

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 101

TUESDAY, 4 DECEMBER 2018

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Joint Standing Committee on the Corruption and Crime Commission — Inquiry into Public Sector Procurement of Goods and Services and its Vulnerability to Corrupt Practice — Extension of Time

The President made the following Statement —

I have a letter from the Joint Standing Committee on the Corruption and Crime Commission, which reads —

Dear Madam President

The Joint Standing Committee on the Corruption and Crime Commission resolved on Monday, 26 November 2018, to amend the date for the tabling of a report on its inquiry into public sector procurement of goods and services and its vulnerability to corrupt practice.

The Committee will now report on the inquiry by Thursday, 16 May 2019.

Yours sincerely

Ms M.M. Quirk, MLA

Chair

3. Ministerial Statement — Aboriginal Ranger Program

The Minister for Environment made a Ministerial Statement with respect to the Aboriginal Ranger Program.

4. Ministerial Statement — Northern Summer Live Export Moratorium

The Minister for Agriculture and Food made a Ministerial Statement with respect to a three month moratorium on live sheep exports to the Middle East during the Northern Hemisphere summer.

5. Ministerial Statement — World AIDS Day

The Parliamentary Secretary to the Minister for Health made a Ministerial Statement with respect to World AIDS Day.

6. Standing Committee on Procedure and Privileges — Report No. 54 — Standing Order 6(3): Recalling the Council.

The President presented Report No. 54 of the Standing Committee on Procedure and Privileges, *Standing Order 6(3): Recalling the Council*. (Tabled Paper 2275).

7. Papers

The following Papers were laid on the Table by —

Leader of the House

Local Laws —

Local Government Act 1995 (City of Belmont Standing Orders Amendment Local Law (2) 2018 G.G. 30/11/2018, City of Karratha Standing Orders Amendment Local Law 2018 G.G. 30/11/2018, Shire of Dundas Standing Orders Amendment Local Law 2018 G.G. 30/11/2018, Shire of Koorda Local Government Property Amendment Local Law 2018 G.G. 30/11/2018 and Shire of Koorda Standing Orders Amendment Local Law 2018 G.G. 30/11/2018).....	2276
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Regulations —

Vocational Education and Training Act 1996 (Vocational Education and Training (Colleges) Amendment Regulations (No. 2) 2018 G.G. 27/11/2018).....	2277
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Reports —

Attorney General Western Australia — Report on Njama! People's Trust (December 2018).....	2278
Ministerial Office Staffing Report (as at 18 October 2018).....	2279

Schemes —

Professional Standards Act 1997 (The Institute of Public Accountants Professional Standards Scheme (2018) G.G. 27/11/2018).....	2280
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Minister for Environment

Addendums —

Department of Finance — Annual Report (2017–2018).....	2281
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Minister for Regional Development

Management Plans —

Fish Resources Management Act 1994 (Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan 2018 [1328] G.G. 30/11/2018).....	2282
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Notices —

Fish Resources Management Act 1994 (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Revocation Notice 2018 [1357] G.G. 30/11/2018).....	2283
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Orders —

Fish Resources Management Act 1994 (Prohibition on Fishing (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery) Revocation Order 2018 [1357] G.G. 30/11/2018).....	2284
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Regulations —

Petroleum Products Pricing Act 1983 (Petroleum Products Pricing Amendment Regulations (No. 2) 2018 G.G. 27/11/2018).....	2285
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8. Residential Tenancies Legislation Amendment (Family Violence) Bill 2018

The following Message from the Legislative Assembly was reported —

Madam President

Message No. 109

The Legislative Assembly acquaints the Legislative Council that it has considered the amendments made by the Legislative Council in the *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018*, has agreed to Amendment Nos 2 to 6, 9 to 14, 16 to 20 and 24; has disagreed to Amendment Nos 1, 7, 8, 15, 21, 22 and 23.

Hon P.B. Watson

Speaker

Legislative Assembly Chamber

Perth, 29 November 2018

Ordered — That consideration, in Committee of the Whole House, of Message No. 109 be made an Order of the Day for a later stage of this day's sitting. (Leader of the House).

9. Order of Business

Ordered — That Orders of the Day Nos 1, *City of Mandurah Cemeteries Amendment Local Law — Disallowance*, 2, *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance*, 3, *Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Local Law 2018 — Disallowance*, 4, *Shire of Mount Magnet Animals, Environment and Nuisance Local Law 2018 — Disallowance*, 5, *Shire of Mount Magnet Cats Local Law 2018 — Disallowance*, 6, *Shire of Mount Magnet Cemeteries Local Law 2018 — Disallowance*, 7, *Shire of Mount Magnet Dogs Local Law 2018 — Disallowance*, 8, *Shire of Mount Magnet Extractive Industries Local Law 2018 — Disallowance*, 9, *Shire of Mount Magnet Fencing Local Law 2018 — Disallowance*, 10, *Shire of Mount Magnet Health Local Law 2018 — Disallowance*, and 11, *Shire of Mount Magnet Standing Orders Local Law 2018 — Disallowance*, be taken after Order of the Day No. 20, *Public and Health Sector Legislation Amendment (Right of Return) Bill 2018*. (Leader of the House)

10. Betting Tax Bill 2018 and Betting Tax Assessment Bill 2018

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills cognately.

