

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**  
**MINUTES OF PROCEEDINGS**  
**No. 46**  
**THURSDAY, 15 MARCH 2018**

**1. Meeting of Council**

The Council assembled at 10.00am pursuant to order.

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

**2. Ministerial Statement — Supporting Rockmelon Growers in Western Australia**

The Minister for Agriculture and Food made a Ministerial Statement with respect to supporting rockmelon growers in Western Australia, following the listeria outbreak on the eastern coast of Australia.

**3. Papers**

The following Papers were laid on the Table by —

**President**

*Auditor General's Papers —*

Agency Gift Registers (Report No. 2) (March 2018)..... 1138

**Leader of the House on behalf of the Minister for Environment**

*Reviews —*

Review of the Swan and Canning Rivers Management Act 2006 ..... 1139

**4. Shire of Capel Dogs Local Law 2017 — 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 Capel Dogs Local Law 2017* published in the *Gazette* on 9 October 2017 and tabled in the Legislative Council on 31 October 2017 under the *Dog Act 1976* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 764).

**5. Shire of Collie Parking and Parking Facilities Amendment Local Law 2017 — 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 Collie Parking and Parking Facilities Amendment Local Law 2017* published in the *Gazette* on 13 October 2017 and tabled in the Legislative Council on 31 October 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 766).

## 6. **Western Australian Meat Industry Authority Amendment Regulations 2017 — 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 *Western Australian Meat Industry Authority Amendment Regulations 2017* published in the *Gazette* on 27 October 2017 and tabled in the Legislative Council on 31 October 2017 under the *Western Australian Meat Industry Authority Act 1976*, be and are hereby disallowed. (Tabled paper No. 795).

## 7. **Education Portfolio**

Non-Government Business No. 1 having been called, Hon Donna Faragher moved, without notice —

That this House —

- (a) recognises the total mishandling by the McGowan Government of the education portfolio and their poorly-thought out and rushed decisions that continue to cause immense hurt and distress across Western Australia; and
- (b) calls on the McGowan Government to reassure parents of children in public schools that there will be no further cuts to the education portfolio.

Debate ensued.

*Motion lapsed.*

*The President left the Chair at 11.27am*

*The President resumed the Chair at 11.45am*

## 8. **Royalties for Regions**

Private Members' Business No. 1 having been called, Hon Dr Sally Talbot moved, without notice —

That this House condemns the former Liberal-National Government for its mismanagement of Royalties for Regions as highlighted in the Langoulant report.

Debate ensued.

Hon Jacqui Boydell, by leave, tabled an extract from the 2017–18 Budget Papers in relation to Royalties for Regions expenditure. (Tabled Paper 1140).

*Motion lapsed.*

## 9. **Order of Business**

Ordered — That Orders of the Day Nos 2, *Shire of Chittering Repeal Local Law 2017 — Disallowance*, 3, *Shire of Northampton Local Government Property Local Law 2017 — Disallowance*, 4, *Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1) — Disallowance*, 5, *Water Services (Water Corporations Charges) Amendment Regulations 2017 — Disallowance*, 6, *Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2017 — Disallowance*, 8, *Transfer of Land Amendment Regulations 2017 — Disallowance*, 10, *City of Karratha Activities in Thoroughfares and Public Places and Trading Local Law 2017 — Disallowance*, 11, *Shire of Donnybrook-Balingup Meeting Procedures Local Law 2017 — Disallowance*, 12, *Port Authorities Amendment Regulations 2017 — Disallowance*, and 13, *Shire of Broome Parking and Parking Facilities Amendment Local Law (2) 2017 — Disallowance*, be taken after Order of the Day No. 26, *Appropriation (Capital 2016–17) Supplementary Bill 2017*. (Leader of the House).

## 10. **Shire of Northampton Dogs Local Law 2017 — 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. 1, *Shire of Northampton Dogs Local Law 2017*, be discharged from the Notice Paper.

Question — put and passed.

**11. Shire of Victoria Plains Bush Fire Brigades Local Law 2017 — 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. 7, *Shire of Victoria Plains Bush Fire Brigades Local Law 2017* be discharged from the Notice Paper.

Question — put and passed.

**12. Shire of Narrogin Bush Fire Brigades Local Law 2017 — 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. 9, *Shire of Narrogin Bush Fire Brigades Local Law 2017*, be discharged from the Notice Paper.

Question — put and passed.

**13. Sentence Administration Amendment Bill 2017**

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

The Acting President left the Chair.

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**In Committee**

(Hon Dr Steve Thomas in the Chair)

Clause 9.

Debate resumed on the amendment moved by the Leader of the House representing the Attorney General as follows —

Page 6, after line 30 — To insert:

- (v) to the extent known to the Commissioner of Police, the prisoner's mental capacity to provide relevant information or evidence;

Amendment — put and passed.

Debate resumed.

Hon Alison Xamon moved —

Page 7, after line 3 — To insert:

- (4A) Upon receipt of the report the Board must provide a copy of it to the prisoner with a notice that the prisoner may within 28 days make written representations to the Board regarding the content of the report.

Debate ensued.

Amendment — put and negatived.

Debate resumed.

Clause, as amended, agreed to.

Clause 10.

Hon Alison Xamon moved —

Page 7, after line 19 — To insert:

- (ec) the timeliness of the provision of reports pursuant to section 66C, particularly in relation to prisoners transferred from interstate, during the previous financial year;

Debate ensued.

Amendment — put and negatived.

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

Title agreed to.

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

Bill reported with amendment.

The Leader of the House representing the Attorney General, by leave, moved, That the report be adopted.

Report adopted.

The Leader of the House representing the Attorney General moved, without notice —

That so much of Standing Orders be suspended so as to enable the *Sentence Administration Amendment Bill 2017* to be read a third time.

The motion requiring the concurrence of an absolute majority.

Question — put.

The Acting President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

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.

Debate ensued.

Question — put and passed.

Bill read a third time and passed.

#### **14. Health Practitioner Regulation National Law (WA) Amendment Bill 2017**

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

Debate resumed.

#### **15. Questions Without Notice**

Questions without notice were taken.

The Minister for Environment representing the Minister for Transport, by leave, incorporated into *Hansard* information in relation to average carbon dioxide emissions emitted by gas and diesel powered Transperth buses, in response to a question without notice asked by Hon Tim Clifford.

The Minister for Regional Development representing the Minister for Fisheries tabled the Applied Research Program's final report in relation to the integrated surfboard electronic shark deterrent to protect surfers and swimmers, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 1141).

The Minister for Environment representing the Minister for Transport tabled Main Roads Western Australia's business cases for the Armadale Road, Construct dual carriageway from Anstey Road to Tapper Road and Wanneroo Road, Joondalup Drive to Flynn Drive projects, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 1142).

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to the 2017 funding to Western Australian Colleges of Agriculture, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Regional Development representing the Minister for Tourism, by leave, incorporated into *Hansard* information in relation to tourism and international flights to Western Australia, in response to a question without notice asked by Hon Robin Scott.

**16. Health Practitioner Regulation National Law (WA) Amendment Bill 2017**

Debate resumed on the second reading of this Bill (*see item 14 above*).

*Interruption pursuant to order.*

**17. Members' Statements**

Statements were taken.

**18. Adjournment**

The Council adjourned at 5.45pm until Tuesday, 20 March 2018 at 2.00pm.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Matthew Swinbourn.

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON KATE DOUST MLC**  
President of the Legislative Council