

WESTERN AUSTRALIA



**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 118**

**THURSDAY, 4 APRIL 2019**

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**1. Meeting of Council**

The Council assembled at 10.00am pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

**2. Statement by President — 2019-20 Budget Estimates**

The President made the following Statement —

I have received the following letter —

Dear Madam President

2019-20 Budget Estimates

Thank you for your letter dated 19 March 2019 granting use of the Legislative Council Chamber for holding the Estimates and Financial Operations Committee's hearings into the 2019-20 Budget Estimates.

The Committee requests you advise the House the following information as part of the Committee's consideration of this year's estimates.

- (1) The hearings will be held in the Chamber from Tuesday 18 June to Friday 21 June 2019 inclusive.
- (2) The Electronic Lodgement System (ELS) will open on the day the Budget is released for Members to submit a reasonable number of questions prior to hearings. It will close at 5pm on Tuesday 21 May 2019.
- (3) The ELS will re-open when hearings commence on Tuesday 18 June 2019 for additional questions and close at 5pm on Friday 28 June 2019.
- (4) A Procedure Policy and timetable of hearings will be emailed to Members in due course.

Yours sincerely

Hon Alanna Clohesy MLC

Chair

**3. Statement by President — Christchurch Terrorist Attack — Condolence Book**

The President made the following Statement —

Members, I also remind you that the condolence book for the Christchurch terrorist attack is in the entrance foyer. If you have not already signed it and you wish to do so, I encourage you to sign that book. I understand it will be collected early next week and presented to the High Commissioner of New Zealand in Australia when they visit the Parliament on Tuesday.

**4. Ministerial Statement — Rainbow Tick accreditation**

The Parliamentary Secretary to the Minister for Health made a Ministerial Statement with respect to the Mental Health Inpatient Services at Royal Perth and Bentley Hospitals having become the first public health services in Western Australia to achieve Rainbow Tick accreditation.

**5. Paper**

The following Paper was laid on the Table by —

**Minister for Regional Development**

*Reports —*

Forest Products Commission — (Half yearly Report to 31 December 2018)..... 2559

**6. Standing Committee on Estimates and Financial Operations — Report 77 — 2017-18 Budget Cycle—Part 2: Annual Report Hearings**

Hon Alanna Clohesy presented Report 77 of the Standing Committee on Estimates and Financial Operations, *2017-18 Budget Cycle—Part 2: Annual Report Hearings*. (Tabled Paper 2560).

**7. Joint Standing Committee on Delegated Legislation — Report 15 — Annual Report 2018**

Hon Robin Chapple presented Report 15 of the Joint Standing Committee on Delegated Legislation, *Annual Report 2018*. (Tabled Paper 2561).

**8. Shire of Dowerin Local Government Property Local Law 2018 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Dowerin Local Government Property Local Law 2018* published in the *Gazette* on 12 December 2018 and tabled in the Legislative Council on 12 February 2019 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 2341).

**9. City of Bunbury Cats Local Law 2018 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Bunbury Cats Local Law 2018* published in the *Gazette* on 15 January 2019 and tabled in the Legislative Council on 12 February 2019 under the *Cat Act 2011*, be and is hereby disallowed. (Tabled paper 2337).

**10. City of Bunbury Parking and Parking Facilities Local Law 2018 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Bunbury Parking and Parking Facilities Local Law 2018* published in the *Gazette* on 15 January 2019 and tabled in the Legislative Council on 12 February 2019 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 2340).

**11. Town of Victoria Park Dog Local Law 2018 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Victoria Park Dog Local Law 2018* published in the *Gazette* on 16 January 2019 and tabled in the Legislative Council on 12 February 2019 under the *Dog Act 1976*, be and is hereby disallowed. (Tabled paper 2338).

**12. City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 — Disallowance**

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018* published in the *Gazette* on 18 January 2019 and tabled in the Legislative Council on 12 February 2019 under the *Bush Fires Act 1954*, be and is hereby disallowed. (Tabled paper 2353).

**13. Transparency of Political Funding**

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

- (1) That this House acknowledges the increasing public concern about the role large corporations play in influencing public policy, recognises the urgent need for donations reform at both the state and federal level, and calls on the Government to urgently increase the transparency of political funding by:
  - (a) abolishing third-party donations;
  - (b) instituting ‘real-time’ reporting of gifts and donations; and
  - (c) banning foreign donations.
- (2) That this House further calls on the Government to work through the COAG processes to ensure that financial disclosures to both federal and state bodies uniformly reflect the highest standards of transparency.

**14. Hardship Utility Grants Scheme — Increased Household Stress**

Non-Government Business No. 1 having been called, Hon Colin Tincknell moved, without notice —

That the McGowan Government’s tightening of the Hardship Utility Grants Scheme (HUGS) has removed an essential form of government assistance offered to families already struggling to meet everyday living costs. The Labor Government has increased utility charges for gas, water and electricity and these increases, together with the limiting of HUGS has caused unnecessary financial stress to Western Australian households and their families.

