

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL
MINUTES OF PROCEEDINGS
No. 41
TUESDAY, 5 DECEMBER 2017

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon Kate Doust, took the Chair and read prayers.

2. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Local Content in Government Procurement (Report No. 25) (December 2017) 951

Leader of the House

Local Laws —

Dog Act 1976 (Shire of Quairading Dogs Local Law 2017 G.G. 01/12/2017) 952

Local Government Act 1995 (City of Cockburn Standing Orders Amendment Local Law No. 2 2017 G.G. 01/12/2017)..... 953

Rules —

Supreme Court Act 1935 (Supreme Court Amendment Rules (No. 3) 2017 G.G. 01/12/2017) 954

Leader of the House on behalf of the Minister for Environment

Proposals —

Land Administration Act 1997 — Proposal No. 7/2017 — Cancellation of Class B Reserve No. 5576 to create a new reserve in order to facilitate the transfer of a portion of Reserve No. 5576 to the Returned and Services League of Western Australia 955

Regulations —

Road Traffic (Vehicles) Act 2012 (Road Traffic (Vehicles) Amendment Regulations (No. 3) 2017 G.G. 01/12/2017)..... 956

Road Traffic Act 1974 (Road Traffic (Breath Analysis) Amendment Regulations 2017 G.G. 01/12/2017)..... 957

Leader of the House on behalf of the Minister for Regional Development

Notices —

Financial Management Act 2006 (section 82) — Notice from the Minister for Water in relation to Legislative Council Question on Notice No. 145 (Minister for Water)..... 958

Leader of the House on behalf of the Parliamentary Secretary to the Minister for Health

Local Laws —

Health (Miscellaneous Provisions) Act 1911 (Shire of Quairading Health Local Law 2016 G.G. 01/12/2017)..... 959

Regulations —

Health Services Act 2016 (Health Services (Information) Regulations 2017 G.G. 28/11/2017) 960

3. Appropriation (Recurrent 2010–11 to 2015–16) Supplementary Bill 2017

The President reported the receipt of Message No. 42 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House on behalf of the Minister for Environment representing the Treasurer moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House on behalf of the Minister for Environment representing the Treasurer moved, That the Bill be read a second time.

The Leader of the House on behalf of the Minister for Environment representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 961).

Debate stands adjourned.

4. Appropriation (Capital 2010–11 to 2015–16) Supplementary Bill 2017

The President reported the receipt of Message No. 43 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House on behalf of the Minister for Environment representing the Treasurer moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House on behalf of the Minister for Environment representing the Treasurer moved, That the Bill be read a second time.

The Leader of the House on behalf of the Minister for Environment representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 962).

Debate stands adjourned.

5. Order of Business

Ordered — That Orders of the Day Nos 1, *Town of East Fremantle Plastic Bag Reduction Local Law 2017 — Disallowance*, 2, *Shire of Northampton Dogs Local Law 2017 — Disallowance*, 3, *Shire of Chittering Repeal Local Law 2017 — Disallowance*, 4, *Shire of Northampton Local Government Property Local Law 2017 — Disallowance*, 5, *Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1) — Disallowance*, 6, *Water Services (Water Corporations Charges) Amendment Regulations 2017 — Disallowance*, 7, *Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2017 — Disallowance*, 8, *Shire of Victoria Plains Bush Fire Brigades Local Law 2017 — Disallowance*, 9, *Conservation and Land Management Amendment Regulations 2017 — Disallowance*, and 10, *Transfer of Land Amendment Regulations 2017 — Disallowance* be taken after Order of the Day No. 31, *Standing Committee on Procedure and Privileges — Report No. 45 — Outstanding Matters from the 39th Parliament*. (Leader of the House).

6. Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017

The Order of the Day having been read for the adjourned debate 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.

Debate resumed.

Question — put.

The Council divided.

Ayes (15)

Hon Martin Aldridge
 Hon Jacqui Boydell
 Hon Robin Chapple
 Hon Jim Chown
 Hon Tim Clifford
 Hon Peter Collier
 Hon Diane Evers
 Hon Donna Faragher

Hon Nick Goiran
 Hon Colin Holt
 Hon Michael Mischin
 Hon Simon O'Brien
 Hon Tjorn Sibma
 Hon Alison Xamon
 Hon Ken Baston (*Teller*)

Noes (16)

Hon Sue Ellery
 Hon Adele Farina
 Hon Laurie Graham
 Hon Alannah MacTiernan
 Hon Rick Mazza
 Hon Kyle McGinn
 Hon Samantha Rowe
 Hon Robin Scott

Hon Charles Smith
 Hon Aaron Stonehouse
 Hon Matthew Swinbourn
 Hon Dr Sally Talbot
 Hon Colin Tincknell
 Hon Darren West
 Hon Pierre Yang
 Hon Martin Pritchard (*Teller*)

Motion thus negatived.

Debate resumed.

Hon Martin Aldridge sought leave to continue his remarks at a later stage of this day's sitting.

Leave granted.

On the motion of Hon Martin Pritchard the debate was adjourned to a later stage of this day's sitting.

7. Western Australian Jobs Bill 2017

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

Debate resumed.

Question — put and passed.

Bill read a second time.

8. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* a table of positions and locations of positions in the Department of Education to be abolished from 5 February 2018, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Environment representing the Minister for Energy, by leave, incorporated into *Hansard* information in relation to the forecast increase in network tariffs for Western Power in 2018-19, in response to a question without notice asked by Hon Peter Collier.

