations (No. 2) 2013 – Disallowance*, 12, *Water Services (Water Corporations Charges) Regulations 2013 – Disallowance*, and 13, *Water Services Regulations 2013 – Disallowance*, be taken after Order of the Day No. 15, *Taxi Drivers Licensing Bill 2013*. (Leader of the House).

8. Local Government Amendment Bill 2013

The Order of the Day having been read for the adjourned debate on the second reading of this Bill, debate resumed on the motion of Hon Sue Ellery, as follows —

That —

- (1) The *Local Government Amendment Bill 2013*, be discharged and referred to the Standing Committee on Legislation for consideration and report not later than Tuesday, 6 May 2014.
- (2) The Committee has the power to inquire into and report on the policy of the Bill.

9. Questions Without Notice

Questions without notice were taken.

10. Local Government Amendment Bill 2013

Debate resumed on the motion of Hon Sue Ellery, as follows (*see item 8 above*) —

That —

- (1) The *Local Government Amendment Bill 2013*, be discharged and referred to the Standing Committee on Legislation for consideration and report not later than Tuesday, 6 May 2014.
- (2) The Committee has the power to inquire into and report on the policy of the Bill.

Point of Order

Hon Ken Travers raised the following Point of Order —

Madam Deputy President, you asked the Member to withdraw. Everyone in this place knows that one has to withdraw without imputation, without additional words. One either withdraws or one does not withdraw; one does not add on all the rubbish that we heard from the Minister. I ask you to ask her again to withdraw the comments.

Deputy President’s Ruling

The Deputy President ruled as follows —

Minister, the point of order that has been raised by Hon Ken Travers is a respected precedent in this place. I would ask you to reconsider your comments in relation to Hon Kate Doust’s request to withdraw the statement that you made.

Hon Helen Morton withdrew the remark.

Debate resumed.

Hon Darren West sought leave to continue his remarks at the next sitting.

Leave granted.

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

11. Criminal Code Amendment (Child Sex Offences) 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.

12. Sentencing Legislation Amendment 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.

13. Taxi Drivers Licensing Bill 2013

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.

In Committee

(Hon Liz Behjat in the Chair)

Clause 12.

Debate resumed.

Clause agreed to.

Clause 13 agreed to.

Clause 14.

Debate ensued.

Clause agreed to.

Clauses 15 to 19 agreed to.

Clause 20.

Debate ensued.

Clause agreed to.

Clauses 21 to 27 agreed to.

Clauses 28 and 29.

Debate ensued.

Clauses agreed to.

Clauses 30 to 32 agreed to.

Clause 33.

Debate ensued.

Interruption pursuant to order.

The President resumed the Chair.

The Deputy 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.

14. Members' Statements

Statements were taken.

15. Adjournment

The Council adjourned at 10.03pm until Wednesday, 12 March 2014 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members.

NIGEL PRATT

Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council