

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 80

TUESDAY, 18 SEPTEMBER 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.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Joint Standing Committee on Audit — Review of the Financial Management Act (2006)

The President made the following Statement —

I have received the following letter from the Joint Standing Committee on Audit —

Dear Madam President

The *Financial Management Act 2006* (Act) requires the responsible Minister—the Treasurer—to review the ‘operation and effectiveness’ of that Act and table a report on that review in both Houses of Parliament. The ‘Review of the Financial Management Act (2006) — December 2017 Report’ was tabled in both Houses of Parliament on 27 June 2018. This is the second review of the Act.

The Joint Standing Committee on Audit (Committee) is now required to carry out a review of that report, under section 85(4) of the Act. The Committee’s review will examine that report and have regard to any outstanding or relevant matters from the first review of the Act and the previous Committee’s review of the operation and effectiveness of the Auditor General Act 2006.

The Committee requests that you inform the Council accordingly. I have written in similar terms to the Speaker of the Legislative Assembly.

Yours sincerely

Hon Alanna Clohesy

Chair

3. Statement by President — Standing Committee on Legislation — Substitution of Member for Inquiry into Strata Titles Amendment Bill 2018

The President made the following Statement —

The second letter I have is from the Standing Committee on Legislation, and reads —

Dear Madam President,

I am writing to you in relation to the Standing Committee on Legislation’s inquiry into the Strata Titles Amendment Bill 2018, referred to the Committee on 13 September 2018.

The Committee met on 13 September and, pursuant to Standing Order 163, resolved to order the substitution of the Hon Donna Faragher MLC in place of the Hon Nick Goiran

MLC as a Member of the Committee for the duration of the inquiry. Both Members have agreed to this substitution.

Yours sincerely

Hon Dr Sally Talbot MLC

Chair

4. Petition

Hon Pierre Yang presented a petition from 334 petitioners requesting the Legislative Council to liaise with Peet & Co to protect the Golden Bay dunes. (Tabled Paper 1824).

5. Ministerial Statement — Specialist Autism Program

The Minister for Education and Training made a Ministerial Statement with respect to seven additional schools to receive a specialist learning program for students with autism spectrum disorder.

6. Ministerial Statement — 2019 Parliamentary Sitting Dates

The Leader of the House made a Ministerial Statement with respect to the 2019 Parliamentary sitting dates.

The Leader of the House tabled the *2019 Parliamentary sitting dates*. (Tabled Paper 1825).

7. Ministerial Statement — Questions Without Notice

The Leader of the House made a Ministerial Statement with respect to the absence of Ministers during questions without notice for this sitting week.

8. Standing Committee on Procedure and Privileges — Report No. 51 — Review of the Standing Orders relating to motions on notice — Request for extension of reporting time and discussion paper

The President presented Report No. 51 of the Standing Committee on Procedure and Privileges, *Review of the Standing Orders relating to motions on notice — Request for extension of reporting time and discussion paper*. (Tabled Paper 1797).

Hon Simon O'Brien moved, without notice —

That the reporting date for the Standing Committee on Procedure and Privileges inquiry into the *Review of the Standing Orders relating to motions on notice*, be extended from 20 September 2018 to 20 November 2018.

Hon Simon O'Brien sought leave to continue his remarks at a later stage of this day's sitting.

Leave granted.

Debate stands adjourned to a later stage of this day's sitting.

9. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Combat Sports Commission (2017–2018) (Date received 13/09/2018) 1798

Commissioner for Children and Young People (2017–2018) (Date received 14/09/2018) 1799

Director of Equal Opportunity in Public Employment (2017–2018)
(Date received 14/09/2018)..... 1800

Institute of Sport (WAIS) (2017–2018) (Date received 17/09/2018)..... 1801

Public Sector Commission (2017–2018) (Date received 14/09/2018)..... 1802

Documents —

National Redress Scheme for Institutional Child Sexual Abuse Rules 2018 — Minister
for Social Services (29 June 2018)..... 1803

National Redress Scheme for Institutional Child Sexual Abuse Rules 2018 — Minister for Social Services (Explanatory Statement).....	1804
<i>Local Laws —</i>	
Cemeteries Act 1986 (Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2018 G.G. 11/09/2018).....	1805
Local Government Act 1995 (City of Bayswater Standing Orders Local Law 2018 G.G. 13/09/2018, Shire of Broome Local Government Property and Public Places Amendment Local Law 2018 G.G. 11/09/2018, Shire of Broome Trading, Outdoor Dining and Street Entertainment Amendment Local Law 2018 G.G. 11/09/2018 and Shire of Northampton Local Government Property Local Law 2018 G.G. 12/09/2018)	1806
<i>Regulations —</i>	
Criminal Procedure Act 2004 (Justice Regulations Amendment (Biodiversity Conservation) Regulations 2018 G.G. 14/09/2018).....	1807
Leader of the House on behalf of the Minister for Environment	
<i>Annual Reports —</i>	
Country Housing Authority (2017–2018) (Date received 14/09/2018)	1808
State Emergency Management Committee and Office of Emergency Management (2017-2018) (Date received 13/09/2018).....	1809
Treasury Corporation (2017–2018) (Date received 13/09/2018).....	1810
Western Power (2017–2018) (Date received 13/09/2018).....	1811
<i>Local Laws —</i>	
Waste Avoidance and Resource Recovery Act 2007 (City of Joondalup Waste Amendment Local Law 2018 G.G. 11/09/2018)	1812
<i>Regulations —</i>	
Biodiversity Conservation Act 2016 (Biodiversity Conservation Regulations 2018 G.G. 14/09/2018).....	1813
Conservation and Land Management Act 1984 (Conservation and Land Management Amendment Regulations 2018 G.G. 14/09/2018)	1814
Shipping and Pilotage Act 1967 (Navigable Waters Amendment Regulations 2018 G.G. 14/09/2018).....	1815
Parliamentary Secretary to the Deputy Premier	
<i>Regulations —</i>	
Mental Health Act 2014 (Mental Health Amendment Regulations (No. 3) 2018 G.G. 14/09/2018).....	1822
Public Health Act 2016 (Blood and Tissue (Transmissible Diseases) Amendment Regulations 2018 G.G. 14/09/2018).....	1823
Parliamentary Secretary to the Minister for Regional Development	
<i>Annual Reports —</i>	
Gold Corporation (2017–2018) (Date received 17/09/2018)	1816
Jobs, Tourism, Science and Innovation, Department of (2017–2018) (Date received 17/09/2018).....	1817
Kimberley Development Commission (2017–2018) (Date received 13/09/2018).....	1818
Mid-West Development Commission (2017–2018) (Date received 13/09/2018).....	1819
<i>Regulations —</i>	
Biosecurity and Agriculture Management Act 2007 (Biosecurity and Agriculture Management Amendment Regulations 2018 G.G. 14/09/2018).....	1820
Liquor Control Act 1988 (Liquor Control (Ngurrawaana Restricted Area) Regulations 2018 G.G. 14/09/2018).....	1821

10. Leave of Absence — Hon Samantha Rowe

Leader of the House moved, without notice —

That leave of absence be granted to Hon Samantha Rowe for 3 sitting days due to illness.

Question — put and passed.

11. Order of Business

Ordered — That Orders of the Day Nos 1, *City of Karratha Fencing Local Law 2018 — Disallowance*, 2, *Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance*, 3, *Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance*, 4, *City of Kalgoorlie-Boulder Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2018 — Disallowance*, 5, *City of Kalgoorlie-Boulder Local Government Property Amendment Local Law 2018 — Disallowance*, 6, *City of Karratha Standing Orders Local Law 2018 — Disallowance*, 7, *Health Services (Information) Amendment Regulations 2018 — Disallowance*, and 8, *Jetties Amendment Regulations (No. 2) 2018 — Disallowance*, be taken after Order of the Day No. 35, *Standing Committee on Procedure and Privileges — Report No. 49 — Treaty Function — Standing Committee on Uniform Legislation and Statutes Review — Recommendation 1*. (Leader of the House).

