

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 44

TUESDAY, 13 MARCH 2018

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair and read prayers.

2. Messages from Her Excellency the Governor — Assent to Bills

The President reported the receipt of Messages from Her Excellency the Governor assenting to the following Bills —

13 December 2017 — Message No. 26	Act No.
School Curriculum and Standards Authority Amendment Bill 2017	17 of 2017
Western Australian Jobs Bill 2017	18 of 2017
Pay-roll Tax Amendment (Debt and Deficit Remediation) Bill 2017	19 of 2017
Pay-roll Tax Assessment Amendment (Debt and Deficit Remediation) Bill 2017	20 of 2017
Dangerous Sexual Offenders Legislation Amendment Bill 2017	21 of 2017
28 February 2018 — Message No. 3	Act No.
Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017	1 of 2018

3. Joint Standing Committee on Audit — Appointment of Member

The following Message from the Legislative Assembly was reported —

Mr President Message No. 44

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution –

That —

- (1) the Member for Bicton be appointed to the Public Accounts Committee to fill the vacancy caused by the resignation from that committee of the Member for Darling Range; and
- (2) as the membership of the Joint Standing Committee on Audit consists in part of the members of the Legislative Assembly Public Accounts Committee, the Legislative Council be acquainted accordingly.

Hon P.B. Watson
Speaker
Legislative Assembly Chamber
Perth, 20 February 2018

4. Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017

The following Message from the Legislative Assembly was reported —

Mr President

Message No. 46

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017*.

Ms J.M. Freeman

Acting Speaker

Legislative Assembly Chamber

Perth, 21 February 2018

5. Petitions

Hon Charles Smith presented a petition from 634 petitioners requesting the Legislative Council to oppose the fluoridation of the public water supply in Western Australia, in particular Yanchep. (Tabled Paper 1108).

Hon Robin Chapple presented a petition from 2,137 petitioners requesting the Legislative Council to support the *Environmental Protection Amendment (Banning Plastic Bags and Other Things) Bill 2017*. (Tabled Paper 1109).

Hon Colin Holt presented a petition from 31 petitioners requesting the Legislative Council to recommend that all interests claimed over land registered on the Torrens Title System be clearly recorded on the Title for that land and investigate whether the *Government Gazette* is an adequate system for notifying landowners of legislative changes that affect their land. (Tabled Paper 1110).

Hon Colin Holt presented a petition from 2,350 petitioners requesting the Legislative Council reverse the State Government's decision to close the Bridgetown Camp School. (Tabled Paper 1111).

Hon Colin Holt presented a petition from 834 petitioners requesting the Legislative Council oppose the closure of the Pemberton Camp School. (Tabled Paper 1112).

Hon Martin Aldridge presented a petition from 1,852 petitioners requesting the Legislative Council to examine the effect of the closure of the Moora Residential College on students and families. (Tabled Paper 1113).

6. Ministerial Statement — Moora Residential College

The Minister for Education and Training made a Ministerial Statement with respect to Moora Residential College.

The Minister for Education and Training tabled building condition reports undertaken at the Moora Residential College since 2007. (Tabled Paper 1114).

7. Ministerial Statement — National Disability Insurance Scheme

The Minister for Disability Services made a Ministerial Statement with respect to the implementation of the National Disability Insurance Scheme in Western Australia.

8. Papers

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President

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9. Industrial Relations (Equal Remuneration) Amendment Bill 2018

Hon Alison Xamon: To move on the next day of sitting —

That a Bill for “An Act to amend the *Industrial Relations Act 1979*.” be introduced and read a first time.

