

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 86

TUESDAY, 16 OCTOBER 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. Petitions

Hon Robin Chapple presented a petition from 13,927 petitioners requesting the Legislative Council to support a ban on all fracking in Western Australia. (Tabled Paper 2058).

Hon Alison Xamon presented a petition from 13 petitioners requesting the Legislative Council to oppose the sale of Crown Land Lot 9789, Swan Estuary Marine Park, Alfred Cove, Reserve No. 35486. (Tabled Paper 2059).

Hon Robin Scott presented a petition from 3 petitioners requesting the Legislative Council to commission an inquiry into an adequate and appropriate buy-back amount to be paid to taxi plate owners. (Tabled Paper 2060).

Hon Charles Smith presented a petition from 1 petitioner requesting the Legislative Council support worker's compensation for Western Australia Police officers. (Tabled Paper 2061).

3. Ministerial Statement — Girls Takeover Parliament

The Minister for Education and Training made a Ministerial Statement with respect to the Girls Takeover Parliament initiative run by Girl Guides Australia.

4. Ministerial Statement — World Pregnancy and Infant Loss Remembrance Day

The Parliamentary Secretary to the Minister for Health made a Ministerial Statement with respect to World Pregnancy and Infant Loss Remembrance Day, which was held on 15 October 2018.

5. Papers

The following Papers were laid on the Table by —

Leader of the House

Addendum —

School Curriculum and Standards Authority — Annual Report (2017–2018) 2050

Local Laws —

Cat Act 2011 (Shire of Toodyay Cat Local Law 2018 G.G. 12/10/2018) 2051

Regulations —

Combat Sports Act 1987 (Combat Sports Amendment Regulations 2018 G.G. 09/10/2018) 2052

Minister for Environment*Leases —*

CALM Lease No. 2416/100 — Between the Conservation and Land Management Executive Body and John, Leonie and Kevin West for an existing recreational hut located at Callup Hill in the D’Entrecasteaux National Park 2053

Plans —

Metropolitan Redevelopment Authority Operational Plan 2018/2019..... 2054

Regulations —

State Superannuation Act 2000 (State Superannuation Amendment Regulations 2018 G.G. 12/10/2018)..... 2055

Minister for Regional Development*Local Laws —*

Biosecurity and Agriculture Management Act 2007 (Shire of Quairading Pest Plants Amendment Local Law 2018 G.G. 12/10/2018)..... 2056

Management Plans —

Fish Resources Management Act 1994 (Abalone Managed Fishery Management Plan Amendment 2018 [1382] G.G. 09/10/2018)..... 2057

6. Standing Committee on Legislation — Report No. 37 — Proposed Part 12 of the Strata Titles Amendment Bill 2018 — Termination of Strata Titles Scheme

Hon Dr Sally Talbot presented Report No. 37 of the Standing Committee on Legislation, *Proposed Part 12 of the Strata Titles Amendment Bill 2018 — Termination of Strata Titles Scheme*. (Tabled Paper 2062).

7. Game and Feral Animal Control Bill 2018

Hon Rick Mazza: To move on the next day of sitting —

That a Bill for “An Act to manage and regulate the hunting of game; and for other purposes.” be introduced and read a first time.

8. Order of Business

Ordered — That Orders of the Day Nos 1, *Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance*, 2, *Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance*, 3, *City of Kalgoorlie-Boulder Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2018 — Disallowance*, 4, *City of Kalgoorlie-Boulder Local Government Property Amendment Local Law 2018 — Disallowance*, 5, *Health Services (Information) Amendment Regulations 2018 — Disallowance*, 6, *Environmental Protection Amendment Regulations (No. 2) 2018 — Disallowance*, 7, *Water Services Regulations Amendment (Fees and Charges) Regulations 2018 — Disallowance*, 8, *Commerce and Industrial Relations Regulations Amendment (Fees and Charges) Regulations 2018 — Disallowance*, 9, *Planning and Development (Development Assessment Panels) Amendment Regulations 2018 — Disallowance*, 10, *Public Transport Authority Amendment Regulations 2018 — Disallowance*, 11, *Shire of Morawa Fencing Local Law 2018 — Disallowance*, and 12, *Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2018 — Disallowance* be taken after Order of the Day No. 19, *Local Government Amendment (Suspension and Dismissal) Bill 2018*. (Leader of the House).

