

LEGISLATIVE COUNCIL
WEDNESDAY, 29 NOVEMBER 2017

1.00pm

Prayers

ORDER OF BUSINESS

Condolence Motions

Petitions

Statements by Ministers and Parliamentary Secretaries

Minister for Education and Training

Papers for Tabling

President

Leader of the House

Minister for Environment

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Hon Martin Aldridge

Motions without Notice

Leader of the House

Hon Martin Aldridge

1.15pm	Motions on Notice
3.15pm	Committee Reports
4.30pm	Questions without Notice
5.00pm	Orders of the Day
6.20pm	Members' Statements
7.00pm	House adjourns

MOTIONS ON NOTICE

1. Metronet (*Notice given 23 May 2017*)

Continuation of remarks Hon Simon O'Brien — 36 mins (Wednesday, 8 November 2017) on the motion of Hon Alanna Clohesy as follows —

That this House congratulates the McGowan Government on its Metronet policy and notes the benefits Western Australia will derive, including the jobs to be created, from this transport and planning initiative.

Total time remaining on motion – 1hr 2mins.

2. Building and Construction Industry Training Fund (*Notice given 23 May 2017*)

Hon Martin Aldridge: To move —

That this House:

- (a) notes that the introduction of the Building and Construction Industry Training Fund has supported the training and employment of more than 48,000 apprentices and trainees and has helped over 340,000 industry workers to upgrade their skills;
- (a) notes the *Review of the Operation and Effectiveness of the Building and Construction Industry Training Fund and Levy Collection Act 1990* of June 2014 that recommended the amendment to regulations to withdraw the current exemption from the payment of the levy applying to engineering construction projects in the resources industry;
- (b) supports the amendment of regulation 3AA of the *Building and Construction Industry Training Fund and Levy Collection Regulations 1991* therefore requiring construction projects in the mining and petroleum industry to contribute to the training and skills development in the building and construction industry; and
- (c) calls on the Government to immediately amend the regulation to support local job creation and skills development across the building and construction industry.

3. Genetically Modified Crops Free Areas Repeal Act (*Notice given 24 May 2017*)

Hon Diane Evers: To move —

That given the Government spoke so vigorously against the *Genetically Modified Crops Free Areas Repeal Bill 2015* when in opposition, that the Government now reinstate the *Genetically Modified Crops Free Areas Act 2003*.

CONSIDERATION OF COMMITTEE REPORTS

1. Joint Standing Committee on the Corruption and Crime Commission — Report No. 1 — The efficiency and timeliness of the current appointment process for Commissioners and Parliamentary Inspectors of the CCC (*Tabled 14 September 2017*)

Resumption of debate adjourned Hon Nick Goiran — 7 mins (Wednesday, 8 November 2017) on motion of Hon Jim Chown that the report be noted.

Total time remaining on motion – 57 mins.

See Tabled paper No. 566. (Government Response due 14 December 2017)

2. Joint Standing Committee on the Corruption and Crime Commission — Report No. 2 — The ability of the Corruption and Crime Commission to charge and prosecute (*Tabled 14 September 2017*)

Resumption of postponed debate (Wednesday, 8 November 2017) on the motion of Hon Jim Chown that the report be noted.

See Tabled paper No. 567. (Government Response due 14 December 2017)

3. Joint Standing Committee on Delegated Legislation — Report No. 1 — Observations arising from the Committee review of the City of Joondalup Local Government and Public Property Amendment Local Law 2015 (Tabled 14 September 2017)

Resumption of postponed debate (Wednesday, 8 November 2017) on the motion of Hon Robin Chapple that the report be noted.

See Tabled paper No. 569. (Government Response due 14 November 2017)

Government Response tabled 28 November 2017 (Tabled paper No. 877).

4. Joint Standing Committee on Delegated Legislation — Report No. 3 — Procedures for dealing with consequential amendments to delegated legislation following enactment of primary legislation (Tabled 12 October 2017)

Resumption of postponed debate (Wednesday, 8 November 2017) on the motion of Hon Robin Chapple that the report be noted.

See Tabled paper No. 752. (Government Response due 12 December 2017)

5. Joint Standing Committee on the Corruption and Crime Commission — Report No. 4 — Parliamentary Inspector's report on a complaint by Dr Robert Cunningham and Ms Catherine Atoms (Tabled 12 October 2017)

Resumption of debate adjourned Hon Peter Collier — 10 mins (Wednesday, 8 November 2017) on motion of Hon Alison Xamon that the report be noted.

Total time remaining on motion – 26 mins.

See Tabled paper No. 753.

6. Joint Standing Committee on the Corruption and Crime Commission — Report No. 5 — Current Committee Confirmed — Clarifying the legal composition and powers of the Committee (Tabled 2 November 2017)

Resumption of debate adjourned Hon Nick Goiran — 6 mins (Wednesday, 8 November 2017) on motion of Hon Alison Xamon that the report be noted.

Total time remaining on motion – 49 mins.

See Tabled paper No. 830.

7. Joint Standing Committee on the Commissioner for Children and Young People — Report No. 1 — Annual Report 2016–17 (Tabled 7 November 2017)

Consideration. *See Tabled paper No. 832.*

8. Standing Committee on Estimates and Financial Operations — Report No. 72 — 2016–17 Annual Report Hearings (Tabled 9 November 2017)

Consideration. *See Tabled paper No. 862.*

ORDERS OF THE DAY

[NB: It is intended that Orders of the Day Nos 2 and 6 will be discharged]

1. 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 (Question to be put at this day's sitting)

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).

2. 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 3 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).

3. 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 3 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).

4. 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 13 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).

5. 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 13 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).

6. 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 13 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).

7. 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 13 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).

8. 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 13 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).

9. 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 13 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)

**16. [*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 resumption of debate adjourned^ Hon Martin Pritchard (Tuesday, 28 November 2017).
cf SNP 34 Issue 1 – 19 October 2017. (^Hon Peter Collier (*by leave*)).

19. [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).

13. [*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.

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

Second reading adjourned (Tuesday, 7 November 2017).

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

Second reading adjourned (Tuesday, 7 November 2017).

cf SNP 37 Issue 1 – 13 November 2017.

18. [*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).

28. [*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.

30. [*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