

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 8

TUESDAY, 13 JUNE 2017

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair and read prayers.

2. Petitions

Hon Martin Pritchard presented a petition from 1,577 petitioners requesting the Council to oppose the City of Joondalup prohibition of exercising horses at the animal exercise beach and adjacent ocean waters at Whitfords (Crown Reserve No. 48731). (Tabled Paper 260).

Hon Martin Pritchard presented a petition from 2,061 petitioners requesting the Council to oppose the City of Joondalup prohibition of exercising horses at the only beach north of Perth. (Tabled Paper 261).

Hon Diane Evers presented a petition from 903 petitioners requesting the Council to introduce farmer protection legislation to compensate any non-genetically modified crops farmer who suffers economic loss from genetically modified crops contamination. (Tabled Paper 262).

Hon Donna Faragher presented a petition from 1,654 petitioners requesting the Council to oppose the Government's Education Central Plan for Perth Modern School. (Tabled Paper 263).

Hon Pierre Yang presented a petition from 3,409 petitioners requesting the Council to oppose the proposed Wave Park at Alfred Cove Tompkins Park. (Tabled Paper 264).

Hon Pierre Yang presented a petition from 2,746 petitioners requesting the Council to instigate an inquiry into the officers and Council of the City of Melville. (Tabled Paper 265).

3. Ministerial Statement — New Secondary School — Subiaco College

The Minister for Education and Training made a Ministerial Statement with respect to building a new secondary school, Subiaco College, at Kitchener Park.

4. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Opinion on Ministerial Notification (Report No. 9) (June 2017) (Deemed tabled 8/06/2017).... 239

Leader of the House

Local Laws —

Local Government Act 1995 (City of Cockburn Parking and Parking Facilities Amendment Local Law 2017 G.G. 23/05/2017, City of Kalgoorlie-Boulder Cat Amendment Local Law 2017 G.G. 02/06/2017, City of Mandurah Local Government Property and Public Places Local Law 2016 G.G. 26/05/2017, City of Melville Meeting Procedures Local Law 2017 G.G. 07/06/2017, City of Perth Thoroughfares and Public Places Local Law 2017 G.G. 26/05/2017, Town of East Fremantle Plastic Bag Reduction Local Law 2017 G.G. 02/06/2017 and Town of East Fremantle Repeal Local Law 2017 G.G. 02/06/2017).....	240
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Rules —

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Supreme Court Act 1935 (Supreme Court Amendment (Subpoenas) Rules 2017 G.G. 24/05/2017)	242

Schemes —

Professional Standards Act 1997 (The Law Society of South Australia Professional Standards Scheme (2017) G.G. 06/06/2017 and the South Australian Bar Association Inc Professional Standards Scheme (2017) G.G. 06/06/2017)	243
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Minister for Environment

Leases —

CALM Lease No. 2287/97 — Between the Conservation and Land Management Executive Body and Commonwealth of Australia Department of Defence for the purpose of a rifle range and any associated and incidental activity in State Forest No. 12 Coolilup	244
CALM Lease No. 2415/100 — Between the Conservation and Land Management Executive Body and Mr Aaron Gordon James May for an existing recreational hut located along the Gardner River in the D'Entrecasteaux National Park	245

Local Laws —

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Regulations —

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Motor Vehicle Drivers Instructors Act 1963 (Motor Vehicle Drivers Instructors Amendment Regulations 2017 G.G. 26/05/2017).....	249
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Road Traffic (Administration) Act 2008 (Road Traffic Regulations Amendment (Penalties) Regulations 2017 G.G. 26/05/2017).....	251

Minister for Regional Development

Annual Reports —

Department of Fisheries — Criminal Investigation (Covert Powers) Act 2012 (1 July 2015 to 30 June 2016)	252
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Management Plans —

Fish Resources Management Act 1994 (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment 2017 [1300] G.G. 06/06/2017).....	253
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Notices —

Fair Trading Act 2010 (Consumer Goods (Babies' Dummies and Dummy Chains) Safety Standard 2017 G.G. 26/05/2017)	254
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Orders —

Fish Resources Management Act 1994 (Prohibition on Fishing (Purse Seining) Order 2017 [1297] G.G. 30/05/2017)	255
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Regulations —

Disposal of Uncollected Goods Act 1970 (Disposal of Uncollected Goods Amendment Regulations 2017 G.G. 09/06/2017)	256
Gaming and Wagering Commission Act 1987 (Gaming and Wagering Commission Amendment Regulations 2017 G.G. 26/05/2017)	257
Liquor Control Act 1988 (Liquor Control (Spinifex Restricted Area) Amendment Regulations 2017 G.G. 02/06/2017)	258

Reports —

Potato Marketing Corporation of Western Australia — Final Report (for the six months ended 31 December 2016)	259
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5. Petroleum Legislation Amendment Bill 2017

The Minister for Regional Development representing the Minister for Mines and Petroleum: To move on the next day of sitting —

That a Bill for “An Act to amend the *Petroleum and Geothermal Energy Resources Act 1967* and the *Petroleum (Submerged Lands) Act 1982*.” be introduced and read a first time.

