

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 62

TUESDAY, 12 JUNE 2018

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Seating Change

The President made the following Statement —

I have received a request from the Leader of the House for a seating change.

This arises as a result of the appointment of the Hon Laurie Graham as Deputy Government Whip.

I have approved that seating change.

3. Statement by President — Departmental Surveys

The President made the following Statement —

Today you will find on your desks hardcopy versions of surveys of the Legislative Council and the Parliamentary Services Department, which you should also have received electronically yesterday afternoon.

These surveys give Members the opportunity to comment on the services provided by the Department of the Legislative Council and the Parliamentary Services Department. I encourage Members to fill them out and return them to chamber staff or complete the online versions via the link provided in the emails you will have received.

The results of the surveys will be published in the annual reports, and the feedback that Members give will be used to improve the services you receive wherever possible.

4. Message from His Excellency the Governor — Assent to Bill

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bill —

18 May 2018 — Message No. 12

Pay-roll Tax Assessment Amendment (Exemption for Trainees) Bill 2018

Act No.

7 of 2018

5. Petition

Hon Laurie Graham presented a petition from 130 petitioners requesting the Legislative Council to conduct an inquiry into the conduct of the Shire of Esperance with regard to its handling of major projects, namely the Esperance Tanker Jetty, the new waste facility and the indoor sports stadium. (Tabled Paper 1409).

6. Ministerial Statement — Workers' Compensation and Injury Management Amendment Bill 2017 — Release of Stakeholder Submissions

The Minister for Regional Development made a Ministerial Statement with respect to the release of submissions from State Government departments listed in appendix four of WorkCover WA's *Review of the Workers' Compensation and Injury Management Act 1981: Final Report*.

7. Ministerial Statement — Perth Children's Hospital

The Parliamentary Secretary to the Minister for Health made a Ministerial Statement with respect to the opening of the Perth Children's Hospital.

8. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Opinion on Ministerial Notifications (Report No. 10) (May 2018)
(Deemed tabled 24/05/2018) 1388

Reports —

Corruption and Crime Commission — Report on Serious Misconduct Risks around
Dangerous Drugs in Hospitals (May 2018) (Deemed tabled 25/05/2018) 1389

Leader of the House

Addendums —

Art Gallery Western Australia — Annual Report (2016–2017)..... 1390

Local Laws —

Local Government Act 1995 (City of Karratha Activities in Thoroughfares and Public Places and
Trading Amendment Local Law 2018 G.G. 29/05/2018, Shire of Dundas Repeal Local
Law 2018 G.G. 22/05/2018, Shire of Dundas Standing Orders Local
Law 2018 G.G. 22/05/2018 and Town of Claremont Meeting Procedures Local
Law 2018 G.G. 25/05/2018)..... 1391

Regulations —

Public Sector Management Act 1994 (Public Sector Management (Act Amendment)
Regulations 2018 G.G. 29/05/2018)..... 1392

Minister for Environment

Local Laws —

Bush Fires Act 1954 (Shire of Narrogin Bush Fire Brigades Amendment Local
Law 2018 G.G. 05/06/2018)..... 1393

Regulations —

Jetties Act 1926 (Jetties Amendment Regulations (No. 2) 2018 G.G. 25/05/2018) 1394

Jetties Act 1926 (Transport Regulations Amendment (Fees and Charges)
Regulations 2018 G.G. 25/05/2018)..... 1395

Road Traffic Act 1974 (Road Traffic Code Amendment Regulations 2018 G.G. 15/05/2018)..... 1396

Road Traffic (Administration) Act 2008 (Road Traffic (Administration) Amendment
Regulations 2018 G.G. 25/05/2018)..... 1397

Taxi Act 1994 (Transport Regulations Amendment (Fares) Regulations 2018 G.G. 22/05/2018) 1398

Minister for Regional Development

Management Plans —

Fish Resources Management Act 1994 (Gascoyne Demersal Scalefish Managed Fishery
Management Plan Amendment 2018 [1374] G.G. 18/05/2018) 1399

Notices —

Fair Trading Act 2010 (Consumer Goods (Self-balancing Scooters) Safety Standard 2018 G.G. 29/05/2018).....	1400
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Orders —

Fish Resources Management Act 1994 (Prohibition on Fishing (Bernier Island) Order 2018 [1373] G.G. 18/05/2018)	1401
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Regulations —

Biosecurity and Agriculture Management Act 2007 (Biosecurity and Agriculture Management (Declared Pest Account) Amendment Regulations 2018 G.G. 15/05/2018)	1402
Electricity Act 1945 (Electricity (Licensing) Amendment Regulations (No. 3) 2018 G.G. 07/06/2018 and Electricity (Licensing) Amendment Regulations 2018 G.G. 08/06/2018).....	1403
Fair Trading Act 2010 (Fair Trading (Fitness Industry Interim Code) Regulations 2018 G.G. 29/05/2018).....	1404

