

WESTERN AUSTRALIA

**LEGISLATIVE COUNCIL**

**MINUTES OF PROCEEDINGS**

**No. 33**

**WEDNESDAY, 1 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. Petitions**

Hon Nick Goiran presented a petition from 7,243 petitioners requesting the Legislative Council to establish an inquiry into induced premature births in Western Australia and the circumstances surrounding the deaths of babies born alive as a result of an abortion. (Tabled Paper 811).

Hon Jacqui Boyde presented a petition from 384 petitioners requesting the Legislative Council to investigate and repeal the *Fluoridation of Public Water Supplies Act 1966*. (Tabled Paper 812).

Hon Robin Scott presented a petition from 625 petitioners requesting the Legislative Council to oppose the proposed gold royalty increase. (Tabled Paper 813).

**3. Papers**

The following Papers were laid on the Table by —

**President**

*Auditor General's Papers —*

Diverting Young People Away From Court (Report No. 18) (November 2017)..... 808

Opinion on Ministerial Notification (Report No. 19) (November 2017) ..... 809

**Minister for Environment**

*Notices —*

Financial Management Act 2006 (section 82) — Notice from the Treasurer in regards  
to Legislative Council Question on Notice No. 326..... 810

**4. Criminal Procedure Amendment (Trial by Judge Alone) Bill 2017**

Hon Aaron Stonehouse: To move on the next day of sitting —

That a Bill for “An Act to amend the *Criminal Procedure Act 2004*.” be introduced and read a first time.

**5. National Disability Insurance Scheme**

Motion No. 1 having been called, debate resumed on the motion of Hon Alison Xamon as follows —

That this House notes the significant impacts on people with disability and their families of ongoing uncertainty about which form of NDIS will be adopted in Western Australia.

Whether the Government decides to adopt the NDIS or the NDIS My Way model, it is imperative that those whose lives will be most affected by the decision are kept informed in an ongoing and meaningful way.

Furthermore, it is essential that a co-design model for engagement that involves people with disability and their families in the design of governance, policy and operational aspects is developed to inform the delivery of whichever scheme is agreed to.

Noting the significant uncertainty in the funding of disability services in Western Australia, this House calls upon the Government to ensure that there are mechanisms in place to —

- (a) ensure people with disability and their representative organisations are included in governance structures and inform service delivery design; and
- (b) that the decision making process is fully transparent.

Question — put and passed.

## **6. Metronet**

Motion No. 2 having been called, Hon Alanna Clohesy, pursuant to notice, moved —

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.

Debate ensued.

*Interruption pursuant to order.*

## **7. Suspension of Standing Orders**

The Minister for Environment moved, without notice —

That so much of Standing Orders be suspended so that Consideration of Committee Reports shall not be undertaken today.

The motion requiring the concurrence of an absolute majority.

Question — put.

The Acting President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

## **8. Railway (BBI Rail Aus Pty Ltd) Agreement Bill 2017**

The Acting President reported the receipt of Message No. 31 from the Legislative Assembly forwarding the Bill for concurrence.

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 Minister for Regional Development representing the Minister for State Development, Jobs and Trade moved, That the Bill be read a second time.

The Minister for Regional Development representing the Minister for State Development, Jobs and Trade tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 814).

Debate stands adjourned.

## **9. 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 — Disallowance*, 6, *Bunbury-Harvey Regional Council Standing Orders Local Law 2017 — Disallowance*, 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*, and 10, *Commerce*

*Regulations Amendment (Fees and Charges) Regulations 2017 — Disallowance*, be taken after Order of the Day No. 29, *Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39<sup>th</sup> Parliament*. (Minister for Environment).

#### **10. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2017–2018**

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Environment representing the Treasurer as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 469A-D (2017–2018 Budget Statements), laid upon the Table of the House on Thursday, 7 September 2017.

Debate resumed.

#### **11. Questions Without Notice**

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to the number of permanent staff in the Department of Education requiring placement from 30 June 2013 to 30 June 2016, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Environment representing the Minister for Emergency Services tabled a Memorandum of Understanding in relation to a Royalties for Regions project, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 815).

The Leader of the House representing the Minister for Public Sector Management tabled documents in relation to public sector full-time equivalent employees for each year from 2009-10 to 2016-17 inclusive for various South West towns, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 816).

The Minister for Environment tabled documents in relation to the Commissioning Environmental Management Plan — Works Approval Compliance Plan (Yarra Pilbara Nitrates Pty Ltd), in response to question on notice No. 333 asked by Hon Robin Chapple. (Tabled Paper 817).

The Minister for Environment representing the Treasurer tabled documents in relation to a South Metropolitan Region Ministerial visit including details of the event brief, run sheet, media statement speech, questions and answers and parking, in response to question on notice No. 336 asked by Hon Nick Goiran. (Tabled Paper 818).

The Minister for Environment tabled documents in relation to *Reference material for karri forest silviculture* (Department of Parks and Wildlife) (August 2015), in response to question on notice No. 363 asked by Hon Diane Evers. (Tabled Paper 819).

The Minister for Regional Development representing the Minister for Racing and Gaming, by leave, incorporated into *Hansard* information in relation to the amount of revenue received by the Wagering and Gaming Commission of Western Australia through the Racing Bets Levy for each of the financial years from 2012-13 to 2016-17 inclusive, in response to a question without notice asked by Hon Colin Holt.

The Parliamentary Secretary to the Minister for Health tabled a statement from the Minister for Health, in response to question on notice No. 111 asked by Hon Nick Goiran. (Tabled Paper 820).

#### **12. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2017–2018**

Debate resumed on the motion of the Minister for Environment representing the Treasurer (*see item 10 above*).

Hon Jim Chown, by leave, tabled a document in relation to major State Government achievements during 2013 to 2015. (Tabled Paper 821).

Debate resumed.

*Interruption pursuant to order.*

#### **13. Members' Statements**

Statements were taken.

**14. Mineral Sands (Cooljarloo) Mining and Processing Agreement Amendment Bill 2017**

The President reported the receipt of Message No. 32 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 822).

Debate stands adjourned.

**15. Adjournment**

The Council adjourned at 6.51pm until Thursday, 2 November 2017 at 10.00am.

**Members present during the day's proceedings**

Attendance: Present all Members.

**NIGEL PRATT**

Clerk of the Legislative Council

**HON KATE DOUST MLC**

President of the Legislative Council