9. District Court Amendment Rules (No. 2) 2018 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 13, *District Court Amendment Rules (No. 2) 2018*, be discharged from the Notice Paper.

Question — put and passed.

10. Criminal Law Amendment (Intimate Images) Bill 2018

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

Debate resumed.

Hon Alison Xamon, by leave, tabled an illustration regarding advertising on the Sydney Opera House. (Tabled Paper 2063).

Debate resumed.

On the motion of Hon Pierre Yang the debate was adjourned to a later stage of this day's sitting.

11. Cognate Debate — Transport (Road Passenger Services) Amendment Bill 2018 and Transport (Road Passenger Services) Bill 2018

The Minister for Environment representing the Minister for Transport sought leave of the Council to debate Order of the Day No. 33, *Transport (Road Passenger Services) Amendment Bill 2018*, and Order of the Day No. 34, *Transport (Road Passenger Services) Bill 2018*, cognately [SO 127].

Leave granted.

12. Transport (Road Passenger Services) Amendment Bill 2018 and Transport (Road Passenger Services) Bill 2018

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills cognately.

Debate resumed.

13. Questions Without Notice

Questions without notice were taken.

Hon Rick Mazza, by leave, tabled an information pamphlet in relation to the Sporting Shooters Association of Australia. (Tabled Paper 2064).

The Minister for Environment representing the Minister for Energy, by leave, incorporated into *Hansard* information in relation to the total remuneration of senior management at Synergy in 2016–17 and 2017–18, in response to a question without notice 927 asked by Hon Peter Collier.

The Minister for Environment representing the Treasurer; Minister for Finance; Energy; Aboriginal Affairs tabled goods and services procurement audits as submitted to the State Supply Commission, in response to question on notice No. 1617 asked by Hon Tjorn Sibma. (Tabled Paper 2065).

The Minister for Environment tabled the preliminary site investigation for lots 8019, 9105 and 9076 of the Dalyellup Greenpatch Development, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 2066).

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. 1610 asked by Hon Charles Smith will be provided on 18 October 2018.

The Minister for Regional Development representing the Minister for Water, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1631 asked by Hon Rick Mazza will be provided on 1 November 2018.

14. Transport (Road Passenger Services) Amendment Bill 2018 and Transport (Road Passenger Services) Bill 2018

Cognate debate resumed on the second reading of these Bills (*see item 12 above*).

Question — That the *Transport (Road Passenger Services) Amendment Bill 2018* be read a second time — put.

The Council divided.

Ayes (22)

Hon Ken Baston
 Hon Jacqui Boydell
 Hon Robin Chapple
 Hon Tim Clifford
 Hon Alanna Clohesy
 Hon Peter Collier
 Hon Stephen Dawson
 Hon Sue Ellery
 Hon Diane Evers
 Hon Donna Faragher
 Hon Adele Farina

Hon Nick Goiran
 Hon Laurie Graham
 Hon Colin Holt
 Hon Alannah MacTiernan
 Hon Rick Mazza
 Hon Michael Mischin
 Hon Simon O'Brien
 Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Alison Xamon
 Hon Pierre Yang (*Teller*)

Noes (2)

Hon Charles Smith

Hon Colin Tincknell (*Teller*)

Question thus passed.

Bill read a second time.

Question — That the *Transport (Road Passenger Services) Bill 2018* be read a second time — put and passed.

Bill read a second time.

The Acting President left the Chair.

(Hon Adele Farina in the Chair)

Transport (Road Passenger Services) Amendment Bill 2018

Clause 1 agreed to.

Clauses 2 to 4 agreed to.

Title agreed to.

Transport (Road Passenger Services) Bill 2018

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 5 agreed to.

Clause 6.

Debate ensued.

Interruption pursuant to order.

The President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the *Transport (Road Passenger Services) Amendment Bill 2018* without amendment.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the *Transport (Road Passenger Services) Bill 2018*, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

15. Members' Statements

Statements were taken.

16. Adjournment

The Council adjourned at 10.00pm until Wednesday, 17 October 2018 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge, Hon Jim Chown, Hon Kyle McGinn (leave of absence), Hon Aaron Stonehouse, Hon Matthew Swinbourn, Hon Dr Steve Thomas and Hon Darren West.

NIGEL PRATT

Clerk of the Legislative Council

HON KATE DOUST MLC

President of the Legislative Council