Debate resumed.

Question — That the *Betting Tax Bill 2018* be read a second time — put and passed.

Bill read a second time.

Question — That the *Betting Tax Assessment Bill 2018* be read a second time — put and passed.

Bill read a second time.

The President left the Chair.

(Hon Simon O'Brien in the Chair)

Betting Tax Assessment Bill 2018

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 5 agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clauses 7 to 30 agreed to.

Clause 31.

Debate ensued.

Clause agreed to.

Clauses 32 to 77 agreed to.

Title agreed to.

Betting Tax Bill 2018

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 4 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bills reported without amendment.

Report adopted.

The Minister for Environment representing the Treasurer moved, That the *Betting Tax Bill 2018* be read a third time.

The Acting President announced that the Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put and passed.

Bill read a third time and passed.

The Minister for Environment representing the Treasurer moved, That the *Betting Tax Assessment Bill 2018* be read a third time.

The Acting President announced that the Deputy Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put and passed.

Bill read a third time and passed.

11. Industrial Relations Amendment Bill 2018

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

Debate resumed.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations tabled a table of matters concluded in relation to the *Industrial Relations Amendment Bill 2018*. (Tabled Paper 2286).

Question — put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

12. Reserves (Tjuntjuntjara Community) Bill 2018

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.

Leave was granted to proceed forthwith to the third reading.

The Minister for Environment representing the Minister for Lands moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

13. Gaming and Wagering Legislation Amendment Bill 2018

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

14. Questions Without Notice

Questions without notice were taken.

The Minister for Regional Development representing the Minister for Water tabled documents in relation to the Water Corporation's cost reflectivity, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 2287).

The Leader of the House representing the Minister for Child Protection; Prevention of Family and Domestic Violence; Community Services tabled documents in relation to the Minister's briefing notes for Operation Fledermaus, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 2288).

The Minister for Environment representing the Minister for Transport tabled, and by leave incorporated into *Hansard*, documents in relation to the Bayswater Train Station upgrade, in response to a question without notice asked by Hon Donna Faragher. (Tabled Paper 2289).

The Minister for Environment tabled correspondence in relation to the former Dalyellup Waste Residue Disposal Facility, in response to question on notice No. 1736 asked by Hon Diane Evers. (Tabled Paper 2290).

The Minister for Environment tabled correspondence in relation to the former Dalyellup Waste Residue Facility Site Management Plan, in response to question on notice No. 1738 asked by Hon Diane Evers. (Tabled Paper 2291).

The Minister for Environment representing the Minister for Corrective Services tabled *The health of Australia's prisoners 2015*, in response to question on notice No. 1743 asked by Hon Alison Xamon. (Tabled Paper 2293).

The Minister for Regional Development tabled documents in relation to Carnegie Clean Energy's request for an extension to submit a funding plan for the Albany Wave Energy Project, in response to a question without notice asked by Hon Michael Mischin. (Tabled Paper 2292).

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations tabled documents in relation to Worksafe's assessment of work undertaken at the Perth GPO Building in Forrest Place, specifically the H & M shop site, in response to question on notice No. 1757 asked by Hon Alison Xamon. (Tabled Paper 2294).

The Parliamentary Secretary to the Minister for Health tabled documents in relation to WA Country Health Service stocks of antivenom for snake, spider and marine animal bites, in response to question on notice No. 1730 asked by Hon Martin Aldridge. (Tabled Paper 2295).

The Parliamentary Secretary to the Minister for Health tabled documents in relation to charges applied to patients to receive an annual medical assessment in order to retain a motor vehicle driver's license, in response to question on notice No. 1755 asked by Hon Martin Aldridge. (Tabled Paper 2296).

15. Gaming and Wagering Legislation Amendment Bill 2018

Debate resumed on the second reading of this Bill (*see item 13 above*).

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Dr Steve Thomas in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2 agreed to.

Clauses 3 to 11 agreed to.

Clause 12.

Debate ensued.

Clause agreed to.

Clauses 13 to 17 agreed to.

Clause 18.

Debate ensued.

Clause agreed to.

Clauses 19 to 25 agreed to.

Title agreed to.

The President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Regional Development representing the Minister for Racing and Gaming moved, That the Bill be read a third time.

The President announced that the Deputy Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Debate ensued.

Question — put and passed.

16. Legal Profession Amendment (Professional Indemnity Insurance Management Committee) Bill 2018

The President reported the receipt of Message No. 106 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Attorney General moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Attorney General moved, That the Bill be read a second time.

The Leader of the House representing the Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2297).

Debate stands adjourned.

17. Members' Statements

Statements were taken.

18. Criminal Code Amendment (Child Marriage) Bill 2018

The President reported the receipt of Message No. 108 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Attorney General moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Attorney General moved, That the Bill be read a second time.

The Leader of the House representing the Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2298).

Debate stands adjourned.

19. Adjournment

The Council adjourned at 10.18pm until Wednesday, 5 December 2018 at 1.00pm.

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