

LEGISLATIVE COUNCIL
THURSDAY, 9 NOVEMBER 2017

10.00am

Prayers

ORDER OF BUSINESS

Condolence Motions

Petitions

Statements by Ministers and Parliamentary Secretaries

Papers for Tabling

Minister for Environment

Minister for Regional Development

Hon Alanna Clohesy

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Hon Robin Chapple x 3

Notices of Motions

Motions without Notice

Non-Government Business

Private Members 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. Police and Emergency Services Portfolio

Hon Martin Aldridge to move —

That this House express concern with the McGowan Government's handling of the Police and Emergency Services portfolio, including (but not limited to) —

- (a) the Government's inability to resolve the industrial dispute with Western Australia Police;
- (b) the reduction in support and recognition of emergency service volunteers by a 50% cut to the Emergency Services Volunteer Fuel Card;
- (c) the uncertainty surrounding the future of a Rural Fire Service in Western Australia;
- (d) the haphazard approach taken by the Government in relation to funding certainty and the continuation of the South West Emergency Rescue Helicopter; and
- (e) the impact 'Machinery of Government' reforms will have on frontline services including response capacity.

ORDERS OF THE DAY

1. *Town of Cambridge Local Government and Public Property Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Question to be put at this day's sitting)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Cambridge Local Government and Public Property Local Law 2016* published in the *Gazette* on 24 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 76).

See Joint Standing Committee on Delegated Legislation Report No. 2 (Tabled 14 September 2017).

2. *Legal Profession (Law Library Fees) Rules 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Question to be put at this day's sitting)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Legal Profession (Law Library Fees) Rules 2017* published in the *Gazette* on 13 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Legal Profession Act 2008*, be and are hereby disallowed. (Tabled paper No. 104).

See Joint Standing Committee on Delegated Legislation Report No. 5 (Tabled 7 November 2017).

3. *Shire of Chittering Waste Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Question to be put at this day's sitting)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Chittering Waste Local Law 2017* published in the *Gazette* on 23 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

See Joint Standing Committee on Delegated Legislation Report No. 4 (Tabled 2 November 2017).

4. *City of Gosnells Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Question to be put at this day's sitting)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Gosnells Waste Local Law 2016* published in the *Gazette* on 1 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 113).

See Joint Standing Committee on Delegated Legislation Report No. 4 (Tabled 2 November 2017).

5. City of Joondalup Animals Amendment Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Martin Pritchard (Question to be put at this day's sitting)

That the *City of Joondalup Animals Amendment Local Law 2016* published in the *Gazette* on 10 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 76).

6. Police Regulations Amendment (Fees and Charges) Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 24 August 2017 on the motion of Hon Aaron Stonehouse (Days remaining 2 after today (Indicative date — 29 November 2017))

That the *Police Regulations Amendment (Fees and Charges) Regulations 2017* published in the *Gazette* on 27 June 2017 and tabled in the Legislative Council on 16 August 2017 under the *Firearms Act 1973*, be and are hereby disallowed. (Tabled paper No. 376).

7. City of Kalgoorlie-Boulder Cat Amendment Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 September 2017 on the motion of Hon Robin Chapple (Days remaining 5 after today (Indicative date — 6 December 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Kalgoorlie-Boulder Cat Amendment Local Law 2017* published in the *Gazette* on 2 June 2017 and tabled in the Legislative Council on 13 June 2017 under the *Local Government Act 1995* and the *Cat Act 2011*, be and is hereby disallowed. (Tabled paper No. 240).

8. Town of East Fremantle Plastic Bag Reduction Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 September 2017 on the motion of Hon Robin Chapple (Days remaining 5 after today (Indicative date — 6 December 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of East Fremantle Plastic Bag Reduction Local Law 2017* published in the *Gazette* on 2 June 2017 and tabled in the Legislative Council on 13 June 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 240).

9. 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 15 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).

10. 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 15 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).

11. Commercial Tenancy (Retail Shops) Agreements Amendment Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 15 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Commercial Tenancy (Retail Shops) Agreements Amendment Regulations 2017* published in the *Gazette* on 21 July 2017 and tabled in the Legislative Council on 16 August 2017 under the *Commercial Tenancy (Retail Shops) Agreements Act 1985*, be and are hereby disallowed. (Tabled paper No. 392).

12. 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 15 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).

13. 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 15 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).

14. 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 15 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)

22. [Appropriation \(Recurrent 2017–18\) Bill 2017](#) [LA 26–1] Minister for Environment representing the Treasurer

Second reading adjourned (Wednesday, 11 October 2017).

26. [Appropriation \(Capital 2017–18\) Bill 2017](#) [LA 25–1] Minister for Environment representing the Treasurer

Second reading adjourned (Tuesday, 31 October 2017).

15. [*First Home Owner Grant Amendment Bill 2017](#) [LA 16–1B] Minister for Environment representing the Treasurer

Committee progress clause 14 (Wednesday, 8 November 2017).

cf SNP 16 Issue 3 – 7 November 2017.

28. [Railway \(BBI Rail Aus Pty Ltd\) Agreement Bill 2017](#) [LA 24–1] Minister for Regional Development representing the Minister for State Development, Jobs and Trade

Second reading adjourned (Wednesday, 1 November 2017).

29. [Mineral Sands \(Cooljarloo\) Mining and Processing Agreement Amendment Bill 2017](#) [LA 32–1] Minister for Regional Development representing the Minister for State Development, Jobs and Trade

Second reading adjourned (Wednesday, 1 November 2017).

19. [*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.

23. [***Salaries and Allowances Amendment \(Debt and Deficit Remediation\) Bill 2017**](#) [LA 34–1]
Leader of the House representing the Minister for Public Sector Management
 Second reading adjourned (Thursday, 12 October 2017).
cf SNP 34 Issue 1 – 19 October 2017.
16. [***Coroners Amendment Bill 2017**](#) [LA 15–1] *Leader of the House representing the Attorney General*
 Second reading continuation of remarks Hon Michael Mischin (Tuesday, 12 September 2017).
cf SNP 15 Issue 1 – 6 September 2017.
17. [**Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2017**](#)
 [LC 29–1] *Minister for Education and Training*
 Second reading adjourned (Wednesday, 6 September 2017).
18. [***Courts Legislation Amendment Bill 2017**](#) [LC 23–1] *Leader of the House representing the Attorney General*
 Second reading adjourned (Wednesday, 6 September 2017).
cf SNP 23 Issue 1 – 11 October 2017.
20. [***Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017**](#)
 [LA 21–2] *Leader of the House representing the Attorney General*
 Second reading adjourned (Thursday, 14 September 2017).
cf SNP 21 Issue 1 – 7 November 2017.
21. [**Animal Welfare Amendment Bill 2017**](#) [LC 33–1] *Minister for Agriculture and Food*
 Second reading adjourned (Wednesday, 11 October 2017).
24. [***Tobacco Products Control Amendment Bill 2017**](#) [LA 28–1] *Parliamentary Secretary to the Minister for Health*
 Second reading adjourned (Wednesday, 6 September 2017).
See Standing Committee on Uniform Legislation and Statutes Review Report No. 108 (Tabled 31 October 2017).
25. [***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).
27. [**Western Australian Jobs Bill 2017**](#) [LA 18–1] *Minister for Regional Development representing the Minister for State Development, Jobs and Trade*
 Second reading adjourned (Tuesday, 31 October 2017).
34. [***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.

36. *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

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

NIGEL PRATT

Clerk of the Legislative Council