

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 213

THURSDAY, 13 OCTOBER 2016

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon Barry House, took the Chair and read prayers.

2. Statement by President — Royalties for Regions — Pilbara Cities — Request for President's Ruling

The President made the following Statement —

Hon Jacqui Boydeell raised a matter during Members' Statements last night, which I said I would review. Firstly, while the Member may well have been offended by remarks made by Hon Darren West, they were not unparliamentary and the Acting President in the Chair at the time, Hon Alanna Clohesy, handled the point of order appropriately. Secondly, I refer Members to Standing Order 51 which states that a motion to dissent from a President's ruling, which also applies when an Acting President is in the Chair, must be moved immediately after the ruling. As this was not done, there is no avenue for further action to be considered or taken.

3. Ministerial Statement — Pregnancy and Infant Loss Remembrance Day

The Minister for Planning representing the Minister for Child Protection made a Ministerial Statement with respect to Pregnancy and Infant Loss Remembrance Day, which will be observed on 15 October 2016.

4. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Opinion on Ministerial Notification (Report No. 22) (October 2016) 4770

Reports —

Inspector of Custodial Services, Office of the — Report of an Announced Inspection
of Karnet Prison Farm (Report No. 105) (August 2016)..... 4771

5. Standing Committee on Procedure and Privileges — Report No. 42 — Joint Standing Committee on the Corruption and Crime Commission — Terms of Reference

The President presented Report No. 42 of the Standing Committee on Procedure and Privileges, *Joint Standing Committee on the Corruption and Crime Commission — Terms of Reference*. (Tabled Paper 4772).

Hon Adele Farina moved, without notice —

That Recommendation 1 contained in Report No. 42 of the Standing Committee on Procedure and Privileges, *Joint Standing Committee on the Corruption and Crime Commission — Terms of Reference*, be adopted and agreed to.

Hon Adele Farina sought leave to continue her remarks at the next sitting.

Leave granted.

Debate stands adjourned.

6. Standing Committee on Procedure and Privileges — Report No. 43 — Standing Order 5: Days and Times of Meeting; and other miscellaneous matters

The President presented Report No. 43 of the Standing Committee on Procedure and Privileges, *Standing Order 5: Days and Times of Meeting; and other miscellaneous matters*. (Tabled Paper 4773).

Hon Adele Farina moved, without notice —

That Recommendations 1A, 2 and 3 contained in Report No. 43 of the Standing Committee on Procedure and Privileges, *Standing Order 5: Days and Times of Meeting; and other miscellaneous matters*, be adopted and agreed to.

Hon Adele Farina sought leave to continue her remarks at the next sitting.

Leave granted.

Debate stands adjourned.

7. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Electoral Commission (Political Finance) (for the period ending 30 June 2016)

(Date received 12/10/2016)..... 4774

Reports —

Overseas Travel Undertaken by Members of Parliament Funded by the Parliamentary

Travel Allowance (for the three months ended 30 September 2016)..... 4775

8. Retail Trading Hours (Small Retail Shops) Amendment Order 2016 — Disallowance

Hon Kate Doust: To move on the next day of sitting —

That the *Retail Trading Hours (Small Retail Shops) Amendment Order 2016* published in the *Gazette* on 23 September 2016 and tabled in the Legislative Council on 12 October 2016 under the *Retail Trading Hours Act 1987*, be and is hereby disallowed. (Tabled Paper 4745).

9. Western Power — Negative Impacts of Sale

Non-Government Business No. 1 having been called, Hon Amber-Jade Sanderson moved, without notice —

That this House notes the negative impacts of selling Western Power, in particular:

- (a) higher electricity prices;
- (b) fewer jobs; and
- (c) increased risk of bushfire.

Debate ensued.

Motion lapsed.

10. Order of Business

Ordered — That Order of the Day No. 1, *Motor Vehicle (Catastrophic Injuries) Regulations 2016 — Disallowance*, be taken after Order of the Day No. 15, *Pilbara Port Assets (Disposal) Bill 2015*. (Leader of the House).

11. Universities Legislation Amendment Bill 2016

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

Debate resumed.

Hon Sue Ellery, by leave, tabled a report by WA Labor entitled *WA Labor Plans for Jobs*. (Tabled Paper 4776).

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Liz Behjat in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to Clauses 11 agreed to.

Clause 12.

Hon Sue Ellery, by leave, moved —

Page 8, lines 3 and 4 — To delete “one person who is a member of the academic staff of the University and who is” and insert —

two persons who are members of the academic staff of the University and who are

Page 8, line 28 — To delete “5” and insert —

4

Debate ensued.

Amendments — put.

The Committee divided.

Ayes (11)

Hon Robin Chapple
 Hon Alanna Clohesy
 Hon Stephen Dawson
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina

Hon Lynn MacLaren
 Hon Laine McDonald
 Hon Martin Pritchard
 Hon Sally Talbot
 Hon Samantha Rowe (*Teller*)

Noes (19)

Hon Martin Aldridge
 Hon Ken Baston
 Hon Liz Behjat
 Hon Jacqui Boydell
 Hon Paul Brown
 Hon Jim Chown
 Hon Peter Collier
 Hon Donna Faragher
 Hon Nick Goiran
 Hon Nigel Hallett

Hon Alyssa Hayden
 Hon Col Holt
 Hon Peter Katsambanis
 Hon Mark Lewis
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Phil Edman (*Teller*)

Amendments thus negated.

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

Clauses 13 to Clause 54 agreed to.

