

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL
MINUTES OF PROCEEDINGS
No. 36
WEDNESDAY, 8 NOVEMBER 2017

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

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

2. Ministerial Statement — New leadership for the Department of Training and Workforce Development

The Minister for Education and Training made a Ministerial Statement with respect to the appointment of Ms Anne Driscoll to the office of Director General, Department of Training and Workforce Development.

3. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Minimising Drugs and Alcohol in Prisons (Report No. 22) (November 2017) 854

Parliamentary Secretary to the Deputy Premier on behalf of the Minister for Environment

Proposals —

Land Administration Act 1997 — Submission No. 4/2017 — Proposal for the grant of an access easement to the Water Corporation over a portion of Class A Reserve No. 2851 855

Reports —

Landgate — Statement of Corporate Intent (2017-2018)..... 856

4. Petroleum and Geothermal Energy Resources Amendment (Veto Powers) Bill 2017

Hon Rick Mazza: To move on the next day of sitting —

That a Bill for “An Act to amend the *Petroleum and Geothermal Energy Resources Act 1967*.” be introduced and read a first time.

5. Metronet

Motion No. 1 having been called, debate resumed 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.

Interruption pursuant to order.

6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Simon O'Brien in the Chair)

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

Hon Nick Goiran moved, That consideration be postponed until the next sitting.

Question — put and passed.

Joint Standing Committee on the Corruption and Crime Commission — Report No. 2 — The ability of the Corruption and Crime Commission to charge and prosecute

Hon Alison Xamon moved, That consideration be postponed until the next sitting.

Question — put and passed.

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

Hon Robin Chapple moved, That consideration be postponed until the next sitting.

Question — put and passed.

Joint Standing Committee on Delegated Legislation — Report No. 3 — Procedures for dealing with consequential amendments to delegated legislation following enactment of primary legislation

Hon Robin Chapple moved, That consideration be postponed until the next sitting.

Question — put and passed.

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

Hon Alison Xamon moved, That the Report be noted.

Debate ensued.

Hon Peter Collier moved, That further consideration be postponed until the next sitting.

Question — put and passed.

Joint Standing Committee on the Corruption and Crime Commission — Report No. 5 — Current Committee Confirmed — Clarifying the legal composition and powers of the Committee

Hon Alison Xamon moved, That the Report be noted.

Debate ensued.

Interruption pursuant to order.

The Acting President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the —

- (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* and postponed consideration to the next sitting.
- (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* and postponed consideration to the next sitting.

- (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* and postponed consideration to the next sitting.
- (4) Joint Standing Committee on Delegated Legislation — Report No. 3 — *Procedures for dealing with consequential amendments to delegated legislation following enactment of primary legislation* and postponed consideration to the next sitting.
- (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* and postponed further consideration to the next sitting.
- (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*, made progress, and seeks to sit again.

Report adopted.

7. Order of Business

Ordered — That Orders of the Day Nos 1, *Town of Cambridge Local Government and Public Property Local Law 2016 — Disallowance*, 2, *Legal Profession (Law Library Fees) Rules 2017 — Disallowance*, 3, *Shire of Chittering Waste Local Law 2017 — Disallowance*, 4, *City of Gosnells Waste Local Law 2016 — Disallowance*, 5, *City of Joondalup Animals Amendment Local Law 2016*, 7, *Police Regulations Amendment (Fees and Charges) Regulations 2017 — Disallowance*, 8, *City of Kalgoorlie-Boulder Cat Amendment Local Law 2017 — Disallowance*, 9, *Town of East Fremantle Plastic Bag Reduction Local Law 2017 — Disallowance*, 11, *Shire of Northampton Dogs Local Law 2017 — Disallowance*, 12, *Shire of Chittering Repeal Local Law 2017 — Disallowance*, 13, *Commercial Tenancy (Retail Shops) Agreements Amendment Regulations 2017 — Disallowance*, 14, *Shire of Northampton Local Government Property Local Law 2017 — Disallowance*, 15, *Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1) — Disallowance*, and 16, *Water Services (Water Corporations Charges) Amendment Regulations 2017 — Disallowance*, be taken after Order of the Day No. 37, *Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39th Parliament*. (Leader of the House).

8. Bunbury-Harvey Regional Council Standing Orders Local Law 2017 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice —

That pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 6, *Bunbury-Harvey Regional Council Standing Orders Local Law 2017 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

9. Commerce Regulations Amendment (Fees and Charges) Regulations 2017 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice —

That pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 10, *Commerce Regulations Amendment (Fees and Charges) Regulations 2017 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

10. Dangerous Sexual Offenders Legislation Amendment Bill 2017

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

11. Questions Without Notice

Questions without notice were taken.

The Minister for Environment representing the Treasurer, by leave, incorporated into *Hansard* information in relation to the amounts of payroll tax paid by each industry in 2016-17, in response to a question without notice asked by Hon Diane Evers.

The Minister for Regional Development representing the Minister for Fisheries tabled documents in relation to shark shield rebates that have been redeemed, by postcode of the recipient, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 857).

The Minister for Environment representing the Minister for Transport, by leave, incorporated into *Hansard* information in relation to on-demand transport reform meetings with transport industry representatives from 29 March 2017 to 1 November 2017, in response to a question without notice asked by Hon Tjorn Sibma.

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* a current list of Western Australia Country Health Service positions, by position title, level classification, town and region location, in response to a question without notice asked by Hon Martin Aldridge.

The Leader of the House representing the Attorney General, in accordance with Standing Order No. 108(2), advised that an answer to questions on notice Nos 364 and 365 asked by Hon Alison Xamon will be provided on 28 November 2017.

The Minister for Regional Development representing the Minister for Mines and Petroleum tabled Department of Mines and Petroleum job description forms and details for all the newly created positions filled in October, November, December 2012 and January to December 2013, in response to question on notice No. 377 asked by Hon Robin Chapple. (Tabled Paper 858).

12. Personal Explanation

The Minister for Regional Development, by leave, made a personal explanation in relation to not being a director of Carnegie Holdings.

13. Dangerous Sexual Offenders Legislation Amendment Bill 2017

Debate resumed on the second reading of this Bill (*see item 10 above*).

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Laurie Graham in the Chair)

Clause 1.

Debate ensued.

The Leader of the House representing the Attorney General moved, That the Chair report progress and seek to sit again.

Question — put and passed.

The Acting President resumed the Chair.

The 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.

14. Iron Ore (Channar Joint Venture) (Hamersley Range) Agreements Amendment Bill 2017

The Acting President reported the receipt of Message No. 36 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for State Development, Jobs and Trade moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for State Development, Jobs and Trade moved, That the Bill be read a second time.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for State Development, Jobs and Trade tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 859).

Debate stands adjourned.

15. First Home Owner Grant Amendment Bill 2017

The Order of the Day for the further consideration of this Bill, in Committee of the Whole House, having been read.

The Deputy President left the Chair.

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In Committee

(Hon Simon O'Brien in the Chair)

Clause 14.

Debate resumed.

Interruption pursuant to order.

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The President resumed the Chair.

The 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.

16. Members' Statements

Statements were taken.

17. Adjournment

The Council adjourned at 7.00pm until Thursday, 9 November 2017 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jim Chown, Hon Colin Holt and Hon Matthew Swinbourn.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council