

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 214

TUESDAY, 18 OCTOBER 2016

1. Meeting of Council

The Council assembled at 2.00pm pursuant to Temporary Orders.
The President, Hon Barry House, took the Chair and read prayers.

2. Statement by President — Legislative Council Chamber — Audio System

The President made the following Statement —

I advise that the Chamber audio system is currently experiencing difficulties and the microphones located in front of Members are not recording or broadcasting speeches. Technicians are currently investigating the problem and hope to have the audio system restored shortly. When Members seek and are granted the call, I will invite them to give their speeches from one of the lecterns located on either side of the table of the House. I will advise Members further when the Chamber audio system has been restored.

3. Petition

Hon Samantha Rowe presented a petition from 17 petitioners requesting the Legislative Council to oppose the development of housing lots and subsequent reclamation of a lake, wetlands and 272 trees situated at the end of Carabeen Avenue in the Helena Valley. (Tabled Paper 4786).

4. Ministerial Statement — Kalgoorlie-Boulder Community High School

The Minister for Education made a Ministerial Statement with respect to the redevelopment of Kalgoorlie-Boulder Community High School.

5. Ministerial Statement — Home Australia Pty Ltd — Liquidation

The Minister for Commerce made a Ministerial Statement with respect to Home Australia Pty Ltd, parent company of Collier Homes Pty Ltd in Western Australia, going into liquidation.

6. Ministerial Statement — Western Australia Worth Sharing Campaign

The Minister for Agriculture and Food made a Ministerial Statement with respect to the 'Western Australia Worth Sharing' brand campaign, which markets Western Australia's agrifood industry internationally.

7. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Local Government Advisory Board (2015–2016) (Date received 17/10/2016)..... 4779

Attorney General

Regulations —

Gas Standards Act 1972 (Gas Standards (Gas Supply and System Safety) Amendment Regulations 2016 G.G. 11/10/2016)..... 4780

Sentencing Act 1995 (Sentencing Amendment Regulations 2016 G.G. 11/10/2016) 4781

Workers' Compensation and Injury Management (Acts of Terrorism) Act 2001 (Workers' Compensation and Injury Management (Acts of Terrorism) (Final Day) Amendment Regulations 2016 G.G. 14/10/2016)..... 4782

Response to Reports —

Joint Standing Committee on Audit — Review of the Minister's Report on the Financial Management Act 2006 (Report No. 6) 4783

Minister for Planning

Local Laws —

Health Act 1911 (Shire of Corrigin Health Local Law 2016 G.G. 11/10/2016, Town of Port Hedland Animals, Environment and Nuisance Local Law 2016 G.G. 13/10/2016 and Town of Port Hedland Health Local Law 2016 G.G. 13/10/2016)..... 4784

Local Government Act 1995 (City of Greater Geraldton Meeting Procedures Amendment Local Law 2016 G.G. 11/10/2016 and Town of Claremont Site Erosion and Sand Drift Local Law 2016 G.G. 14/10/2016)..... 4785

8. Order of Business

Ordered — That Orders of the Day Nos 1, *Motor Vehicle (Catastrophic Injuries) Regulations 2016 — Disallowance*, and 2, *Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-Laws 2016 — Disallowance*, be taken after Order of the Day No. 13, *Aquatic Resources Legislation Amendment Bill 2015*. (Leader of the House).

9. Shire of Bridgetown-Greenbushes Extractive Industries Repeal Local Law 2016 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 3, *Shire of Bridgetown-Greenbushes Extractive Industries Repeal Local Law 2016*, be discharged from the Notice Paper.

Question — put and passed.

10. Loan Bill 2016

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

11. Questions Without Notice

Questions without notice were taken.

The Minister for Aboriginal Affairs, by leave incorporated into *Hansard*, information in relation to heritage sites listed for re-assessment by the Aboriginal Cultural Material Committee, in response to a question without notice asked by Hon Robin Chapple.

The Leader of the House representing the Minister for Training and Workforce Development, by leave incorporated into *Hansard*, information in relation to courses and qualifications delivered to year 11

and year 12 students in the Goldfields-Esperance and Wheatbelt regions, in response to a question without notice asked by Hon Sally Talbot.

The Minister for Planning tabled documents in relation to a ministerial statement regarding the Roe Highway Stage 8 Extension, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 4787).

The Minister for Planning representing the Minister for Environment tabled documents in relation to a letter of warning from the Department of Environment Regulation to Wirildi Pty Ltd for non-compliance with the *Environmental Protection Act 1986*, in response to question on notice No. 4397 asked by Hon Robin Chapple. (Tabled Paper 4788).

The Parliamentary Secretary to the Minister for Water, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 4396 asked by Hon Darren West will be provided on 17 November 2016.

12. School Boarding Facilities Legislation Amendment and Repeal Bill 2015

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 183

I have ruled the *School Boarding Facilities Legislation Amendment and Repeal Bill 2015*, forwarded from the Legislative Council to the Legislative Assembly on 18 August 2016, out of order, as it contains a clear appropriation provision contrary to section 46(1) of the *Constitution Acts Amendment Act 1889*.

I ask that the Legislative Council ensures that it strictly observes this section in relation to all future Bills.

Hon. M.W. Sutherland

Speaker

Legislative Assembly Chamber

Perth, 18 October 2016

Ordered — That consideration of Message No. 183 be made an Order of the Day for the next sitting.

13. Loan Bill 2016

Debate resumed on the second reading of this Bill (*see item 10 above*).

Interruption pursuant to order.

14. Adjournment

There being no Members' Statements the Council adjourned at 9.45pm until Wednesday, 19 October 2016 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jacqui Boydell and Hon Adele Farina.

NIGEL PRATT
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council