

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 104

WEDNESDAY, 26 NOVEMBER 2014

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The Deputy President, Hon Adele Farina, took the Chair and read prayers.

2. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Training and Support for Justices of the Peace (Report No. 21) (November 2014) 2321

Leader of the House

Reports —

Overseas Travel Undertaken by Members of Parliament Funded by the Parliamentary

Travel Allowance (for the three months ended 30 September 2014)..... 2322

Minister for Agriculture and Food

Annual Reports —

Biosecurity Council of Western Australia (2013–2014) (Date received 26/11/2014) 2323

Parliamentary Secretary representing the Minister for Health

Reviews —

Surrogacy Act 2008 (November 2014) 2324

3. Standing Committee on Public Administration — Report No. 22 — Resolution of the Committee to commence an inquiry into the Transport of Persons in Custody

Hon Liz Behjat presented Report No. 22 of the Standing Committee on Public Administration, giving notice to the Council, pursuant to Standing Order No. 179(2), of a resolution of the Committee on 26 November 2014 to commence an Inquiry into the Transport of Persons in Custody. (Tabled Paper 2325).

4. Marine Parks in Western Australia

Motion No. 1 having been called, debate resumed on the motion of Hon Rick Mazza as follows —

That the Council supports —

- (a) a moratorium on the creation of any further marine parks in Western Australia; and

- (b) an investigation into the access to and management of the current marine parks in Western Australia, including allowing shore based fishing in sanctuary zones.

Question — put.

The Council divided.

Ayes (1)

Hon Rick Mazza (*Teller*)

Noes (30)

Hon Martin Aldridge
 Hon Ken Baston
 Hon Liz Behjat
 Hon Jacqui Boydell
 Hon Paul Brown
 Hon Robin Chapple
 Hon Alanna Clohesy
 Hon Peter Collier
 Hon Kate Doust
 Hon Sue Ellery
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Adele Farina
 Hon Nick Goiran
 Hon Nigel Hallett

Hon Alyssa Hayden
 Hon Col Holt
 Hon Peter Katsambanis
 Hon Mark Lewis
 Hon Lynn MacLaren
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Ljiljana Ravlich
 Hon Samantha Rowe
 Hon Amber-Jade Sanderson
 Hon Ken Travers
 Hon Darren West
 Hon Phil Edman (*Teller*)

Motion thus negatived.

5. Disability Services

Motion No. 2 having been called, Hon Alanna Clohesy, pursuant to notice, moved —

That this Council condemns the Barnett Government for its lack of leadership in the area of Disability Services and calls on the Government to put people before politics and adequately and sustainably fund services and operate trials and evaluations in a transparent and accountable way.

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. 51 — 2013/14 Agency Annual Report Hearings — December Timetable

Hon Ken Travers moved, That the Report be noted.

Question — put and passed.

The Acting President resumed the Chair.

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

Standing Committee on Estimates and Financial Operations — Report No. 51 — 2013/14 Agency Annual Report Hearings — December Timetable and had noted same.

Report adopted.

7. 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*, 4, *City of Fremantle Alfresco Dining Local Law 2014 — Disallowance*, 5, *Shire of Dardanup Dogs Local Law 2014 — Disallowance*, 6, *Shire of Dardanup Keeping and Control of Cats Local Law 2014 — Disallowance*, and 7, *School Education Amendment Regulations 2014 — Disallowance*, be taken after Order of the Day No. 17, *Taxation Legislation Amendment Bill 2014*. (Leader of the House).

8. Order of Business

Ordered — That Order of the Day No. 24 on the Notice Paper, *Standing Committee on Public Administration — Report No. 21 — Recreational Hunting Systems — Extension of Time*, be added to today's Business Program and be taken forthwith. (Leader of the House).

9. Standing Committee on Public Administration — Report No. 21 — Recreational Hunting Systems — Extension of Time

The Order of the Day having been read, debate resumed on the motion of the Hon Liz Behjat as follows —

That the reporting date for the Standing Committee on Public Administration's inquiry into Recreational Hunting Systems be extended from 4 December 2014 to 26 March 2015.