12. Coroners Amendment Bill 2017

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.

The Deputy President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate ensued.

13. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training tabled documents in relation to the proposed commercial lease terms for Western Australian camp schools, in response to a question without notice asked by Hon Donna Faragher. (Tabled Paper 1826).

The Leader of the House representing the Premier, by leave, incorporated into *Hansard* information in relation to exemptions to Freedom of Information applications, in response to a question without notice asked by Hon Colin Tincknell.

The Leader of the House representing the Minister for Child Protection, by leave, incorporated into *Hansard* information in relation to extensions to carer standard of care assessments, in response to a question without notice asked by Hon Nick Goiran.

The Minister for Education and Training tabled documents in relation to 2017A upgrade of TechnologyOne, in response to a question without notice asked by Hon Alison Xamon. (Tabled Paper 1827).

The Leader of the House representing the Minister for Culture and the Arts tabled documents in relation to the review of preservation, conservation and reformatting functions of the State Library of Western Australia, in response to a question without notice asked by Hon Alison Xamon. (Tabled Paper 1828).

The Parliamentary Secretary to the Deputy Premier; Minister for Health; Mental Health tabled a corrected answer to question on notice No. 1521, in relation to the voluntary targeted separation scheme, asked by Hon Tjorn Sibma. (Tabled Paper 1829).

The Parliamentary Secretary to the Deputy Premier on behalf of the Minister for Environment representing the Minister for Transport, by leave, incorporated into *Hansard* information in relation to

the Public Transport Authority's tender evaluation report for the radio system replacement project, in response to a question without notice asked by Hon Tjorn Sibma.

The Parliamentary Secretary to the Deputy Premier on behalf of the Minister for Environment representing the Minister for Police tabled the *Western Australia Police Force Mental Health Co-Response Evaluation Report*, in response to question on notice No. 1482 asked by Hon Alison Xamon. (Tabled Paper 1830).

The Parliamentary Secretary to the Deputy Premier on behalf of the Minister for Environment representing the Minister for Police, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1479, asked by Hon Alison Xamon will be provided on 19 September 2018.

The Parliamentary Secretary to the Deputy Premier on behalf of the Minister for Environment representing the Minister for Police, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1518, asked by Hon Tjorn Sibma will be provided on 19 September 2018.

The Parliamentary Secretary to the Deputy Premier on behalf of the Minister for Environment representing the Minister for Police, in accordance with Standing Order No. 108(2), advised that an answer to questions on notice Nos 1566, 1567, 1568 and 1569 asked by Hon Martin Aldridge will be provided on 19 September 2018.

The Parliamentary Secretary to the Minister for Regional Development representing the Minister for Commerce and Industrial Relations, by leave, incorporated into *Hansard* information in relation to the Worksafe review into allegations of workplace bullying and harassment in the Southern Ports Authority, in response to a question without notice asked by Hon Dr Steve Thomas.

14. Coroners Amendment Bill 2017

Resumption of consideration of this Bill in Committee of the Whole House (*see item 12 above*).

The President left the Chair.

In Committee

(Hon Dr Steve Thomas in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5 agreed to.

Clause 6 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

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

The Deputy 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.

Bill read a third time and passed.

15. Financial Transaction Reports Amendment Bill 2018

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

Debate resumed.

Interruption pursuant to order.

16. Members' Statements

Statements were taken.

17. Adjournment

The Council adjourned at 10.20pm until Wednesday, 19 September 2018 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jacqui Boydell, Hon Stephen Dawson, Hon Alannah MacTiernan, Hon Kyle McGinn and Hon Samantha Rowe (leave of absence).

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council