

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL
MINUTES OF PROCEEDINGS
No. 63
WEDNESDAY, 13 JUNE 2018

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. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

WA Schools Public Private Partnership Project (Report No. 11) (June 2018) 1416

Timely Payment of Suppliers (Report No. 12) (June 2018)..... 1417

Minister for Environment

Notices —

Financial Management Act 2006 (section 82) — Notice from the Minister for Transport
in relation to Legislative Council Question on Notice No. 894 asked by the
Hon Martin Aldridge 1418

Financial Management Act 2006 (section 82) — Notice from the Minister for Transport
in relation to Legislative Council Question without Notice No. 326 asked by
the Hon Colin de Grussa 1419

3. Standing Committee on Procedure and Privileges — To Review Standing Orders relating to Motions on Notice

The Leader of the House: To move on the next day of sitting —

(1) That the Standing Committee on Procedure and Privileges undertake a review of the Standing Orders relating to Motions on Notice with a view to modernising the procedures of the House.

(2) That the Committee is to report to the House no later than Thursday, 20 September 2018.

4. Select Committee into the Government's Local Projects Local Jobs program

Hon Tjorn Sibma: To move on the next day of sitting —

(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.

5. Independent Rural Fire Service

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

That this House supports:

- (a) the creation of an independent Rural Fire Service (RFS) consistent with the recommendations of the Euan Fergusson Report;
- (b) the new RFS be funded by a proportion of the Emergency Services Levy (ESL);
- (c) the ESL be treated the same as other sources of State revenue and collected by the Department of Finance;
- (d) the Department of Finance to then remit funding to the DFES and the RFS as per operational and budgetary requirements; and
- (e) that the House directs the Public Administration Committee to inquire into the implementation of an independent Rural Fire Service and report to the Legislative Council within 12 months of the referral.

Hon Rick Mazza, by leave, tabled an open letter to Members of Parliament regarding the Rural Fire Division and the proposed increase to the Emergency Services Levy. (Tabled Paper 1420).

Debate resumed.

Hon Dr Steve Thomas, by leave, tabled the structure chart of the Department of Fire and Emergency Services. (Tabled Paper 1421).

Debate resumed.

Interruption pursuant to order.

6. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Broome Parking and Parking Facilities Amendment Local Law (2) 2017 — Disallowance*, 2, *Shire of Northam Cemeteries Amendment Local Law 2017 — Disallowance*, 3, *Shire of Toodyay Health Local Law 2017 — Disallowance*, 4, *Police (Fees and Charges) Regulations 2018 — Disallowance*, 5, *Prohibition on Fishing (Eighty Mile Beach Marine Park) Order 2018 — Disallowance*, 6, *Shire of Koorda Standing Orders Local Law 2017 — Disallowance*, 7, *Environmental Protection Amendment Regulations 2018 — Disallowance*, 8, *Shire of Murray Health Local Law 2018 — Disallowance*, 9, *Shire of Woodanilling Animals, Environment and Nuisance Amendment Local Law 2018 — Disallowance*, 10, *Rights in Water and Irrigation Amendment Regulations 2018 — Disallowance*, and 11, *Town of Claremont Waste Local Law 2017 — Disallowance*, be taken after Order of the Day No. 25, *Liquor Control Amendment Bill 2018*. (Leader of the House).

7. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2018–2019

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Finance representing the Treasurer as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 1340A-D (2018–2019 Budget Statements), laid upon the Table of the House on 10 May 2018.

Debate resumed.

Want of Quorum

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

Want of Quorum

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

On the motion of Hon Ken Baston the debate was adjourned to the next sitting.

8. Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017

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

Debate resumed.

9. Questions Without Notice

Questions without notice were taken.

The Minister for Environment representing the Minister for Aboriginal Affairs, by leave, incorporated into *Hansard* information in relation to Native Title claims lodged for the years 2007–2008 to 2018 to date, in response to a question without notice asked by Hon Michael Mischin.

The Minister for Environment representing the Minister for Police tabled correspondence from the Western Australia Police concerning high powered firearms for recreational hunting and shooting purposes, in response to a question without notice asked by Hon Aaron Stonehouse. (Tabled Paper 1422).

The Minister for Environment representing the Minister for Lands tabled the coastal hazard risk management and adaptation plan for the Broome townsite, in response to question on notice No. 1099 asked by Hon Robin Chapple. (Tabled Paper 1423).

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to the recruitment of a sonographer in the Kalgoorlie/Boulder area, in response to a question without notice asked by Hon Robin Scott.

10. Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017

Debate resumed on the second reading of this Bill (*see item 8 above*).

The Leader of the House representing the Attorney General tabled correspondence from the Director of Public Prosecutions in relation to an unexplained wealth proposal. (Tabled Paper 1424).

Debate resumed.

Question — put and passed.

Bill read a second time.

The President left the Chair.

In Committee

(Hon Robin Chapple in the Chair)

Clause 1.

Debate ensued.

The Leader of the House representing the Attorney General moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

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.

11. Order of BusinessOrdered — That Order of the Day No. 1, *Shire of Broome Parking and Parking Facilities Amendment Local Law (2) 2017 — Disallowance*, be taken forthwith. (Leader of the House).**12. Shire of Broome Parking and Parking Facilities Amendment Local Law (2) 2017 — Disallowance — Disallowance**The Order of the Day having been called for the motion of Hon Robin Chapple moved *pro forma* as follows —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Broome Parking and Parking Facilities Amendment Local Law (2) 2017* published in the *Gazette* on 6 October 2017 and tabled in the Legislative Council on 10 October 2017 under the *Local Government Act 1995*, be and is hereby disallowed.

Debate ensued.

Question — put and passed.

13. Order of Business

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

14. Members' Statements

Statements were taken.

15. Appropriation (Recurrent 2018–19) Bill 2018

The President reported the receipt of Message No. 59 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Minister for Environment representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1425).

Debate stands adjourned.

16. Appropriation (Capital 2018–19) Bill 2018

The President reported the receipt of Message No. 60 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Minister for Environment representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1426).

Debate stands adjourned.

17. Court Jurisdiction Legislation Amendment Bill 2017

The President reported the receipt of Message No. 61 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 1427).

Debate stands adjourned.

18. Adjournment

The Council adjourned at 7.40pm until Thursday, 14 June 2018 at 9.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Colin de Grussa, Hon Adele Farina, Hon Alannah MacTiernan and Hon Matthew Swinbourn.

NIGEL PRATT

Clerk of the Legislative Council

HON KATE DOUST MLC

President of the Legislative Council