

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 140**

**THURSDAY, 13 AUGUST 2015**

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**1. Meeting of Council**

The Council assembled at 10.00am pursuant to order.

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

**2. Petitions**

Hon Robin Chapple presented a petition from 84 petitioners requesting the Legislative Council to support the protection of Aboriginal heritage sites. (Tabled Paper 3160).

Hon Martin Pritchard presented a petition from 179 petitioners requesting the Legislative Council to oppose and redress the proposed changes to Transperth bus route 15. (Tabled Paper 3161).

**3. Paper**

The following Paper was laid on the Table by —

**Minister for Mental Health**

*Leases* —

CALM Lease No. 753/97 — Between the Conservation and Land Management Executive Body and AD and RA Mathews for the Purpose of a dam site for domestic purposes in State Forest No. 36 near Pemberton ..... 3159

**4. Standing Committee on Legislation — Report No. 28 — Demise of the Crown**

Hon Robyn McSweeney presented Report No. 28 of the Standing Committee on Legislation, *Demise of the Crown*. (Tabled Paper 3162).

**5. Joint Standing Committee on the Corruption and Crime Commission — Report No. 22 — Improving the working relationship between the Corruption and Crime Commission and Western Australia Police: Supplementary Report**

Hon Nick Goiran presented Report No. 22 of the Joint Standing Committee on the Corruption and Crime Commission, *Improving the working relationship between the Corruption and Crime Commission and Western Australia Police: Supplementary Report*. (Tabled Paper 3163).

**6. Joint Standing Committee on the Corruption and Crime Commission — Report No. 23 — Suspension of the Committee's Inquiry into the CCC being able to prosecute its own charges**

Hon Nick Goiran presented Report No. 23 of the Joint Standing Committee on the Corruption and Crime Commission, *Suspension of the Committee's Inquiry into the CCC being able to prosecute its own charges*. (Tabled Paper 3164).

**7. Liquor Legislation Amendment Bill 2015**

The Minister for Racing and Gaming: To move on the next day of sitting —

That a Bill for “An Act to amend the *Liquor Control Act 1988*, to consequentially amend the *Young Offenders Act 1994*, and for related purposes.” be introduced and read a first time.

**8. Individual Students with Disabilities — Funding in schools**

Non-Government Business No. 1 having been called, Hon Sue Ellery moved, without notice —

That this House expresses its concern that school communities are reporting funding to individual students with disabilities in schools is less than those same students would have received under the previous funding model and calls on the Government to report on how this will be fixed.

Debate ensued.

*Motion lapsed.*

**9. Western Australia — Strategies to Develop the North**

Private Members’ Business No. 1 having been called, Hon Dave Grills moved, without notice —

That this House discuss the challenges associated with the development of the north of Western Australia, and examine strategies to encourage a more resilient and diverse northern economy.

Debate ensued.

*Motion lapsed.*

**10. Order of Business**

Ordered — That Orders of the Day Nos 2, *City Of Fremantle Plastic Bag Reduction Local Law 2015 — Disallowance*, 3, *Regulation 6(1) of the Conservation and Land Management Amendment Regulations 2015 — Disallowance*, 5, *Shire of Mount Marshall Health Local Law 2014 — Disallowance*, and 6, *Shire of Mukinbudin Health Local Law 2014 — Disallowance*, be taken after Order of the Day No. 20, *Fire and Emergency Services Amendment Bill 2015*. (Leader of the House).

**11. Shire of Trayning Public Places and Local Government Property Local Law 2015 — 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. 1, *Shire of Trayning Public Places and Local Government Property Local Law 2015 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

**12. Planning and Development (Development Assessment Panels) Amendment Regulations 2015 — 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. 4, *Planning and Development (Development Assessment Panels) Amendment Regulations 2015 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

**13. Estimates of Revenue and Expenditure — Consolidated Fund Estimates 2015–2016**

The Order of the Day having been read for the adjourned debate on the motion of Minister for Mental Health representing the Treasurer, as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 2877A–E (2015–2016 Budget Statements), laid upon the Table of the House on Thursday, 14 May 2015.

Debate resumed.

Hon Lynn MacLaren sought leave to extend her speaking time.

Leave granted.

Debate resumed.

Question — put and passed.

#### **14. Land Tax Amendment Bill 2015**

The Acting President reported the receipt of Message No. 112 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister for Finance moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Minister for Finance moved, That the Bill be read a second time.

The Leader of the House representing the Minister for Finance tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3165).

Debate stands adjourned.

#### **15. Rail Safety National Law (WA) Bill 2014**

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

Debate resumed.

#### **16. Questions Without Notice**

Questions without notice were taken.

The Minister for Education tabled documents in relation to a list of schools participating in the online NAPLAN trial, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 3166).

The Minister for Child Protection, by leave incorporated into *Hansard*, documents in relation to the number of non-aboriginal and aboriginal children in care, in response to a question without notice asked by Hon Stephen Dawson.

The Minister for Disability Services tabled documents in relation to communication between the Disability Services Commission and My Way participants regarding changes to the Taxi Users' Subsidy Scheme, in response to a question without notice asked by Hon Alanna Clohesy. (Tabled Paper 3167).

The Parliamentary Secretary representing the Minister for Science on behalf of the Parliamentary Secretary representing the Minister for Tourism tabled documents in relation to survey results by Painted Dog Research into boating visitors' views of Rottnest Island, in response to a question without notice asked by Hon Lynn MacLaren. (Tabled Paper 3168).

The Minister for Housing, by leave incorporated into *Hansard*, documents in relation to weekly rent for one, two and three bedroom dwellings at Osprey Village, for priority one, two and three tenants, in response to a question without notice asked by Hon Stephen Dawson.

The Minister for Education, by leave incorporated into *Hansard*, documents in relation to additional questions on notice asked during Budget Estimates with regard to applications for additional funding for 13 schools, in response to a question without notice asked by Hon Sue Ellery.

The Minister for Mental Health, by leave incorporated into *Hansard*, documents in relation to the Statewide Specialist Forensic Mental Health Service and children facing the Children's Court in Bunbury, in response to a question without notice asked by Hon Adele Farina.

The Minister for Agriculture and Food representing the Minister for Water tabled a report produced for the Department of Water entitled: *Planning to develop sustainable irrigated agriculture in Northern Western Australia*, in response to question on notice No. 3168 asked by Hon Robin Chapple. (Tabled Paper 3169).

The Minister for Housing tabled documents in relation to portable toilets and showers supplied to Department of Housing tenants residing in the Midwest-Gascoyne Region in 2013, 2014 and to 30 April 2015, in response to question on notice No.3174 asked by Hon Darren West. (Tabled Paper 3170).

**17. Rail Safety National Law (WA) Bill 2014**

Debate resumed on the second reading of this Bill (*see item 15 above*).

*Interruption pursuant to order.*

**18. Members' Statements**

Statements were taken.

**19. Adjournment**

The Council adjourned at 5.00 pm until Tuesday, 18 August 2015 at 2.00pm.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Adele Farina, Hon Nigel Hallett and Hon Alyssa Hayden.

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON BARRY HOUSE**  
President of the Legislative Council