

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL  
TUESDAY, 5 DECEMBER 2017

10.00am

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Prayers

**ORDER OF BUSINESS**

Condolence Motions

Petitions

Statements by Ministers and Parliamentary Secretaries

Papers for Tabling

President

Leader of the House

Minister for Environment

Minister for Regional Development

Parliamentary Secretary to the Deputy Premier

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

Orders of the Day

4.30pm Questions without Notice

5.00pm Orders of the Day (continued)

9.45pm Members' Statements

10.25pm House adjourns

The business listed for today's sitting and sequence in which it is to be considered may be altered by the House without notice. To see what is currently being debated in the course of today's sitting please see the electronic Business Program at: [www.parliament.wa.gov.au/WebCMS/WebCMS.nsf/content/legislative-council-live-broadcast-lc](http://www.parliament.wa.gov.au/WebCMS/WebCMS.nsf/content/legislative-council-live-broadcast-lc)

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**ORDERS OF THE DAY**

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**1. \*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 (Question to be put at the next day's sitting)

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).

*See Joint Standing Committee on Delegated Legislation Report No. 6 (Tabled 30 November 2017).*

**2. 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 11 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).

**3. 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 11 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).

**4. 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 11 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).

**5. 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 11 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).

**6. 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 11 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)

**7. 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 16 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).

**8. 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 16 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).

**9. 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 16 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).

**10. 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 17 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).

**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*

Second reading resumption of debate adjourned Hon Jacqui Boydell — 32 mins (Thursday, 30 November 2017), on the motion of Hon Alison Xamon as follows —

- (1) That the *Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017* be discharged and referred to the Standing Committee on Legislation for consideration and report by no later than Tuesday 20 March 2018; and
- (2) The Committee has the power to inquire into and report on the policy of the Bill.

*cf SNP 34 Issue 2 – 29 November 2017.*

**20. [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).

**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.*

**21. [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).

**22. \*[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.*

26. [School Curriculum and Standards Authority Amendment Bill 2017](#) [LA 44–2] *Minister for Education and Training*

Second reading adjourned (Tuesday, 28 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)*.

29. [\\*Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39<sup>th</sup> 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 39<sup>th</sup> 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