

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 14

TUESDAY, 27 JUNE 2017

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair and read prayers.

2. Statement by President — Legislative Council — Official Photographs

The President made the following Statement —

Members, I have given approval for official photographs to be taken this Wednesday, 28 June 2017, at the Legislative Council committee offices, during proceedings in the Chamber and around the parliamentary precinct. The purpose of this activity is to provide the Legislative Council with modern and up-to-date images for use in publications and on the new parliamentary website currently under development. I advise Members that activities will include official photographs of the committees, photographs taken from the public gallery to capture the beginning of proceedings at 1.00 pm, an official photograph of all Members in their places directly before question time at 4.30 pm, and photographs taken from the floor of the House during question time. I thank all Members for their cooperation.

3. Statement by President — Western Australian Parliamentary Handbook — 24th Edition

The President made the following Statement —

The twenty-fourth edition of *The Western Australian Parliamentary Handbook* is currently being prepared for publication later this year. On your desks you will find a copy of your biographical entry as it will be published in the handbook. Please take a moment to review this document, note any amendments that you may wish to make, and hand the form back to the chamber staff. If no response is received by Friday, 30 June 2017, it will be assumed that your entry is correct and will be printed as is.

4. Statement by President — Appointments to Standing Committees — Joint Standing Committee on Delegated Legislation Chairs

The President made the following Statement —

I have a letter, dated 27 June 2017, that states —

Dear Madam President,

Appointment to Joint Standing Committee

Please be advised that on Monday, 26 June 2017, the following Members were elected as Chair and Deputy Chair of the Joint Standing Committee on Delegated Legislation:

Chair: Ms Emily Hamilton MLA.

Deputy Chair: Hon Robin Chapple MLC.

Nigel Pratt

Clerk of the Legislative Council

5. Papers

The following Papers were laid on the Table by —

Leader of the House

Local Laws —

Local Government Act 1995 (Shire of Broome Local Government Property and Public Places Local Law 2016 G.G. 22/06/2017, Shire of Gingin Health Local Law 2017 G.G. 21/06/2017, Shire of Woodanilling Animals, Environment and Nuisance Local Law 2017 G.G. 21/06/2017 and Shire of Woodanilling Health Local Law 2017 G.G. 21/06/2017).....	299
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Regulations —

Adoption Act 1994 (Child Protection Regulations Amendment (Fees and Payments) Regulations 2017 G.G. 23/06/2017).....	300
Library Board of Western Australia Act 1951 (Library Board (State Library) Amendment Regulations 2017 G.G. 23/06/2017).....	301

Rules —

Magistrates Court (Civil Proceedings) Act 2004 (Magistrates Court (Civil Proceedings) Amendment Rules 2017 G.G. 20/06/2017).....	302
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Minister for Environment

Leases —

CALM Lease No. 1874/97 — Between The Conservation and Land Management Executive Body and Forest Heritage Centre Inc for the purpose of a forest heritage centre, accommodation, training and associated activities in State Forest No. 14 Dwellingup	303
CALM Lease No. 2316/97 — Between The Conservation and Land Management Executive Body and Forest Heritage Centre Inc for the purpose of a forest heritage centre, accommodation, training and associated activities in State Forest No. 14 Dwellingup	304

Regulations —

Criminal Investigation (Identifying People) Act 2002 (Criminal Investigation (Identifying People) Amendment Regulations 2017 G.G. 23/06/2017).....	305
Licensed Surveyors Act 1909 (Licensed Surveyors (Licensing and Registration) Amendment Regulations 2017 G.G. 23/06/2017).....	306
Marine and Harbours Act 1981 (Transport Regulations Amendment (Fees and Charges) Regulations (No. 2) 2017 G.G. 23/06/2017).....	307
Registration of Deeds Act 1856 (Lands Regulations Amendment (Fees and Charges) Regulations 2017 G.G. 23/06/2017).....	308

Rules —

Electricity Industry Act 2004 (Wholesale Electricity Market Rules Amending Rules 2017 G.G. 23/06/2017)	309
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Minister for Regional Development*Annual Reports —*

