

WESTERN AUSTRALIA

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 84**

**WEDNESDAY, 10 OCTOBER 2018**

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**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. Petition**

Hon Robin Chapple presented a petition from 19 petitioners requesting the Legislative Council to inquire into the inability of the Local Government Standards Panel to refer a complaint of perjury to Western Australia Police from any court or tribunal proceedings that the panel is a party to. (Tabled Paper 2029).

**3. Ministerial Statement — Digital Farm Program**

The Minister for Agriculture and Food made a Ministerial Statement with respect to the second tranche of grants under the Digital Farm Program.

**4. Ministerial Statement — Mental Health Week 2018**

The Parliamentary Secretary to the Minister for Mental Health made a Ministerial Statement with respect to Mental Health Week.

**5. Select Committee into alternate approaches to reducing illicit drug use and its effects on the community**

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

- (1) A Select Committee examining alternate approaches to reducing illicit drug use and its effects on the community is established.
- (2) The Select Committee is to inquire into and report on —
  - (a) other Australian state jurisdictions and international approaches (including Portugal) to reducing harm from illicit drug use, including the relative weighting given to enforcement, health and social interventions;
  - (b) a comparison of effectiveness and cost to the community of drug related laws between Western Australia and other jurisdictions;
  - (c) the applicability of alternate approaches to minimising harms from illicit drug use from other jurisdictions to the Western Australian context; and
  - (d) consider any other relevant matter.
- (3) The Select Committee is to report no later than twelve months after the motion is agreed to.
- (4) The Select Committee shall consist of five members; Hon Alison Xamon (Chair); Hon Samantha Rowe (Deputy Chair); Hon Colin de Grussa; Hon Michael Mischin; and Hon Aaron Stonehouse.

*Interruption pursuant to order.*

## 6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

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### In Committee

(Hon Simon O'Brien in the Chair)

#### **Joint Select Committee on End of Life Choices — Report No. 1 — My Life, My Choice**

Debate resumed on the motion of Hon Colin Holt, That the Report be noted.

Question — put and passed.

#### **Joint Standing Committee on the Corruption and Crime Commission — Report No. 7 — Unfinished business — The Corruption and Crime Commission's response to the Committee's report on Dr Cunningham and Ms Atoms**

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

Question — put and passed.

#### **Select Committee into Elder Abuse — Report No. 1 — 'I never thought it would happen to me': When trust is broken**

Debate resumed on the motion of Hon Nick Goiran, That the Report be noted.

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

Question — put and passed.

#### **Joint Standing Committee on the Commissioner for Children and Young People — Report No. 2 — Talking to the Experts — Responding to recommendations made by the Commissioner for Children and Young People in the School and Learning Consultation Technical Report**

Hon Dr Sally Talbot moved, That the Report be noted.

Question — put and passed.

#### **Standing Committee on Procedure and Privileges — Report No. 51 — Review of the Standing Orders relating to Motions on Notice — Request for extension of time and discussion paper**

Hon Stephen Dawson moved, That the Report be noted.

Question — put and passed.

#### **Joint Standing Committee on the Corruption and Crime Commission — Report No. 8 — Matters arising from the Corruption and Crime Commission's Report on Operation Aviemore: Major Crime Squad Investigation into the Unlawful Killing of Mr Joshua Warneke**

Hon Jim Chown moved, That the Report be noted.

Debate ensued.

*Interruption pursuant to order.*

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The Acting President resumed the Chair.

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

- (1) Joint Select Committee on End of Life Choices — Report No. 1 — *My Life, My Choice* and had noted same.
- (2) Joint Standing Committee on the Corruption and Crime Commission — Report No. 7 — *Unfinished business — The Corruption and Crime Commission's response to the Committee's report on Dr Cunningham and Ms Atoms* and postponed consideration to the next sitting.
- (3) Select Committee into Elder Abuse — Report No. 1 — *'I never thought it would happen to me': When trust is broken*, made progress and postponed further consideration to the next sitting.
- (4) Joint Standing Committee on the Commissioner for Children and Young People — Report No. 2 — *Talking to the Experts — Responding to recommendations made by the Commissioner for Children and Young People in the School and Learning Consultation Technical Report* and had noted same.