Debate ensued.

*Motion lapsed.*

**15. Discrimination — Commitment to Change**

Private Members’ Business No. 1 having been called, Hon Kyle McGinn moved, without notice —

That this House —

- (a) acknowledges that whilst we are at the most progressive point in history for acceptance, discrimination still plays a damaging role in society; and
- (b) recognises the discrimination in sport that athletes face on a professional and amateur level and acknowledge the McGowan Government’s commitment to change.

Debate ensued.

*Motion lapsed.*

**16. Order of Business**

Ordered — That Orders of the Day Nos 2, *Prohibition on Fishing (Greens Pool) Order 2018 — Disallowance*, 4, *Biodiversity Conservation (Exemptions) Order 2018 — Disallowance* and 5, *Tobacco Products Control Amendment Regulations 2019 — Disallowance* be taken after Order of the Day No. 18, *Criminal Code Amendment (Child Marriage) Bill 2018*. (Leader of the House).

**17. Health Practitioner Regulation National Law Regulation 2018 — Disallowance — Discharge from Notice Paper**

The Order of the Day having been called, Hon Martin Pritchard moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 1, *Health Practitioner Regulation National Law Regulation 2018*, be discharged from the Notice Paper.

Question — put and passed.

**18. Shire of Morawa Cemeteries Local Law 2018 — Disallowance — Discharge from Notice Paper**

The Order of the Day having been called, Hon Martin Pritchard moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 3, *Shire of Morawa Cemeteries Local Law 2018*, be discharged from the Notice Paper.

Question — put and passed.

**19. Human Reproductive Technology and Surrogacy 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.

**20. Questions Without Notice**

Questions without notice were taken.

The Minister for Environment tabled a *Hansard* extract in relation to consultation on the Environmental Protection Authority's decision to amend guidelines, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 2562).

The Minister for Environment tabled documents in relation to active works approvals, licences and amendment notices issued to Yara Pilbara Fertilisers Pty Ltd and Yara Pilbara Nitrates Pty Ltd for the Yara Fertiliser Plant, in response to a question without notice asked by Hon Robin Chapple. (Tabled Paper 2563).

The Minister for Environment representing the Minister for Transport tabled documents in relation to the Albany Ring Road, expenditure details, in response to a question without notice asked by Hon Jim Chown. (Tabled Paper 2564).

The Leader of the House representing the Minister for Community Services, by leave, incorporated into *Hansard* information in relation to the Hardship Utilities Grants Scheme from January 2017 to present, in response to a question without notice asked by Hon Colin Tincknell.

The Minister for Education and Training tabled documents in relation to district high schools in Western Australia, their 2019 enrolments details, and principal classification and classification indicated by enrolment level, in response to question on notice 1888 asked by Hon Martin Aldridge. (Tabled Paper 2565).

The Leader of the House representing the Minister for Community Services tabled the *Business Case: Respectful Relationships Support Program*, in response to question on notice 1891 asked by Hon Nick Goiran. (Tabled Paper 2566).

The Minister for Education and Training tabled the learning objectives in relation to the Department of Communities' *Business Case: Respectful Relationships Teaching Support Program*, in response to question on notice 1892 asked by Hon Nick Goiran. (Tabled Paper 2567).

The Minister for Environment tabled documents in relation to Environmental Protection Authority, Greenhouse Gas Guidance, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 2568).

The Minister for Regional Development representing the Minister for Forestry, by leave, incorporated into *Hansard* information in relation to the sandalwood industry restructure of 2016, in response to a question without notice asked by Hon Colin Holt.

The Minister for Regional Development representing the Minister for Fisheries tabled the Department of Primary Industries and Regional Development's *Evaluation Report: Provision of Non-lethal Shark Management Alert in Real Time (SMART)*, in response to a question without notice asked by Hon Jim Chown. (Tabled Paper 2569).

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to the number of hours a consultant psychiatrist was required at the Emergency Department of various hospitals for each day of February 2019, in response to a question without notice asked by Hon Jim Chown.

## **21. Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018**

Debate resumed on the second reading of this Bill (*see item 19 above*).

*Interruption pursuant to order.*

## **22. Members' Statements**

Statements were taken.

## **23. Taxation Administration Amendment Bill 2018**

The President reported the receipt of Message No. 117 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 2570).

Debate stands adjourned.

## **24. Revenue Laws Amendment Bill 2018**

The President reported the receipt of Message No. 119 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 2571).

Debate stands adjourned.

## **25. Adjournment**

The Council adjourned at 5.48pm until Tuesday, 9 April 2019 at 2.00pm.

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

Attendance: Present all Members except Hon Colin de Grussa.

**NIGEL PRATT**  
Clerk of the Legislative Council

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