10. A Quality Education for Western Australian Children

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

That this House calls on the McGowan Labor Government to honour its November 2016 policy position that commits to providing “*a quality education to Western Australian children and young people regardless of where they live*” by —

- (1) Reversing the decisions to:
 - (a) shut down six camp schools;
 - (b) close Moora residential college;
 - (c) take 20 per cent from the Agricultural Education Farm Provisions Trust;
 - (d) cut the number of frontline regional education professionals;
 - (e) increase fees for Vacswim; and
 - (f) reduce the Boarding Away from Home Allowance.
- (2) Recognising the stress, uncertainty, and mistrust created by making rushed decisions in the regional education portfolio.

11. Non-Government Business — Schedule

The Leader of the House moved, without notice —

That, pursuant to Standing Order 111(4), the schedule for Non-Government Business tabled by the President be adopted.

Question — put and passed.

12. Private Members’ Business — Schedule

The Leader of the House moved, without notice —

That, pursuant to Standing Order 112(4), the schedule for Private Members’ Business tabled by the President be adopted.

Question — put and passed.

13. Order of Business

Hon Jacqui Boydell moved, without notice —

That the Notice of Motion that I gave earlier today regarding *A Quality Education for Western Australian Children*, be made Motion No. 1 for the next sitting of the House, and to remain as Motion No. 1 until resolved.

Question — put and passed.

14. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Northampton Dogs Local Law 2017 — Disallowance*, 2, *Shire of Chittering Repeal Local Law 2017 — Disallowance*, 3, *Shire of Northampton Local Government Property Local Law 2017 — Disallowance*, 4, *Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1) — Disallowance*, 5, *Water Services (Water Corporations Charges) Amendment Regulations 2017 — Disallowance*, 6, *Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2017 — Disallowance*, 7, *Shire of Victoria Plains Bush Fire Brigades Local Law 2017 — Disallowance*, 8, *Transfer of Land Amendment Regulations 2017 — Disallowance*, and 9, *Shire of Narrogin Bush Fire Brigades Local Law 2017 — Disallowance*, be taken after Order of the Day No. 22, *Appropriation (Capital 2016–17) Supplementary Bill 2017*. (Leader of the House).

15. Sentence Administration Amendment Bill 2017

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

Debate resumed.

16. Questions Without Notice

Questions without notice were taken.

The Minister for Environment tabled management plans applying to priority protected areas, in response to question on notice No. 500 asked by Hon Diane Evers. (Tabled Paper 1115).

The Minister for Education and Training, by leave, incorporated into *Hansard* additional information in relation to the correct number of Aboriginal staff located in the Kimberley Education Regional Office, in response to question without notice No. 843 asked by Hon Donna Faragher.

The Minister for Regional Development tabled an answer in relation to the salary, role, entitlements, allowances and overtime for staff at the Water Corporation, in response to question on notice No. 503 asked by Hon Peter Collier. (Tabled Paper 1116).

17. Sentence Administration Amendment Bill 2017

Debate resumed on the second reading of this Bill (*see item 15 above*).

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Robin Chapple in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 to Clause 8 agreed to.

Clause 9.

The Leader of the House representing the Attorney General moved —

Page 3, after line 23 — To insert:

(aa) manslaughter; or

Interruption pursuant to order.

The President resumed the Chair.

The Deputy 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.

18. Members' Statements

Statements were taken.

19. Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Bill 2017

The President reported the receipt of Message No. 45 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 1117).

Debate stands adjourned.

20. Workers' Compensation and Injury Management Amendment Bill 2017

The President reported the receipt of Message No. 47 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1118).

Debate stands adjourned.

21. Historical Homosexual Convictions Expungement Bill 2017

The President reported the receipt of Message No. 48 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 1119).

Debate stands adjourned.

22. Land Tax Assessment Amendment Bill 2017

The President reported the receipt of Message No. 49 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Environment representing the Minister for Finance moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Environment representing the Minister for Finance moved, That the Bill be read a second time.

The Minister for Environment representing the Minister for Finance tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1120).

Debate stands adjourned.

23. Adjournment

The Council adjourned at 10.49pm until Wednesday, 14 March 2018 at 1.00pm.

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