- (5) Standing Committee on Procedure and Privileges — Report No. 51 — *Review of the Standing Orders relating to Motions on Notice — Request for extension of time and discussion paper* and had noted same.
- (6) Joint Standing Committee on the Corruption and Crime Commission — Report No. 8 — *Matters arising from the Corruption and Crime Commission's Report on Operation Aviemore: Major Crime Squad Investigation into the Unlawful Killing of Mr Joshua Warneke*, made progress and seeks to sit again.

Report adopted.

## 7. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Regional Development tabled a letter to Senator Hon Bridget McKenzie, Minister for Regional Services, regarding the Mobile Black Spot Program from the Minister for Regional Development, in response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 2030).

The Minister for Environment representing the Minister for Emergency Services tabled a media statement by the Department of Fire and Emergency Services regarding naming rights to the emergency rescue helicopters, in response to a question without notice asked by Hon Colin de Grussa. (Tabled Paper 2031).

The Parliamentary Secretary to the Minister for Health tabled the terms of reference for a review of the clinical governance of public mental health services in Western Australia, in response to a question without notice asked by Hon Alison Xamon. (Tabled Paper 2032).

The Minister for Environment representing the Minister for Energy tabled documents in relation to the base salary and total remuneration for each member of the executive team for Western Power, Horizon Power and Synergy for 2016–2017 and 2017–2018, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 2033).

The Minister for Regional Development representing the Minister for State Development, Jobs and Trade tabled a letter sent to producers in relation to the Western Australia Worth Sharing campaign, in response to question on notice No. 1607 asked by Hon Peter Collier. (Tabled Paper 2034).

The Minister for Regional Development tabled documents in relation to travel undertaken by Mr Gavin Robins as the Chief Executive Officer for the Gascoyne Development Commission Carnarvon office, in response to question on notice No. 1618 asked by Hon Robin Chapple. (Tabled Paper 2035).

## 8. Order of Business

Ordered — That Orders of the Day Nos 1, *Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance*, 2, *Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance*, 3, *City of Kalgoorlie-Boulder Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2018 — Disallowance*, 4, *City of Kalgoorlie-Boulder Local Government Property Amendment Local Law 2018 — Disallowance*, 5, *City of Karratha Standing Orders Local Law 2018 — Disallowance*, 6, *Health Services (Information) Amendment Regulations 2018 — Disallowance*, 7, *Jetties Amendment Regulations (No. 2) 2018 — Disallowance*, 8, *Environmental Protection Amendment Regulations (No. 2) 2018 — Disallowance*, 9, *Duties Amendment Regulations 2018 — Disallowance*, and 10, *Water Services Regulations Amendment (Fees and Charges) Regulations 2018 — Disallowance*, be taken after Order of the Day No. 31, *Transport (Road Passenger Services) Bill 2018*. (Leader of the House).

## 9. Strata Titles Amendment Bill 2018

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

The President left the Chair.

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**In Committee**

(Hon Adele Farina in the Chair)

Clause 83.

Debate resumed.

The Minister for Environment representing the Minister for Lands moved —

Page 134, lines 6 and 7 — To delete the lines and insert:

- (7) When a strata title for a lot in a freehold scheme comes into existence it confers on the owner of the lot —

Debate ensued.

Amendment — put and passed.

The Minister for Environment representing the Minister for Lands moved —

Page 134, lines 21 and 22 — To delete the lines and insert:

- (8) When a strata title for a lot in a leasehold scheme comes into existence it confers on the owner of the lot, subject to Part 4 Division 5 —

Debate ensued.

Amendment — put and passed.

Debate resumed.

The Minister for Environment representing the Minister for Lands moved, That the Chair report progress and seek to sit again.

Question — put and passed.

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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.

**10. Members' Statements**

Statements were taken.

**11. Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018**

The Deputy President reported the receipt of Message No. 89 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Minister for Health 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 Health moved, That the Bill be read a second time.

The Parliamentary Secretary to the Minister for Health tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2036).

Debate stands adjourned.

**12. Adjournment**

The Council adjourned at 7.10pm until Thursday, 11 October 2018 at 10.00am.

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

Attendance: Present all Members except Hon Colin Holt and Hon Kyle McGinn (leave of absence).

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON KATE DOUST MLC**  
President of the Legislative Council