Co-operative Bulk Handling (2016) (Date received 22/06/2017)	310
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Orders —

Fish Resources Management Act 1994 (Prohibition on Taking Southern Garfish (Perth Metropolitan Waters) Order 2017 G.G. 20/06/2017)	311
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Regulations —

Architects Act 2004 (Commerce Regulations Amendment (Fees and Charges) Regulations 2017 G.G. 23/06/2017)	312
Dangerous Goods Safety Act 2004 (Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2017 G.G. 23/06/2017)	313
Water Services Act 2012 (Water Services Regulations Amendment (Fees and Charges) Regulations 2017 G.G. 23/06/2017)	314

6. Standing Committee on Public Administration — Report No. 28 — Inquiry into Worksafe — Terms of Reference

Hon Adele Farina presented Report No. 28 of the Standing Committee on Public Administration, *Inquiry into WorkSafe — Terms of Reference*. (Tabled Paper 315).

7. Shire of Gnowangerup Health Local Law 2016 — 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 Gnowangerup Health Local Law 2016* published in the *Government Gazette* on 15 November 2016 and tabled in the Legislative Council on 22 November 2016 under the *Health Act 1911* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 4923).

8. Shire of Gnowangerup Animals, Environment and Nuisance Local Law 2016 — 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 Gnowangerup Animals, Environment and Nuisance Local Law 2016* published in the *Government Gazette* on 15 November 2016 and tabled in the Legislative Council on 22 November 2016 under the *Local Government Act 1995*, *Health Act 1911* and *Cat Act 2011*, be and is hereby disallowed. (Tabled paper No. 4924).

9. Road Traffic Regulations Amendment (Pilot Vehicle Drivers) Regulations 2016 — 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 *Road Traffic Regulations Amendment (Pilot Vehicle Drivers) Regulations 2016* published in the *Government Gazette* on 15 November 2016 and tabled in the Legislative Council on 22 November 2016 under the *Road Traffic (Administration) Act 2008* and the *Road Traffic (Vehicles) Act 2012*, be and is hereby disallowed. (Tabled paper No. 4926).

10. Order of Business

Ordered — That Order of the Day No. 2, *Firearms Amendment Regulations 2017 — Disallowance*, be taken after Order of the Day No. 5, *Supply Bill 2017*. (Leader of the House).

11. Road Traffic (Vehicles) Amendment Regulations (No. 2) 2017 — Disallowance

Order of the Day No. 1 having been read, Hon Rick Mazza, by leave, moved his motion in an amended form, as follows —

That regulation 4(b) of the *Road Traffic (Vehicles) Amendment Regulations (No. 2) 2017* published in the *Gazette* on 7 February 2017 and tabled in the Legislative Council on 17 May 2017 under the *Road Traffic (Vehicles) Act 2012*, be and is hereby disallowed. (Tabled paper 151).

Debate ensued.

Question — put.

The Council divided.

Ayes (20)

Hon Martin Aldridge
 Hon Jacqui Boydell
 Hon Robin Chapple
 Hon Jim Chown
 Hon Tim Clifford
 Hon Peter Collier
 Hon Colin de Grussa
 Hon Diane Evers
 Hon Donna Faragher
 Hon Nick Goiran

Hon Rick Mazza
 Hon Michael Mischin
 Hon Simon O'Brien
 Hon Robin Scott
 Hon Charles Smith
 Hon Aaron Stonehouse
 Hon Dr Steve Thomas
 Hon Colin Tincknell
 Hon Alison Xamon
 Hon Ken Baston (*Teller*)

Noes (11)

Hon Alanna Clohesy
 Hon Stephen Dawson
 Hon Sue Ellery
 Hon Laurie Graham
 Hon Alannah MacTiernan
 Hon Kyle McGinn

Hon Samantha Rowe
 Hon Matthew Swinbourn
 Hon Darren West
 Hon Pierre Yang
 Hon Martin Pritchard (*Teller*)

Question thus passed.

12. Loan Bill 2017

The Order of the Day for the consideration of this Bill, in Committee of the Whole House, having been read.

The President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate ensued.