Clause 55.

Hon Sue Ellery, by leave, moved —

Page 57, lines 1 and 2 — To delete “one person who is a member of the academic staff of the University and who is” and insert —

two persons who are members of the academic staff of the University and who are

Page 57, line 22 — To delete “5” and insert:

4

Debate ensued.

Amendments — put.

The Committee divided.

Ayes (11)

Hon Robin Chapple
 Hon Alanna Clohesy
 Hon Stephen Dawson
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina

Hon Lynn MacLaren
 Hon Laine McDonald
 Hon Martin Pritchard
 Hon Sally Talbot
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Hon Alyssa Hayden
 Hon Col Holt
 Hon Peter Katsambanis
 Hon Mark Lewis
 Hon Robyn McSweeney
 Hon Michael Mischin
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Phil Edman (*Teller*)

Amendments thus negated.

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

Clauses 56 to Clause 98 agreed to.

Clause 99.

Hon Sue Ellery, by leave, moved —

Page 105, lines 18 and 19 — To delete “one person who is a member of the academic staff of the University and who is” and insert —

two persons who are members of the academic staff of the University and who are

Page 106, line 10 — To delete “5” and insert —

4

Debate ensued.

Amendments — put.

The Committee divided.

Ayes (11)

Hon Robin Chapple
Hon Alanna Clohesy
Hon Stephen Dawson
Hon Kate Doust
Hon Sue Ellery
Hon Adele Farina

Hon Lynn MacLaren
Hon Laine McDonald
Hon Martin Pritchard
Hon Sally Talbot
Hon Samantha Rowe (*Teller*)

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Hon Nigel Hallett

Hon Alyssa Hayden
Hon Col Holt
Hon Peter Katsambanis
Hon Mark Lewis
Hon Robyn McSweeney
Hon Michael Mischin
Hon Helen Morton
Hon Simon O'Brien
Hon Phil Edman (*Teller*)

Amendments thus negatived.

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

Clauses 100 to Clause 112 agreed to.

Clause 113.

Debate ensued.

Hon Lynn MacLaren moved, without notice —

Page 117, line 3 — To delete “\$1 000” and insert —

“\$500”

Debate ensued.

Amendment — put and negatived.

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

Clauses 114 to Clause 134 agreed to.

Clause 135.

Hon Sue Ellery, by leave, moved —

Page 148, lines 12 and 13 — To delete “one person who is a member of the academic staff of the University and who is” and insert —

two persons who are members of the academic staff of the University and who are

Page 148, line 27 — To delete “5” and insert —

4

Debate ensued.

Amendments — put.

The Committee divided.

Ayes (11)

Hon Robin Chapple
Hon Alanna Clohesy
Hon Stephen Dawson
Hon Kate Doust
Hon Sue Ellery
Hon Adele Farina

Hon Lynn MacLaren
Hon Laine McDonald
Hon Martin Pritchard
Hon Sally Talbot
Hon Samantha Rowe (*Teller*)

Noes (19)

Hon Martin Aldridge
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Hon Nigel Hallett

Hon Alyssa Hayden
Hon Col Holt
Hon Peter Katsambanis
Hon Mark Lewis
Hon Robyn McSweeney
Hon Michael Mischin
Hon Helen Morton
Hon Simon O'Brien
Hon Phil Edman (*Teller*)

Amendments thus negatived.

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

Clauses 136 to 197 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Education moved, That the Bill be read a third time.

The Deputy President announced that the Deputy 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 and passed.

Bill read a third time and passed.

12. Licensing Provisions Amendment Bill 2015

The Acting President reported the receipt of Message No. 182 from the Legislative Assembly forwarding the Bill for concurrence.

The Attorney General representing the Minister for Finance moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Attorney General representing the Minister for Finance moved, That the Bill be read a second time.

The Attorney General representing the Minister for Finance tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 4777).

Debate stands adjourned.

13. Loan Bill 2016

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

Debate resumed.

14. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Training and Workforce Development, by leave incorporated into *Hansard*, information in relation to training provided by the South Regional TAFE in areas other than the South West and Great Southern, in response to a question without notice asked by Hon Sally Talbot.

The Leader of the House representing the Minister for Training and Workforce Development, by leave incorporated into *Hansard*, information in relation to the refunds given to students and businesses by the former Great Southern Institute, in response to a question without notice asked by Hon Sally Talbot.

The Minister for Education, by leave incorporated into *Hansard*, information in relation to full-time enrolments at Western Australian public schools as at the second semester census for 2016, in response to a question without notice asked by Hon Sue Ellery.

The Leader of the House representing the Minister for Regional Development tabled documents in relation to funding paid to consultants to develop the Regional Centres Development Plan for Broome, Greater Geraldton and Kalgoorlie, in response to question on notice No. 4347 asked by Hon Adele Farina. (Tabled Paper 4778).

The Parliamentary Secretary to the Minister for Transport, by leave incorporated into *Hansard*, information in relation to freehold properties affected by the Roe 8 project and subsequent Metropolitan Region Scheme amendments, in response to a question without notice asked by Hon Samantha Rowe.

15. Loan Bill 2016

Debate resumed on the second reading of this Bill (*see item 13 above*).

Interruption pursuant to order.

16. Members' Statements

Statements were taken.

17. Adjournment

The Council adjourned at 5.31pm until Tuesday, 18 October 2016 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Brian Ellis, Hon Dave Grills and Hon Rick Mazza.

NIGEL PRATT

Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council