WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 110

THURSDAY, 19 FEBRUARY 2015

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. Ministerial Statement — Small Business Safety Webpages
The Minister for Commerce made a Ministerial Statement with respect to the new Small Business Safety Webpages, which have been designed to assist small businesses to comply with occupational safety and health laws.

3. Papers
The following Papers were laid on the Table by —

Leader of the House

Orders —
Gas Supply (Gas Quality Specifications) Act 2009 (Gas Supply (Gas Quality Specifications) (Red Gully) Exemption Order 2014 G.G. 23/12/2014) ................................................................. 2488

Regulations —
Electricity Industry Act 2004 (Electricity Industry (Licensing Fees) Repeal Regulations 2014 G.G. 30/12/2014) ........................................................................................................ 2489
Energy Coordination Act 1994 (Energy Coordination (Licensing Fees) Repeal Regulations 2014 G.G. 30/12/2014) ........................................................................................................ 2490
Public Sector Management Act 1994 (Public Sector Management (Redeployment and Redundancy) Regulations 2014 G.G. 30/12/2014) ................................................................. 2490
Rates and Charges (Rebates and Deferments) Act 1992 (Rates and Charges (Rebates and Deferments) Amendment Regulations (No. 2) 2014 G.G. 19/12/2014) ................................................................. 2492
School Education Act 1999 (School Education Amendment Regulations (No. 2) 2014 G.G. 8/01/2015) ................................................................................................................................. 2493
Taxation Administration Act 2003 (Taxation Administration Amendment Regulations 2014 G.G. 8/01/2015) ................................................................................................................................. 2494

Reports —
Public Sector Commission — Acquisition and use of Hospitality Resources by Healthway — Investigation Report .................................................................................................................. 2495

Rules —
Lotteries Commission Act 1990 (Lotteries Commission (Saturday Lotto) Amendment Rules (No. 3) 2014 G.G. 16/12/2014) .................................................................................................................. 2496
Minister for Mental Health

Local Laws —


Regulations —

Botanic Gardens and Parks Authority Act 1998 (Botanic Gardens and Parks Amendment Regulations 2014 G.G. 8/01/2015) .......................................................... 2500


Control of Vehicles (Off-road Areas) Act 1978 (Control of Vehicles (Off-road Areas) Amendment Regulations 2014 G.G. 8/01/2015) .......................................................... 2503

Economic Regulation Authority Act 2003 (Economic Regulation Authority (Licensing Funding) Regulations 2014 G.G. 30/12/2014) .......................................................... 2504

Environmental Protection Act 1986 (Noise Abatement (Noise Labelling of Equipment) Amendment Regulations 2014 G.G. 8/01/2015) .......................................................... 2505

Metropolitan Redevelopment Authority Act 2011 (Metropolitan Redevelopment Authority Amendment Regulations 2014 G.G. 16/12/2014) .......................................................... 2506


State Superannuation Act 2000 (State Superannuation Amendment Regulations (No. 3) 2014 G.G. 6/01/2015) .......................................................... 2508


Working with Children (Criminal Record Checking) Act 2004 (Working with Children (Criminal Record Checking) Amendment Regulations 2014 G.G. 8/01/2015) .......................................................... 2510

Zoological Parks Authority Act 2001 (Zoological Parks Authority Amendment Regulations 2014 G.G. 8/01/2015) .......................................................... 2511

Attorney General

Regulations —

Building Services (Registration) Act 2011 (Building Services (Registration) Amendment Regulations (No. 2) 2014 G.G. 19/12/2014) .......................................................... 2512


Chattel Securities Act 1987 (Chattel Securities Amendment Regulations 2014 G.G. 8/01/2015) .......................................................... 2514

Criminal Property Confiscation Act 2000 (Criminal Property Confiscation Amendment Regulations 2014 G.G. 30/12/2014) .......................................................... 2515

Electricity Act 1945 (Electricity (Licensing) Amendment Regulations 2014 G.G. 8/01/2015) .......................................................... 2516

Gas Standards Act 1972 (Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations 2014 G.G. 8/01/2015) .......................................................... 2517

Industrial Relations Act 1979 (Industrial Relations Commission Amendment Regulations (No. 2) 2015 G.G. 9/01/2015) .......................................................... 2518
Parliamentary Secretary representing the Minister for Transport

By-laws —
Government Railways Act 1904 (Government Railways (Parking Stations) Amendment By-law (No. 2) 2014 G.G. 8/01/2015) ................................................................. 2539

