

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL
MINUTES OF PROCEEDINGS
No. 95
TUESDAY, 20 NOVEMBER 2018

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Message from His Excellency the Governor — Assent to Bills

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bills —

19 November 2018 — Message No. 31	Act No.
Strata Titles Amendment Bill 2018	30 of 2018
Local Government Amendment (Suspension and Dismissal) Bill 2018	31 of 2018
Community Titles Bill 2018	32 of 2018
Community Titles Amendment (Consistency of Charging) Bill 2018	33 of 2018
Railway (METRONET) Bill 2018	34 of 2018

3. Petitions

Hon Diane Evers presented a petition from 587 petitioners requesting the Legislative Council to oppose the proposed southern section of the Bunbury Outer Ring Road. (Tabled Paper 2196).

Hon Robin Chapple presented a petition from 32 petitioners requesting the Legislative Council to call on the Government to evaluate the effects of pollutants and emissions on the rock art in Murujuga. (Tabled Paper 2197).

Hon Simon O'Brien presented a petition from 126 petitioners requesting the Legislative Council to support the implementation of a 'shared zone' 30km precinct along Lyon Road from Flourish Loop to Gibbs Road, Atwell, to allow Transperth and Main Roads compliance, without removal of the existing parking. (Tabled Paper 2198).

4. Ministerial Statement — 2018 Western Australian Health Excellence Awards

The Parliamentary Secretary to the Minister for Health made a Ministerial Statement with respect to the people and programs recognised at the 2018 Western Australian Health Excellence Awards.

5. Papers

The following Papers were laid on the Table by —

President

Reports —

Inspector of Custodial Services, Office of the — 2018 Inspection of Wooroloo Prison
Farm (Report No. 119) (September 2018) 2178

Leader of the House*Annual Reports —*

Department of Justice — Office of Criminal Injuries Compensation (Chief Assessor's Report) (2017–2018) (Date received 19/11/2018)	2179
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Local Laws —

Cemeteries Act 1986 (Shire of Morawa Cemeteries Local Law 2018 G.G. 13/11/2018)	2180
Local Government Act 1995 (City of South Perth Penalty Units Amendment Local Law 2018 G.G. 13/11/2018, Shire of Morawa Amenity Local Law 2018 G.G. 13/11/2018, Shire of Morawa Dogs Local Law 2018 G.G. 13/11/2018 and Shire of Morawa Public Places and Local Government Property Local Law 2018 G.G. 13/11/2018)	2181

Response to Reports —

Select Committee into Elder Abuse — 'I Never Thought It Would Happen To Me': When Trust Is Broken (Final Report) (Minister for Seniors and Ageing)	2182
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Rules —

Criminal Procedure Act 2004 (Criminal Procedure Amendment Rules 2018 G.G. 16/11/2018).....	2183
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Minister for Environment*Local Laws —*

Waste Avoidance and Resource Recovery Act 2007 (Shire of Morawa Waste Local Law 2018 G.G. 13/11/2018).....	2184
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Regulations —

Community Protection (Offender Reporting) Act 2004 (Community Protection (Offender Reporting) Amendment Regulations 2018 G.G. 13/11/2018)	2185
Police Act 1892 (Police Force (Member Testing) Amendment Regulations (No. 3) 2018 G.G. 13/11/2018).....	2186
Prisons Act 1981 (Corrective Services Regulations Amendment Regulations 2018 G.G. 13/11/2018)....	2187

Response to Reports —

Standing Committee on Estimates and Financial Operations — 2018–19 Budget Cycle — Part 1: Estimates hearings and related matters (Report No. 76) (Treasurer)	2188
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Parliamentary Secretary to the Deputy Premier*Orders —*

Health Services Act 2016 (Health Services (Fees and Charges) Amendment Order (No. 7) 2018 G.G. 13/11/2018).....	2194
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Regulations —

Health (Miscellaneous Provisions) Act 1911 (Health Regulations Amendment Regulations 2018 G.G. 13/11/2018).....	2195
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Parliamentary Secretary to the Minister for Regional Development*Annual Reports —*

Commission for Occupational Safety and Health (2017–2018) (Date received 8/11/2018)	2189
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Management Plans —

Fish Resources Management Act 1994 (West Coast Deep Sea Crustacean Managed Fishery Management Plan Amendment 2018 [1352] G.G. 13/11/2018)	2190
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Orders —

