

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL
MINUTES OF PROCEEDINGS
No. 112
THURSDAY, 14 MARCH 2019

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Petitions

Hon Alanna Clohesy on behalf of Hon Darren West presented a petition from 3,584 petitioners requesting the Legislative Council recommend and support a parliamentary inquiry into labour hire practices with a particular focus on improving the rights and protection of workers. (Tabled Paper 2466).

Hon Tim Clifford presented a petition from 156 petitioners requesting the Legislative Council to oppose the City of Swan Local Planning Scheme No. 17, Proposed Amendment No. 50, and to conduct an inquiry into the approval of development application 774/15. (Tabled Paper 2467).

3. Ministerial Statement — Alleged Mislabelling of Eggs

The Minister for Agriculture and Food made a Ministerial Statement with respect to urging the Australian Competition and Consumer Commission to action their investigation into the mislabelling of eggs as free range as a matter of priority.

4. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

North Metropolitan TAFE (2018) (Date received 13/03/19).....	2463
North Regional TAFE (2018) (Date received 13/03/19).....	2464
South Regional TAFE (2018) (Date received 13/03/19).....	2465

5. Cashless Debit Card

Hon Jacqui Boydell: To move on the next day of sitting —

That this House —

- (a) notes the operation of the Cashless Debit Card (CDC) in the East Kimberley and Goldfields regions of Western Australia;
- (b) recognises the positive social, health and financial impacts of the trial;
- (c) notes the strong community support for continuation of the trial; and
- (d) supports further expansion of the trial in Western Australia and calls on the current and future Federal Governments to maintain support for the Cashless Debit Card.

6. Communications between the Minister for Environment and the Environmental Protection Authority

Non-Government Business No. 1 having been called, Hon Dr Steve Thomas moved, without notice —
That this House calls on the Minister for Environment to provide a complete and transparent account to the House of —

- (a) what communication took place between the Minister and the Environmental Protection Authority (EPA) in relation to the EPA guidelines released last week that would require the offset of any residual (net) direct emissions associated with a proposal with scope 1 emissions in excess of 100,000 tonnes per annum;
- (b) what communications took place between the Ministers' office or any of his staff and the EPA on this issue;
- (c) what communications took place between any other Minister and the EPA on this issue;
- (d) what stakeholder communication did the EPA undertake with potentially affected parties/businesses prior to issuing its new guidelines; and
- (e) what steps will the Government take to stop the EPA guidelines being enforced in every future EPA assessment of projects with scope 1 emissions in excess of 100,000 tonnes per annum.

Debate ensued.

Motion lapsed.

7. Wage theft in Western Australian workplaces

Private Members' Business No. 1 having been called, Hon Kyle McGinn moved, without notice —
That this House notes that wage theft is a serious and ongoing concern in Western Australian workplaces because of its impacts on —

- (a) workers, particularly vulnerable workers; and
- (b) employers that do the right thing by their workers; and

commends the McGowan Government on the establishment of the inquiry into wage theft that is being undertaken by the former Chief Commissioner of the Western Australian Industrial Relations Commission, Tony Beech.

Debate ensued.

Motion lapsed.

8. Order of Business

Ordered — That Orders of the Day Nos 1, *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance*, 2, *Health Practitioner Regulation National Law Regulation 2018 — Disallowance*, 3, *Prohibition on Fishing (Greens Pool) Order 2018 — Disallowance*, 5, *Shire of Morawa Cemeteries Local Law 2018 — Disallowance*, and 22, *Bail Amendment (Persons Linked to Terrorism) Bill 2018* be taken after Order of the Day No. 17, *Legislation Bill 2018*. (Minister for Regional Development).

9. Shire of Morawa Amenity Local Law 2018 — 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. 4, *Shire of Morawa Amenity Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

10. Shire of Morawa Public Places and Local Government Property Local Law 2018 — 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, *Shire of Morawa Public Places and Local Government Property Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Fair Trading Amendment Bill 2018

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

Debate ensued.

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

Leave granted.

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

12. Order of Business

Ordered — That Order of the Day No. 1, *Rights in Water and Irrigation Amendment Regulations 2018 — Disallowance*, be taken forthwith. (Minister for Regional Development).

13. Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance

The Order of the Day having been called for the motion of Hon Robin Scott moved *pro forma* as follows —

That the *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018* published in the *Gazette* on 30 October 2018 and tabled in the Legislative Council on 6 November 2018 under the *Rights in Water and Irrigation Act 1914*, be and are hereby disallowed. (Tabled paper 2152).

Debate ensued.

Hon Robin Scott, by leave, tabled a letter from the Manjimup and Pemberton landowners to the Premier, dated 27 June 2018, in relation to the *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018*. (Tabled paper 2468).

Debate resumed.

14. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to the funding of \$26.5 billion for the Department of Education, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Regional Development representing the Minister for Water tabled documents in relation to stakeholders that have been consulted regarding water resource management, in response to a question without notice asked by Hon Aaron Stonehouse. (Tabled Paper 2469).

The Minister for Environment representing the Minister for Transport tabled a photograph in relation to Forrestfield Airport Link, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 2470).

The Minister for Regional Development representing the Minister for Fisheries tabled the *Smart Drumline Operations Manual Draft*, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 2471).

The Parliamentary Secretary to the Minister for Health tabled documents in relation to bed capacity at sobering up centres in Western Australia funded by the State Government, in response to question on notice 1814 asked by Hon Martin Aldridge. (Tabled Paper 2472).

The Parliamentary Secretary to the Minister for Health tabled documents in relation to nursing posts at Bremer Bay and Jerramungup, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 2473).

15. Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance

Debate resumed on the motion of Hon Robin Scott (*see item 13 above*).

Question — put.

The Council divided.

Ayes (14)

Hon Martin Aldridge
 Hon Jacqui Boydell
 Hon Peter Collier
 Hon Colin de Grussa
 Hon Donna Faragher
 Hon Nick Goiran
 Hon Colin Holt

Hon Michael Mischin
 Hon Simon O'Brien
 Hon Robin Scott
 Hon Tjorn Sibma
 Hon Charles Smith
 Hon Colin Tincknell
 Hon Ken Baston (*Teller*)

Noes (15)

Hon Robin Chapple
 Hon Tim Clifford
 Hon Alanna Clohesy
 Hon Stephen Dawson
 Hon Sue Ellery
 Hon Diane Evers
 Hon Laurie Graham
 Hon Alannah MacTiernan

Hon Kyle McGinn
 Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Aaron Stonehouse
 Hon Dr Sally Talbot
 Hon Alison Xamon
 Hon Pierre Yang (*Teller*)

Question thus negatived.

16. Members' Statements

Statements were taken.

17. Adjournment

The Council adjourned at 5.37pm until Tuesday, 19 March 2019 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Matthew Swinbourn.

NIGEL PRATT

Clerk of the Legislative Council

HON KATE DOUST MLC

President of the Legislative Council