The Minister for Environment representing the Treasurer moved, That the Deputy Chair report progress and seek to sit again at a later stage of this day's sitting.

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 at a later stage of this day's sitting.

Ordered — That the Committee of the Whole House sit again at a later stage of this day's sitting.

13. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Premier, by leave, incorporated into *Hansard* a list of directors of each Regional Development Commission from 1 July 2017, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Regional Development representing the Minister for Forestry tabled the Forest Product Commission Schedule of Gross Native Forests Stumpages (January and July 2013), in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 316).

The Minister for Environment representing the Minister for Housing, by leave, incorporated into *Hansard* an answer in relation to the use of public housing properties for illegal purposes, in response to a question without notice asked by Hon Peter Collier.

14. Order of Business

Ordered — That Order of the Day No. 4, *Loan Bill 2017*, be taken forthwith. (Leader of the House).

15. Loan Bill 2017

The Order of the Day for the further consideration of this Bill, in Committee of the Whole House, having been read.

The President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2 agreed to.

Clause 3.

Debate ensued.

Hon Aaron Stonehouse moved —

Page 2, line 11 — To delete “\$11 000 000 000”, and insert —

\$1 500 000 000

Debate ensued.

Question, That the words to be deleted, be deleted — put.

The Committee divided.

Ayes (2)

Hon Colin Tincknell

Hon Aaron Stonehouse (*Teller*)

Noes (29)

Hon Martin Aldridge
 Hon Jacqui Boydell
 Hon Robin Chapple
 Hon Jim Chown
 Hon Tim Clifford
 Hon Alanna Clohesy
 Hon Peter Collier
 Hon Stephen Dawson
 Hon Colin de Grussa
 Hon Sue Ellery
 Hon Diane Evers
 Hon Donna Faragher
 Hon Adele Farina
 Hon Nick Goiran
 Hon Laurie Graham

Hon Rick Mazza
 Hon Kyle McGinn
 Hon Michael Mischin
 Hon Simon O'Brien
 Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Robin Scott
 Hon Tjorn Sibma
 Hon Matthew Swinbourn
 Hon Dr Steve Thomas
 Hon Darren West
 Hon Alison Xamon
 Hon Pierre Yang
 Hon Ken Baston (*Teller*)

Question thus negatived.

Debate resumed.

Question, That the clause stand as printed — put and passed.

Clauses 4 and 5 agreed to.

Title agreed to.

—————
 The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

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

The Acting President announced that the Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put.

The Council divided.

Ayes (30)

Hon Martin Aldridge
 Hon Ken Baston
 Hon Jacqui Boydell
 Hon Robin Chapple
 Hon Jim Chown
 Hon Tim Clifford
 Hon Alanna Clohesy
 Hon Peter Collier
 Hon Stephen Dawson
 Hon Colin de Grussa
 Hon Sue Ellery
 Hon Diane Evers
 Hon Donna Faragher
 Hon Adele Farina
 Hon Nick Goiran

Hon Laurie Graham
 Hon Alannah MacTiernan
 Hon Rick Mazza
 Hon Kyle McGinn
 Hon Michael Mischin
 Hon Simon O'Brien
 Hon Samantha Rowe
 Hon Robin Scott
 Hon Tjorn Sibma
 Hon Matthew Swinbourn
 Hon Dr Steve Thomas
 Hon Darren West
 Hon Alison Xamon
 Hon Pierre Yang
 Hon Martin Pritchard (*Teller*)

Noes (3)

Hon Charles Smith
 Hon Colin Tincknell

Hon Aaron Stonehouse (*Teller*)

Question thus passed.

Bill read a third time and passed.

16. Constitution Amendment (Demise of the Crown) Bill 2017

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

Debate resumed.

Question — put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Leader of the House representing the Attorney General moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

17. Supply Bill 2017

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

Debate resumed.

Interruption pursuant to order.

18. Members' Statements

Statements were taken.

Hon Colin de Grussa, by leave, tabled the *Bushfire Mitigation Summit Seating Plan 2017*. (Tabled paper 317).

19. Adjournment

The Council adjourned at 9.52pm until Wednesday, 28 June 2017 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Sally Talbot.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council