

LEGISLATIVE COUNCIL
THURSDAY, 7 DECEMBER 2017

9.00am

Prayers

ORDER OF BUSINESS

Condolence Motions

Petitions

Statements by Ministers and Parliamentary Secretaries

Minister for Education and Training

Papers for Tabling

Leader of the House

Minister for Regional Development

Hon Matthew Swinbourn

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Hon Robin Chapple x 4

Notices of Motions

Motions without Notice

Non-Government Business

Orders of the Day

4.30pm Questions without Notice

5.00pm Orders of the Day (continued)

5.20pm Members' Statements

6.00pm House adjourns

NON-GOVERNMENT BUSINESS

1. Criminal Procedure Amendment (Trial by Judge Alone) Bill 2017 (*Notice given 1 November 2017*)

Hon Aaron Stonehouse: To move —

That a Bill for “An Act to amend the *Criminal Procedure Act 2004*.” be introduced and read a first time.

2. Environmental Protection Amendment (Clearing for Fire Risk Reduction) Bill 2017 (*Notice given 9 November 2017*)

Hon Dr Steve Thomas: To move —

That a Bill for “An Act to amend the *Environmental Protection Act 1986*.” be introduced and read a first time.

3. The legislation of cannabis for recreational purposes

Hon Aaron Stonehouse to move —

That this House recognises the economic and social benefits of the legislation of cannabis for recreational purposes.

ORDERS OF THE DAY

[NB: It is intended that Order of the Day No. 8 will be discharged]

1. Shire of Northampton Dogs Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Northampton Dogs Local Law 2017* published in the *Gazette* on 1 August 2017 and tabled in the Legislative Council on 16 August 2017 under the *Local Government Act 1995* and the *Dog Act 1976*, be and is hereby disallowed. (Tabled paper No. 360).

2. Shire of Chittering Repeal Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Chittering Repeal Local Law 2017* published in the *Gazette* on 7 July 2017 and tabled in the Legislative Council on 16 August 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 360).

3. Shire of Northampton Local Government Property Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Northampton Local Government Property Local Law 2017* published in the *Gazette* on 1 August 2017 and tabled in the Legislative Council on 16 August 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 360).

- 4. Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1) — Disallowance**
 Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))
 That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1)* published in the *Gazette* on 27 June 2017 and tabled in the Legislative Council on 16 August 2017 under the *Biosecurity and Agriculture Management Act 2007*, be and is hereby disallowed. (Tabled paper No. 388).
- 5. Water Services (Water Corporations Charges) Amendment Regulations 2017 — Disallowance**
 Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))
 That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Water Services (Water Corporations Charges) Amendment Regulations 2017* published in the *Gazette* on 21 July 2017 and tabled in the Legislative Council on 16 August 2017 under the *Water Services Act 2012*, be and are hereby disallowed. (Tabled paper No. 404)
- 6. Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2017 — Disallowance**
 Moved *pro forma* (SO 67(3)) 30 November 2017 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 9 May 2018))
 That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2017* published in the *Gazette* on 1 September 2017 and tabled in the Legislative Council on 5 September 2017 under the *Cemeteries Act 1986* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 438).
- 7. Shire of Victoria Plains Bush Fire Brigades Local Law 2017 — Disallowance**
 Moved *pro forma* (SO 67(3)) 30 November 2017 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 9 May 2018))
 That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Victoria Plains Bush Fire Brigades Local Law 2017* published in the *Gazette* on 29 August 2017 and tabled in the Legislative Council on 5 September 2017 under the *Bush Fires Act 1954* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 444).
- 8. Conservation and Land Management Amendment Regulations 2017 — Disallowance**
 Moved *pro forma* (SO 67(3)) 30 November 2017 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 9 May 2018))
 That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Conservation and Land Management Amendment Regulations 2017* published in the *Gazette* on 1 September 2017 and tabled in the Legislative Council on 5 September 2017 under the *Conservation and Land Management Act 1984*, be and are hereby disallowed. (Tabled paper No. 448).
- 9. Transfer of Land Amendment Regulations 2017 — Disallowance**
 Moved *pro forma* (SO 67(3)) 5 December 2017 on the motion of Hon Rick Mazza (Days remaining 15 after today (Indicative date — 10 May 2018))
 That the *Transfer of Land Amendment Regulations 2017* published in the *Gazette* on 24 November 2017 and tabled in the Legislative Council on 28 November 2017 under the *Transfer of Land Act 1893*, be and are hereby disallowed. (Tabled paper No. 882).
- 10. Shire of Narrogin Bush Fire Brigades Local Law 2017 — Disallowance**
 Moved *pro forma* (SO 67(3)) 7 December 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 16 May 2018))
 That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Narrogin Bush Fire Brigades Local Law 2017* published in the *Gazette* on 8 September 2017 and tabled in the Legislative Council on 12 September 2017 under the *Bush Fires Act 1954* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 473).

20. [*Pay-roll Tax Amendment \(Debt and Deficit Remediation\) Bill 2017](#) [LA 36–1] Minister for Environment representing the Treasurer

Cognate debate with *Pay-roll Tax Assessment Amendment (Debt and Deficit Remediation) Bill 2017*.

Second reading resumption of debate adjourned Hon Martin Pritchard (Wednesday, 6 December 2017).
cf SNP 36 Issue 1 – 6 December 2017.