The Minister for Education and Training tabled a document titled *Potential hazard trees — Department of Education strategic asset planning 2013 (version 1)*, in response to question on notice No. 411 asked by Hon Alison Xamon. (Tabled Paper 963).

The Minister for Education and Training tabled policies of TAFE Colleges regarding action to support students identified as in need of counselling or psychological support, in response to question on notice No. 431 asked by Hon Alison Xamon. (Tabled Paper 964).

The Minister for Education and Training tabled documents in relation to child and parent centre contract term and initiation and expiry dates, in response to question on notice No. 432 asked by Hon Alison Xamon. (Tabled Paper 965).

The Minister for Education and Training tabled documents in relation to TAFE delivery performance agreements for the years 2015 and 2016, in response to question on notice No. 433 asked by Hon Alison Xamon. (Tabled Paper 966).

The Leader of the House representing the Minister for Child Protection tabled documents in relation to Department of Communities staffing level changes for 2015-16, 2016-17 and 2017-18, in response to question on notice No. 452 asked by Hon Colin de Grussa. (Tabled Paper 967).

The Leader of the House representing the Minister for Culture and the Arts tabled documents in relation to grants distributed by Culture and the Arts (WA) for the period 1 January to current date, in response to question on notice No. 489 asked by Hon Tim Clifford. (Tabled Paper 968).

The Minister for Regional Development representing the Minister for State Development, Jobs and Trade tabled the Alumina Refinery State Agreements, in response to question on notice No. 409 asked by Hon Diane Evers. (Tabled Paper 969).

The Leader of the House tabled additional information with regard to answers previously provided, in response to question on notice Nos 339 and 354 asked by Hon Nick Goiran. (Tabled Paper 970).

The Minister for Environment representing the Minister for Police, by leave, incorporated into *Hansard* information in relation to the imminent closure of the Geraldton Sobering Up Centre and the impacts on police resourcing, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Environment, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 465 asked by Hon Dr Steve Thomas will be provided on Thursday, 7 December 2017.

The Minister for Regional Development representing the Minister for Forestry tabled a list of customers who bought firewood in each year from 2006-07 to 2016-17, in response to question on notice No. 410 asked by Hon Diane Evers. (Tabled Paper 971).

The Minister for Regional Development representing the Minister for Forestry tabled an extract from the Forest Products Commission 2016-17 Annual Report relating to native forest revenue increase, biological asset valuation and the reasons for changes in revenue and valuation, in response to question on notice No. 417 asked by Hon Diane Evers. (Tabled Paper 972).

The Minister for Regional Development representing the Minister for Forestry tabled documents in relation to the forecast change in biological asset value for 2017-18, 2018-19, 2019-20 and 2020-21, in response to question on notice No. 420 asked by Hon Diane Evers. (Tabled Paper 973).

The Minister for Regional Development representing the Minister for Water tabled documents in relation to water licences in Tabled Paper 500, in response to question on notice No. 477 asked by Hon Robin Chapple. (Tabled Paper 974).

9. Western Australian Jobs Bill 2017

Consideration of this Bill in Committee of the Whole House (*see item 7 above*).

The President left the Chair.

In Committee

(Hon Dr Steve Thomas in the Chair)

Clause 1.

Debate ensued.

The Minister for Regional Development representing the Minister for State Development, Jobs and Trade moved, That the Deputy Chair report progress and seek to sit again at a later stage of this day's sitting.

Question — put and passed.

The Acting President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again at a later stage of this day's sitting.

Ordered — That the Committee of the Whole House sit again at a later stage of this day's sitting.

10. Personal Explanation

The Leader of the House, by leave, made a personal explanation in relation to an answer to a question without notice on government plans to review the *Working With Children (Criminal Records Checks) Act 2004* asked by Hon Nick Goiran.

11. Order of Business

Ordered — That Order of the Day No. 20, *Western Australian Jobs Bill 2017*, be taken forthwith. (Leader of the House).

12. Western Australian Jobs Bill 2017

Resumption of consideration of this Bill in Committee of the Whole House (*see item 9 above*).

The Acting President left the Chair.

In Committee

(Hon Robin Chapple in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3.

Debate ensued.

Clause agreed to.

Clauses 4 to 6 agreed to.

Clause 7.

Debate ensued.

Clause agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clauses 9 to 14 agreed to.

Clause 15.

Debate ensued.

The Minister for Regional Development representing the Minister for State Development, Jobs and Trade moved, That further consideration of Clause 15 be postponed until after Clause 26.

Question — put and passed.

Clause 16.

Debate ensued.

Clause agreed to.

Clause 17.

Debate ensued.

Clause agreed to.

Clause 18 agreed to.

Clause 19.

Debate ensued.

Clause agreed to.

Clauses 20 to 25 agreed to.

Clause 26.

Debate ensued.

Clause agreed to.

The Minister for Regional Development representing the Minister for State Development, Jobs and Trade moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

The Acting President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

13. Order of Business

Ordered — That Order of the Day No. 17, *Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017*, be taken forthwith. (Leader of the House).

14. Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017

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

Debate resumed.

Interruption pursuant to order.

15. Members' Statements

Statements were taken.

16. Adjournment

The Council adjourned at 10.14pm until Wednesday, 6 December 2017 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Alanna Clohesy and Hon Colin de Grussa.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council