Fish Resources Management Act 1994 (Prohibition on Fishing (Greens Pool) Order 2018 [1398] G.G. 13/11/2018)	2191
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Regulations —

Construction Industry Portable Paid Long Service Leave Act 1985 (Construction Industry Portable Paid Long Service Leave Amendment Regulations 2018 G.G. 09/11/2018).....	2192
Western Australian Meat Industry Authority Act 1976 (Western Australian Meat Industry Authority Amendment Regulations 2018 G.G. 13/11/2018).....	2193

6. Standing Committee on Uniform Legislation and Statutes Review — Report No. 119 — Fair Trading Amendment Bill 2018

Hon Michael Mischin presented Report No. 119 of the Standing Committee on Uniform Legislation and Statutes Review, *Fair Trading Amendment Bill 2018*. (Tabled Paper 2199).

7. Select Committee into Mining on Pinjin Station — Interim Report — Inquiry into Mining on Pinjin Station — Extension of Time

Hon Robin Scott presented an interim report of the Select Committee into Mining on Pinjin Station, *Inquiry into Mining on Pinjin Station — Extension of Time*. (Tabled Paper 2200).

Hon Robin Scott moved, without notice —

That the reporting date for the inquiry into mining on Pinjin Station be extended from 21 February 2019 to 11 June 2019.

Hon Robin Scott sought leave to continue his remarks at a later stage of this day's sitting.

Leave granted.

Debate stands adjourned.

8. Order of Business

Ordered — That Orders of the Day Nos 1, *Environmental Protection Amendment Regulations (No. 2) 2018 — Disallowance*, 2, *Public Transport Authority Amendment Regulations 2018 — Disallowance*, 3, *Shire of Victoria Plains Extractive Industries Local Law 2018 — Disallowance*, 4, *City of Mandurah Cemeteries Amendment Local Law — Disallowance*, 5, *Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2018 — Disallowance*, and 6, *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance*, be taken after Order of the Day No. 15, *Public and Health Sector Legislation Amendment (Right of Return) Bill 2018*. (Leader of the House).

9. National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

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

Debate resumed.

10. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Community Services, by leave, incorporated into *Hansard* information in relation to funding allocated for the expansion of the third-party assessment of the Hardship Utility Grants Scheme, in response to a question without notice asked by Hon Tjorn Sibma.

The Leader of the House representing the Attorney General, by leave, incorporated into *Hansard* information in relation to the parole of Dante Arthurs, in response to a question without notice asked by Hon Michael Mischin.

The Minister for Environment, by leave, incorporated into *Hansard* information in relation to the final incident report in regards to the BHP Billiton train derailment near Turner River, in response to a question without notice asked by Hon Robin Chapple.

The Parliamentary Secretary to the Minister for Regional Development tabled documents in relation to forecast base funding for Community Resource Centres for the 2019–2020 financial year, in response to question on notice No. 1688 asked by Hon Martin Aldridge. (Tabled Paper 2201).

The Parliamentary Secretary to the Minister for Regional Development tabled the Department of Primary Industries and Regional Development's *Digital Farm Program Guidelines*, in response to question on notice No. 1693 asked by Hon Martin Aldridge. (Tabled Paper 2202).

The Parliamentary Secretary to the Minister for Regional Development tabled documents in relation to members, meetings and staff of each of the nine Regional Development Commissions, in response to question on notice No. 1700 asked by Hon Martin Aldridge. (Tabled Paper 2203).

The Parliamentary Secretary to the Minister for Regional Development tabled documents in relation to the Regional Development Trust and Regional Development Council members and staff as at 12 March 2017 to present, in response to question on notice No. 1701 asked by Hon Martin Aldridge. (Tabled Paper 2204).

11. National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

Debate resumed on the second reading of this Bill (*see item 9 above*).

The Leader of the House representing the Attorney General tabled the *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Regulation 2018, New South Wales*. (Tabled Paper 2205).

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Matthew Swinbourn in the Chair)

Clause 1.

Debate ensued.

Hon Nick Goiran, by leave, tabled a document in relation to stakeholders consulted about the legislative instruments required to give effect to the Government's desire to join the National Redress Scheme. (Tabled Paper 2206).

Debate resumed.

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.

12. Members' Statements

Statements were taken.

13. Adjournment

The Council adjourned at 9.53pm until Wednesday, 21 November 2018 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jim Chown and Hon Alannah MacTiernan.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council