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Business Program



LEGISLATIVE COUNCIL

WEDNESDAY, 19 SEPTEMBER 2018

1.00pm

Prayers

Acknowledgement of Country

ORDER OF BUSINESS

Condolence Motions

Petitions

Statements by Ministers and Parliamentary Secretaries

Papers for Tabling

Leader of the House

Minister for Environment

Parliamentary Secretary to the Minister for Regional Development

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

1.15pm Motions on Notice

3.15pm Committee Reports

4.30pm Questions without Notice

5.00pm Orders of the Day

6.20pm Members' Statements

7.00pm House adjourns

MOTIONS ON NOTICE

1. Standing Order 6(3) — Referral to the Standing Committee on Procedure and Privileges
(Notice given 28 November 2017, and amended 29 November 2017 and 11 September 2018)

Continuation of introductory remarks Hon Martin Aldridge — 33 mins (Wednesday, 12 September 2018)
 in moving the following motion —

- A. That a proposed amendment to Standing Order 6(3) be considered by the House in the following terms —
- (3) When the Council is adjourned the President:
 - (a) may on the request of the Leader of the House and after consultation with the leaders of all parties vary the day and time at which the Council may next meet; or
 - (b) shall, at the written request of an absolute majority of the whole number of Members that the Council meet at a certain day and time, fix a day and time of meeting in accordance with that request.
 - (4) When varying or fixing a day and time of meeting not less than 4 days' notice shall be given to each Member.
 - (5) For the purposes of (3)(b):
 - (a) A request by the leader or deputy leader of a party in the Council shall be deemed to be a request by every member of that party who is a member of the Council.
 - (b) A request may be made to the President by delivery to the Clerk, who shall immediately notify the President.
 - (c) If the President is unavailable, the Clerk shall notify the Deputy President, or, should the Deputy President be unavailable, any one of the Deputy Chairs of Committees, who shall be required to summon the Council on behalf of the President, in accordance with this temporary order.
- B. That the proposed amendment is referred to the Standing Committee on Procedure and Privileges for consideration and report within three months.

Total time remaining on motion – 3hrs 46mins.

2. Select Committee into alternate approaches to reducing illicit drug use and its effects on the community *(Notice given 13 June 2017, and amended 12 September 2018)*

Hon Alison Xamon: To move —

- (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.

3. Select Committee into the Government's Local Projects Local Jobs program (*Notice given 13 June 2018*)

Hon Tjorn Sibma: To move —

- (1) A Select Committee into the Government's *Local Projects Local Jobs* program is established.
- (2) The Select Committee is to inquire into the *Local Projects Local Jobs* program ("the program") with particular reference to the following —
 - (a) how each project was developed, evaluated and selected for funding;
 - (b) how payments were made and acquitted under each project to ensure financial probity and accountability;
 - (c) how actual or perceived conflicts of interest were declared and managed under each project;
 - (d) the number of projects funded and for each project the amount of funding provided and number of jobs created;
 - (e) whether community, education, arts and sporting groups within the State were afforded an equal opportunity to access the program;
 - (f) whether funding to the program affected the quantum of funds available for grants or other funding sources for community, education, arts and sporting groups within the State and if so in what way; and
 - (g) any other related matter.
- (3) The Select Committee shall consist of five members.
- (4) The Select Committee is to report no later than twelve months after the Committee has been established.

CONSIDERATION OF COMMITTEE REPORTS

1. Joint Select Committee on End of Life Choices — Report No. 1 — My Life, My Choice
(*Tabled 23 August 2018*)

Hon Nick Goiran — 6 mins (Wednesday, 12 September 2018) on motion of Hon Colin Holt that the report be noted.

(*After 52 minutes Temporary Order 4 applies*). See *Tabled paper No. 1670*.

(Government response due 23 November 2018).

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 (*Tabled 30 November 2017*)

Resumption of postponed debate (Wednesday, 12 September 2018) on motion of Hon Alison Xamon that the report be noted.

(*After 57 minutes Temporary Order 4 applies*). See *Tabled paper No. 944*.

3. Select Committee into Elder Abuse — Final Report — 'I never thought it would happen to me': When trust is broken (*Tabled 13 September 2018*)

Consideration. See *Tabled paper No. 1787*.

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 (Tabled 13 September 2018)

Consideration. See Tabled paper No. 1788.

5. Standing Committee on Procedure and Privileges — Review of the Standing Orders relating to Motions on Notice (Tabled 18 September 2018)

Consideration. See Tabled paper No. 1797.

ORDERS OF THE DAY

1. City of Karratha Fencing Local Law 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 16 August 2018 on the motion of Hon Robin Chapple (Days remaining 6 after today (Indicative date — 17 October 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Karratha Fencing Local Law 2018* published in the *Gazette* on 3 April 2018 and tabled in the Legislative Council on 10 April 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1210).

2. Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 16 August 2018 on the motion of Hon Robin Chapple (Days remaining 6 after today (Indicative date — 17 October 2018))

That the following words in regulation 3 of the *Environmental Protection (Plastic Bags) Regulations 2018* published in the *Gazette* on 12 June 2018 and tabled in the Legislative Council on 26 June 2018 under the *Environmental Protection Act 1986*, be and are hereby disallowed (Tabled paper No. 1453):

- **barrier bag** means a plastic bag without handles used to carry unpackaged perishable food;
- [in the definition of 'prescribed plastic bag', paragraph (b)(i)]
 - (i) a barrier bag; or

and that consequential numbering amendments be made to the definition of 'prescribed plastic bag' in regulation 3, paragraph (b)(i).

3. Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 16 August 2018 on the motion of Hon Aaron Stonehouse (Days remaining 6 after today (Indicative date — 17 October 2018))

That the *Environmental Protection (Plastic Bags) Regulations 2018* published in the *Gazette* on 12 June 2018 and tabled in the Legislative Council on 26 June 2018 under the *Environmental Protection Act 1986*, be and are hereby disallowed. (Tabled paper No. 1453).

4. City of Kalgoorlie-Boulder Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 23 August 2018 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 31 October 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Kalgoorlie-Boulder Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2018* published in the *Gazette* on 4 May 2018 and tabled in the Legislative Council on 8 May 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1303).

5. City of Kalgoorlie-Boulder Local Government Property Amendment Local Law 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 23 August 2018 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 31 October 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Kalgoorlie-Boulder Local Government Property Amendment Local Law 2018* published in the *Gazette* on 4 May 2018 and tabled in the Legislative Council on 8 May 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1303).

6. City of Karratha Standing Orders Local Law 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 23 August 2018 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 31 October 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Karratha Standing Orders Local Law 2018* published in the *Gazette* on 3 May 2018 and tabled in the Legislative Council on 8 May 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1303).

7. Health Services (Information) Amendment Regulations 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 28 August 2018 on the motion of Hon Nick Goiran (Days remaining 10 after today (Indicative date — 1 November 2018))

That the *Health Services (Information) Amendment Regulations 2018* published in the *Gazette* on 10 August 2018 and tabled in the Legislative Council on 14 August 2018 under the *Health Services Act 2016*, be and are hereby disallowed. (Tabled paper No. 1591).

8. Jetties Amendment Regulations (No. 2) 2018 — Disallowance

Moved *pro forma* (SO 67(3)) 11 September 2018 on the motion of Hon Robin Chapple (Days remaining 13 after today (Indicative date — 8 November 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Jetties Amendment Regulations (No. 2) 2018* published in the *Gazette* on 25 May 2018 and tabled in the Legislative Council on 12 June 2018 under the *Jetties Act 1926*, be and are hereby disallowed. (Tabled paper No. 1394).

22. [Duties Amendment \(Additional Duty for Foreign Persons\) Bill 2018](#) [LA 72–1] Minister for Environment representing the Minister for Finance

Second reading continuation of remarks Hon Martin Aldridge (Thursday, 13 September 2018).

Hon Martin Aldridge: To move —

That the motion “That the Bill now be read a second time” be amended by deleting all words after “That” and inserting —

the Bill be read a second time only after the Government commits to using the part proceeds of this additional duty to reverse their \$41 million cuts to education so as to continue the operation of Moora Residential College, camp schools, Landsdale Farm School, Herdsman Lake Wildlife Centre and restore the 20 per cent raided from the Agricultural Farm Provisions Trust.

14. [*Financial Transaction Reports Amendment Bill 2018](#) [LA 59–1] Leader of the House representing the Attorney General

Second reading continuation of remarks Hon Michael Mischin (Tuesday, 18 September 2018).

See *Standing Committee on Uniform Legislation and Statutes Review Report No. 113* (Tabled 14 June 2018).

26. [Strata Titles Amendment Bill 2018](#) [LA 80–2] Minister for Environment representing the Minister for Lands

Second reading adjourned (Tuesday, 28 August 2018).

NB: Part 12 of the Bill referred to Standing Committee on Legislation on 13 September 2018.

23. [**Criminal Law Amendment \(Intimate Images\) Bill 2018**](#) [LA 76–1] *Leader of the House representing the Attorney General*

Second reading adjourned (Wednesday, 22 August 2018).

24. [**Community Titles Bill 2018**](#) [LA 81–1] *Minister for Environment representing the Minister for Lands*

Second reading adjourned (Thursday, 23 August 2018).

25. [**Community Titles Amendment \(Consistency of Charging\) Bill 2018**](#) [LA 82–1] *Minister for Environment representing the Minister for Lands*

Second reading adjourned (Thursday, 23 August 2018).

34. [***Standing Committee on Procedure and Privileges — Report No. 49 — Treaty Function — Standing Committee on Uniform Legislation and Statutes Review — Recommendation 1**](#) (Tabled 10 May 2018)

Consideration in Committee of the Whole, on the motion of Hon Rick Mazza, of Recommendation 1 contained in Report No. 49 of the Standing Committee on Procedure and Privileges, *Treaty Function — Standing Committee on Uniform Legislation and Statutes Review*.
See Tabled paper No. 1344 (tabled 10 May 2018).

Recommendation 1 states —

The Committee recommends that the Legislative Council delete clause 6.3(c) in Schedule 1 of the Standing Orders of the Legislative Council and re-number the remaining subclauses accordingly.

Clause 6 of Schedule 1 of the Standing Orders sets out the terms of reference of the Standing Committee on Uniform Legislation and Statutes Review. Clause 6.3(c) provides that one of its functions is —

(c) to examine the provisions of any treaty that the Commonwealth has entered into or presented to the Commonwealth Parliament, and determine whether the treaty may impact upon the sovereignty and law-making powers of the Parliament of Western Australia;

35. **Standing Committee on Procedure and Privileges — Review of the Standing Orders relating to Motions on Notice** (Tabled 19 September 2018)

Continuation of remarks Hon Simon O'Brien (Tuesday, 18 September 2018), on the motion of Hon Simon O'Brien as follows —

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.

See Tabled paper No. 1797.

* For amendments see Supplementary Notice Paper and/or Committee Report

NIGEL PRATT

Clerk of the Legislative Council