Reports —

Official Ministerial Visit to the United Kingdom and Germany by the Minister for Tourism, Racing and Gaming, Small Business, Defence Issues, Citizenship and Multicultural Interests (24-30 March 2018).....	1405
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Parliamentary Secretary to the Deputy Premier*By-laws —*

Queen Elizabeth II Medical Centre Act 1966 (Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws 2018 G.G. 08/06/2018).....	1406
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Orders —

Health Services Act 2016 (Health Services (Fees and Charges) Amendment Order (No. 6) 2018 G.G. 25/05/2018).....	1407
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Regulations —

Food Act 2008 (Health Regulations Amendment (Fees and Charges) Regulations 2018 G.G. 25/05/2018).....	1408
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9. Tax Incentives for Regional Businesses

Hon Robin Scott, pursuant to Standing Order 62(a), amended Motion No. 4 to read as follows —

That as an incentive for Western Australians to start and operate businesses in the Mining and Pastoral Region, the Agricultural Region and the South West Region, this House calls upon the Government of Western Australia to —

- (a) halve payroll taxes from 5.5% to 2.75% for businesses with less than 25 employees 100km from Perth; and
- (b) eliminate payroll tax for businesses with less than 25 employees 1,000km from Perth.

10. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Broome Parking and Parking Facilities Amendment Local Law (2) 2017 — Disallowance*, 2, *Shire of Northam Cemeteries Amendment Local Law 2017 — Disallowance*, 3, *Shire of Toodyay Health Local Law 2017 — Disallowance*, 4, *Police (Fees and Charges) Regulations 2018 — Disallowance*, 5, *Prohibition on Fishing (Eighty Mile Beach Marine Park) Order 2018 — Disallowance*, 6, *Shire of Koorda Standing Orders Local Law 2017 — Disallowance*, 7, *Environmental Protection Amendment Regulations 2018 — Disallowance*, 8, *Shire of Murray Health Local Law 2018 — Disallowance*, 9, *Shire of Woodanilling Animals, Environment and Nuisance Amendment Local Law 2018 — Disallowance*, 10, *Rights in Water and Irrigation Amendment Regulations 2018 — Disallowance*, and 11, *Town of Claremont Waste Local Law 2017 — Disallowance*, be taken after Order of the Day No. 25, *Liquor Control Amendment Bill 2018*. (Leader of the House).

11. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2018–2019

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

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 1340A-D (2018–2019 Budget Statements), laid upon the Table of the House on 10 May 2018.

Debate resumed.

Hon Peter Collier, by leave, tabled a document in relation to a personal perspective of the National Disability Insurance Scheme. (Tabled Paper 1410).

Debate resumed.

12. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Fisheries tabled documents in relation to shark interactions in the Ningaloo region, in response to a question without notice asked by Hon Ken Baston. (Tabled Paper 1411).

The Minister for Environment tabled documents in relation to the proposed Dalyellup Greenpatch subdivision, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 1412).

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Water tabled the Gingin Surface Water Allocation Plan, in response to a question without notice asked by Hon Jim Chown. (Tabled Paper 1413).

The Leader of the House representing the Minister for Community Services tabled documents in relation to funding for Local Jobs, Local Projects grants and subsidies in 2017–2018, in response to a question without notice asked by Hon Tjorn Sibma. (Tabled Paper 1414).

The Leader of the House representing the Premier, by leave, incorporated into *Hansard* information in relation to the Government's indexation policy for the non-government human services sector, in response to a question without notice asked by Hon Alison Xamon.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Tourism, by leave, incorporated into *Hansard* a list of tourism operators invited to join a delegation to China, in response to a question without notice asked by Hon Peter Collier.

13. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2018–2019

Debate resumed on the motion of the Minister for Finance representing the Treasurer (*see item 11 above*).

On the motion of Hon Ken Baston the debate was adjourned to the next sitting.

14. Suspension of Standing Orders

The Leader of the House moved, without notice —

That so much of the Standing Orders be suspended so as to enable the following variations to the Order of Business for Wednesday, 13 June 2018, Thursday, 14 June 2018, Wednesday, 27 June 2018 and Thursday, 28 June 2018 —

- (a) no Consideration of Committee Reports on each Wednesday;
- (b) the Council is to commence meeting at 9.00am on each Thursday;
- (c) no Private Members' Business on each Thursday; and
- (d) on Wednesday, 27 June 2018, the House is to proceed to Orders of the Day at the conclusion of Motion No 1. - *Independent Rural Fire Service*; and
- (e) the Council is to sit beyond the normal adjournment time on each Wednesday and Thursday, and shall take Member's Statements at 7.20pm on each Wednesday and at 6.20pm on each Thursday.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question — put.

The 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.

15. Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017

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

Debate ensued.

Interruption pursuant to order.

16. Members' Statements

Statements were taken.

Hon Robin Chapple, by leave, tabled an answer to a question without notice in relation to an agricultural research project investigating cropping systems in the Ord Valley. (Tabled Paper 1415).

17. Adjournment

The Council adjourned at 9.59pm until Wednesday, 13 June 2018 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Colin de Grussa and Hon Adele Farina.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council