The Leader of the House moved, without notice, to amend the motion as follows —

To delete "26" and insert —

10

Amendment — put and passed.

Motion, as amended, agreed to.

10. Questions Without Notice

Questions without notice were taken.

The Minister for Education tabled documents in relation to student centred funding and one line budgets, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2326).

The Leader of the House representing the Minister for Energy, by leave incorporated into Hansard, information in relation to staff at the Muja Power Stations, in response to a question without notice asked by Hon Sally Talbot.

The Minister for Education tabled documents in relation to voluntary school fees in the South West region for 2012 and 2013, in response to question on notice No. 1843 asked by Hon Adele Farina. (Tabled Paper 2327).

The Minister for Child Protection tabled documents in relation to properties purchased and sold by the Department for Child Protection and Family Support in the last five years, in response to question on notice No. 1730 asked by Hon Stephen Dawson. (Tabled Paper 2328).

11. Standing Committee on Procedure and Privileges — Report No. 30 — Application of Standing Orders to the Joint Standing Committee on Delegated Legislation

The Order of the Day having been read, debate resumed on the motion of the Hon Kate Doust as follows —

That Recommendation 1 contained in Report No. 30 of the Standing Committee on Procedure and Privileges, *Application of Standing Orders to the Joint Standing Committee on Delegated Legislation*, be adopted and agreed to.

Question — put and passed.

12. Standing Committee on Procedure and Privileges — Report No. 31 — Standing Order 37(2): Member's Right of Speech

The Order of the Day having been read, debate resumed on the motion of the Hon Kate Doust as follows —

That Recommendation 1 contained in Report No. 31 of the Standing Committee on Procedure and Privileges, *Standing Order 37(2): Member's Right of Speech*, be adopted and agreed to.

Question — put and passed.

13. Standing Committee on Procedure and Privileges — Report No. 33 — Temporary Orders — 2015

The Order of the Day having been read, Hon Adele Farina continued her introductory remarks in moving the motion as follows —

That Recommendation 1 contained in Report No. 33 of the Standing Committee on Procedure and Privileges, *Temporary Orders — 2015*, be adopted and agreed to.

Debate ensued.

Question — put and passed.

14. Joint Select Committee on Aboriginal Constitutional Recognition — Establishment

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 89

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution —

- (1) That a Joint Select Committee of the Legislative Assembly and Legislative Council be established to consider and report on the appropriate wording to recognise Aboriginal people in the constitution of Western Australia.
- (2) That the Joint Select Committee consist of seven members:
 - (a) three will be members of the Council; and
 - (b) four will be members of the Assembly.
 and of those seven members:
 - (a) two will be members of the Liberal Party;
 - (b) two will be members of the National Party;
 - (c) three will be members of the Australian Labor Party.
- (3) The Standing Orders of the Legislative Assembly relating to Standing and Select Committees will be followed as far as they can be applied.
- (4) That the Joint Select Committee report to both Houses by 26 March 2015.

and requests the Legislative Council to agree to a similar resolution.

Further, that subject to the Legislative Council agreeing to the above paragraphs, the following Legislative Assembly members are appointed:

- the Member for Kimberley;
- the Member for Victoria Park;
- the Member for Murray Wellington; and
- the Member for Kalgoorlie.

Mr I.M. Britza
Acting Speaker
Legislative Assembly Chamber
Perth, 26 November 2014

Ordered — That consideration of Legislative Assembly Message No. 89 be made an Order of the Day for the next sitting. (Leader of the House).

15. Taxation Legislation Amendment Bill 2014

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

Interruption pursuant to order.

16. Members' Statements

Statements were taken.

17. Adjournment

The Council adjourned at 9.55pm until Thursday, 27 November 2014 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Stephen Dawson, Hon Dave Grills and Hon Barry House.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council