Regulations —
Marine and Harbours Act 1981 (Marine and Harbours (Departmental Areas) Amendment Regulations 2014 G.G. 8/01/2015) ................................................................. 2540
Motor Vehicle Drivers Instructors Act 1963 (Motor Vehicle Drivers Instructors Amendment Regulations 2014 G.G. 8/01/2015) ................................................................. 2541
Port Authorities Act 1999 (Port Authorities Amendment Regulations 2014 G.G. 8/01/2015) ................................................................. 2542
Road Traffic (Administration) Act 2008 (Road Traffic (Administration) Regulations 2014 G.G. 23/12/2014) ................................................................. 2543
Road Traffic (Authorisation to Drive) Act 2008 (Road Traffic (Authorisation to Drive) Regulations 2014 G.G. 23/12/2014) ................................................................. 2544
Road Traffic (Vehicles) Act 2012 (Road Traffic (Vehicles) Regulations 2014 G.G. 23/12/2014) ................................................................. 2545
Road Traffic Act 1974 (Road Traffic (Authorisation to Drive) Amendment Regulations 2014 G.G. 16/12/2014 and Road Traffic (Repeals and Amendment) Regulations 2014 G.G. 23/12/2014) ................................................................. 2546
Transport Co-ordination Act 1966 (Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2014 G.G. 23/12/2014) ................................................................. 2547

Parliamentary Secretary representing the Minister for Health

By-laws —

Regulations —
Poisons Act 1964 (Poisons Amendment Regulations (No. 4) 2014 G.G. 16/12/2014) ................................................................. 2550
Rottnest Island Authority Act 1987 (Rottnest Island Amendment Regulations 2014 G.G. 8/01/2015) ................................................................. 2552


5. Shire of Kellerberrin Cemeteries Local Law 2014 — Disallowance
Hon Robin Chapple: To move on the next day of sitting —
That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the Shire of Kellerberrin Cemeteries Local Law 2014 published in the Gazette on 15 October 2014 and tabled in the Legislative Council on 21 October 2014 under the Cemeteries Act 1986, be and is hereby disallowed. (Tabled Paper 2172).

Hon Robin Chapple: To move on the next day of sitting —

7.  Shire of Kellerberrin Local Government (Council Meetings) Local Law 2014 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

8.  Shire of Kellerberrin Fencing Local Law 2014 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —
That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the Shire of Kellerberrin Fencing Local Law 2014 published in the Gazette on 15 October 2015 and tabled in the Legislative Council on 21 October 2014 under the Local Government Act 1995, be and is hereby disallowed. (Tabled Paper 2173).

9.  Potato Industry — Potato Marketing Corporation

Non-Government Business No. 1 having been called, Hon Rick Mazza moved, without notice —
That this House debates —
(a) whether control of the potato industry by the Potato Marketing Corporation is appropriate for modern commercial practices; and
(b) what would be the impact on the industry and consumers should the Act be repealed?

Debate ensued.  
Motion lapsed.

10. Education Reforms

Private Members’ Business No. 1 having been called, Hon Liz Behjat moved, without notice —
That this House recognises the significant reforms introduced in the education portfolio in Western Australia in 2015.

Debate ensued.  
Motion lapsed.

11. Order of Business


12. Shire of Dardanup Keeping and Control of Cats Local Law 2014 — Disallowance

The Order of the Day having been called.
On the motion of the Leader of the House the debate was adjourned to a later stage of this day’s sitting.
13. **Road Traffic Legislation Amendment Bill 2014**

The Order of the Day having been read for the third reading of this Bill.

The Leader of the House on behalf of the Attorney General representing the Minister for Police moved, That the Bill be read a third time.

The Deputy President announced that the Deputy Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put and passed.

Bill read a third time and passed.

14. **Declared Places (Mentally Impaired Accused) Bill 2013**

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

Debate resumed.

15. **Questions Without Notice**

Questions without notice were taken.

The Minister for Education tabled, and by leave incorporated into Hansard, documents in relation to programs and services provided at the first ten child and parent centres, as at 31 December 2014, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2554).

The Minister for Commerce tabled, and by leave incorporated into Hansard, documents in relation to registration fees for painting practitioners and contractors for the last five years, in response to a question without notice asked by Hon Kate Doust. (Tabled Paper 2555).


The Minister for Disability Services tabled the Disability Support Funding Bulletin, Issue 3, January 2015, in response to a question without notice asked by Hon Sue Ellery. (Tabled Paper 2557).

16. **Declared Places (Mentally Impaired Accused) Bill 2013**

Debate resumed on the second reading of this Bill (see item 14 above).

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

17. **Order of Business**


18. **Shire of Dardanup Keeping and Control of Cats Local Law 2014 — Disallowance — Discharge from Notice Paper**

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


Question — put and passed.

19. **Members’ Statements**

Statements were taken.

Hon Martin Aldridge, by leave, tabled documents in relation to ground and water contamination at an exploration lease located in Gingin operated by Empire Oil and Gas. (Tabled Paper 2558).
20. **Adjournment**

The Council adjourned at 5.42pm until Tuesday, 24 February 2015 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