6. Criminal Code Amendment (Industrial Manslaughter) Bill 2017

Hon Alison Xamon: To move on the next day of sitting —

That a Bill for “An Act to amend *The Criminal Code*.” be introduced and read a first time.

7. Select Committee into alternate approaches to reducing illicit drug use and its effects on the community — Establishment

Hon Alison Xamon: To move on the next day of sitting —

- (1) A Select Committee examining alternate approaches to reducing illicit drug use and its effects on the community is established.
- (2) The Select Committee is to inquire into and report on —
 - (a) other Australian state jurisdictions and international approaches (including Portugal) to reducing harm from illicit drug use, including the relative weighting given to enforcement, health and social interventions;
 - (b) a comparison of effectiveness and cost to the community of drug related laws between Western Australia and other jurisdictions;
 - (c) the applicability of alternate approaches to minimising harms from illicit drug use from other jurisdictions to the Western Australian context; and
 - (d) consider any other relevant matter.
- (3) The Select Committee shall consist of five Members.
- (4) The Select Committee is to report no later than four months after the motion is agreed to.

8. Local Project, Local Jobs Initiative

Hon Darren West: To move on the next day of sitting —

That this House congratulates the McGowan Labor Government for its Local Projects, Local Jobs initiative and for the positive impact this will have on local communities.

9. Order of Business

Ordered — That Orders of the Day Nos 1, *Firearms Amendment Regulations 2017 — Disallowance*, and 2, *Road Traffic (Vehicles) Amendment Regulations (No. 2) 2017 — Disallowance*, be taken after Order of the Day No. 4, *Constitution Amendment (Demise of the Crown) Bill 2017*. (Leader of the House).

10. Address-In-Reply

The Order of the Day having been read for the adjourned debate on the Address-in-Reply.
Debate resumed.

11. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training representing the Minister for Child Protection tabled documents in relation to legal rights of children and caseworker responsibilities, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 266).

12. Address-In-Reply

Debate resumed on the Address-in-Reply (*see item 10 above*).

Hon Jacqui Boydell sought leave of the House to continue her remarks at a later stage of this day's sitting.

Leave granted.

Debate resumed.

Want of Quorum

There not being a quorum present, the Acting President gave instructions for the ringing of the Bells.
A quorum being formed, the debate continued.

Interruption pursuant to order.

13. Members' Statements

Statements were taken.

14. Joint Standing Committee on Delegated Legislation — Establishment

The following Message from the Legislative Assembly was reported —

Madam President

Message No. 5

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

That the House agrees to the resolution of the Legislative Council referred to in Legislative Council Message No. 1, subject to the following amendment to which the Legislative Assembly requests the concurrence of the Legislative Council:

No. 1

Delete paragraph 10.8.

Mr I.C. Blayney

Acting Speaker

Legislative Assembly Chamber

Perth, 13 June 2017

Ordered — That consideration of Message No. 5 be made an Order of the Day for the next sitting.

15. Joint Standing Committee on Audit — Establishment

The following Message from the Legislative Assembly was reported —

Madam President

Message No. 6

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

That —

- (1) the terms contained in Legislative Council Message No. 2 for the establishment of the Joint Standing Committee on Audit be agreed to; and
- (2) the Legislative Council be acquainted accordingly.

Mr I.C. Blayney

Acting Speaker

Legislative Assembly Chamber

Perth, 13 June 2017

16. Joint Standing Committee on the Commissioner for Children and Young People — Membership

The following Message from the Legislative Assembly was reported —

Madam President

Message No. 7

The Legislative Assembly acquaints the Legislative Council that for the present Parliament the Legislative Assembly has appointed the Member for Kalgoorlie and the Member for Kingsley as members of the Joint Standing Committee on the Commissioner for Children and Young People.

Mr S.J. Price

Acting Speaker

Legislative Assembly Chamber

Perth, 13 June 2017

17. Adjournment

The Council adjourned at 9.52pm until Wednesday, 14 June 2017 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge and Hon Michael Mischin.

NIGEL PRATT

Clerk of the Legislative Council

HON KATE DOUST MLC

President of the Legislative Council