21. [*Pay-roll Tax Assessment Amendment \(Debt and Deficit Remediation\) Bill 2017](#) [LA 37–1] Minister for Environment representing the Treasurer

Cognate debate with *Pay-roll Tax Amendment (Debt and Deficit Remediation) Bill 2017*

Second reading resumption of debate adjourned Hon Martin Pritchard (Wednesday, 6 December 2017).
cf SNP 37 Issue 2 – 6 December 2017.

29. [*Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39th Parliament](#) (Tabled 24 August 2017)

Continuation of remarks Hon Adele Farina — 45 mins (Thursday, 24 August 2017) in moving the following motion –

That Recommendation 1 contained in Report No. 45 of the Standing Committee on Procedure and Privileges, *Outstanding Matters from the 39th Parliament*, be adopted and agreed to.

See Tabled paper No. 435.

Recommendation 1 states —

Temporary Orders

The Legislative Council makes the following Temporary Orders —

1. Duration of Temporary Orders

These Temporary Orders apply until (and including) 31 December 2018.

2. Time Limits on Speeches

Standing Order 21, debate times for “Consideration of Committee Reports” is suspended and replaced by the following Temporary Order —

Consideration of Committee Reports

All Members unlimited periods of 10 minutes per report

3. Maximum Time Limits for Certain Business Items

Standing Order 23, paragraph (1)(b) is suspended.

4. Consideration of Committee Reports

Standing Order 110 is amended by inserting the following Temporary Order —

(2A) Where the debate on an order of the day listed under (2) has reached one hour of consideration and further orders of the day are listed on the Notice Paper, the debate on the order of the day shall be postponed.

(2B) An order of the day postponed under (2A) shall be listed for further consideration after the orders of the day for the consideration of committee reports listed on that day’s Notice Paper and not disposed of.

31. [*Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39th Parliament](#) (Tabled 24 August 2017)

Continuation of remarks Hon Adele Farina — 45 mins (Thursday, 24 August 2017) in moving the following motion –

That Recommendation 3 contained in Report No. 45 of the Standing Committee on Procedure and Privileges, *Outstanding Matters from the 39th Parliament*, be adopted and agreed to.

See Tabled paper Nos 435, 4240 (tabled 28 June 2016) and 1476 (tabled 15 May 2014).

Recommendation 3 states —

That Recommendations 1 to 3 contained in Report No. 39 of the Standing Committee on Procedure and Privileges, *Reference from the House on 25 February 2015; Standing Order 97:*

Strangers in the Council; and Standing Order 181: Witnesses' Entitlements, be adopted and agreed to.

Recommendation 1 of Report No. 39, *Reference from the House on 25 February 2015; Standing Order 97: Strangers in the Council; and Standing Order 181: Witnesses' Entitlements*, as follows —

That the House does not proceed with the Recommendations 2(a) and 2(c) contained in the Standing Committee on Procedure and Privileges — Report No. 29 — Review of the Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament.

Recommendation 2(a) of Report No. 29, *Review of the Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament*, as follows —

The Committee recommends that the State Government instruct the Parliamentary Counsel to draft a bill or bills to:

- (a) amend the *Criminal Code* so as to clarify that the proceedings of Parliament may be used as evidence in the prosecution of an offence under sections 55 to 59 of the *Criminal Code*;

Recommendation 2(c) of Report No. 29, *Review of the Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament*, as follows —

The Committee recommends that the State Government instruct the Parliamentary Counsel to draft a bill or bills to:

- (c) amend the constitutional and/or electoral legislation to abolish the ability of a House of the Parliament of Western Australia to expel one of its Members; and

Recommendation 2 of Report No. 39, *Reference from the House on 25 February 2015; Standing Order 97: Strangers in the Council; and Standing Order 181: Witnesses' Entitlements*, as follows —

That Standing Order 97(2) be deleted and the following inserted —

- (1) When a division is called strangers shall withdraw unless otherwise ordered by the President.

Recommendation 3 of Report No. 39, *Reference from the House on 25 February 2015; Standing Order 97: Strangers in the Council; and Standing Order 181: Witnesses' Entitlements*, as follows —

That **Standing Order 181** be amended as follows —
To delete “Any” and insert —

Subject to order, any

17. [*Salaries and Allowances Amendment \(Debt and Deficit Remediation\) Bill 2017](#) [LA 34–1] *Leader of the House representing the Minister for Public Sector Management*
Committee progress clause 2 (Wednesday, 6 December 2017).
cf SNP 34 Issue 4 – 6 December 2017.

14. [*Dangerous Sexual Offenders Legislation Amendment Bill 2017](#) [LA 22–1] *Leader of the House representing the Attorney General*
Committee progress clause 1 (Wednesday, 8 November 2017).
cf SNP 22 Issue 1 – 7 November 2017.

19. [*Health Practitioner Regulation National Law \(WA\) Amendment Bill 2017](#) [LA 20-2]

Parliamentary Secretary to the Minister for Health

Second reading adjourned (Thursday, 14 September 2017).

See Standing Committee on Uniform Legislation and Statutes Review Report No.109 (Tabled 31 October 2017).

* For amendments see Supplementary Notice Paper and/or Committee Report

NIGEL PRATT

Clerk of the Legislative Council