

WESTERN AUSTRALIA

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 75**

**WEDNESDAY, 29 AUGUST 2018**

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**1. Meeting of Council**

The Council assembled at 1.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

**2. Message from the Lieutenant Governor and Administrator — Assent to Bill**

The President reported the receipt of a Message from the Lieutenant Governor and Administrator assenting to the following Bill —

**28 August 2018 — Message No. 20**  
Industrial Hemp Amendment Bill 2018

**Act No.**  
15 of 2018

**3. Petition**

Hon Robin Chapple presented a petition from 31 petitioners requesting the Legislative Council to conduct an inquiry into the conduct and performance of the City of Meville and whether it should pay compensation in relation to building related matters associated with Mr Mark McLerie. (Tabled Paper 1688).

**4. Select Committee on Personal Choice and Community Safety**

Motion No. 1 having been called, Hon Aaron Stonehouse, pursuant to notice, moved —

- (1) A Select Committee, to be known as the Personal Choice and Community Safety Committee, is established.
- (2) The Select Committee is to inquire into and report on the economic and social impact of measures introduced in Western Australia to restrict personal choice ‘for the individual’s own good’, with particular reference to —
  - (a) risk-reduction products such as e-cigarettes, e-liquids and heat-not-burn tobacco products, including any impact on the wellbeing, enjoyment and finances of users and non-users;
  - (b) outdoor recreation such as cycling and aquatic leisure, including any impact on the wellbeing, enjoyment and finances of users and non-users; and
  - (c) any other measures introduced to restrict personal choice for individuals as a means of preventing harm to themselves.
- (3) The Select Committee shall consist of five members.
- (4) The Select Committee is to report by no later than 12 months after the Committee has been established.

Debate ensued.

Question — put and passed.

## 5. Select Committee on Personal Choice and Community Safety — Appointment of Members

Hon Aaron Stonehouse moved, without notice —

- (1) That the following Members be appointed as Members to the Select Committee on Personal Choice and Community Safety —
  - Hon Aaron Stonehouse;
  - Hon Dr Sally Talbot;
  - Hon Dr Steve Thomas;
  - Hon Rick Mazza; and
  - Hon Pierre Yang
- (2) That the Chair is to be Hon Aaron Stonehouse.
- (3) That the Deputy Chair is to be Hon Dr Sally Talbot.

Question — put and passed.

## 6. Tax Incentives for Regional Businesses

Motion No. 2 having been called, Hon Robin Scott, pursuant to notice, moved —

That as an incentive for Western Australians to expand and operate businesses in the productive remote areas of Western Australia, this House calls upon the Government of Western Australia to —

- (a) halve payroll taxes from 5.5% to 2.75% for businesses with less than 100 employees operating in Zone B as defined by the Australian Taxation Office in the Australian Zone list for Western Australia; and
- (b) eliminate payroll tax for businesses with less than 100 employees operating in Zone A as defined by the Australian Taxation Office in the Australian Zone list for Western Australia.

Debate ensued.

*Interruption pursuant to order.*

## 7. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

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### In Committee

(Hon Adele Farina in the Chair)

#### **Joint Standing Committee on the Corruption and Crime Commission — Report No. 7 — Unfinished business — The Corruption and Crime Commission's response to the Committee's report on Dr Cunningham and Ms Atoms**

Hon Alison Xamon moved, That consideration be postponed until the next sitting.

Question — put and passed.

#### **Joint Select Committee on End of Life Choices — Report No. 1 — My Life, My Choice**

Hon Colin Holt moved, That the Report be noted.

Hon Colin Holt moved, That consideration be postponed until the next sitting.

Debate ensued.

Question — put and passed.

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The Acting President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Joint Standing Committee on the Corruption and Crime Commission — Report No. 7 — *Unfinished business — The Corruption and Crime Commission's response to the Committee's report on Dr Cunningham and Ms Atoms* and postponed consideration to the next sitting.

- (2) Joint Select Committee on End of Life Choices — Report No. 1 — *My Life, My Choice*, made progress and postponed further consideration to the next sitting.

Report adopted.

## 8. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Northam Cemeteries Amendment Local Law 2017 — Disallowance*, 2, *Shire of Toodyay Health Local Law 2017 — Disallowance*, 3, *Environmental Protection Amendment Regulations 2018 — Disallowance*, 4, *City of Karratha Fencing Local Law 2018 — Disallowance*, 5, *Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance*, 6, *Environmental Protection (Plastic Bags) Regulations 2018 — Disallowance*, 7, *City of Kalgoorlie-Boulder Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2018 — Disallowance*, 8, *City of Kalgoorlie-Boulder Local Government Property Amendment Local Law 2018 — Disallowance*, 9, *City of Karratha Standing Orders Local Law 2018 — Disallowance*, and 10, *Health Services (Information) Amendment Regulations 2018 — Disallowance*, be taken after Order of the Day No. 29, *Road Traffic Amendment (Driving Offences) Bill 2018*. (Leader of the House).

## 9. Education and Care Services National Law (WA) Amendment 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 Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to recent changes to the North Metropolitan Health Board, in response to a question without notice asked by Hon Peter Collier.

The Minister for Environment tabled the *Former Dalyellup Waste Residue Facility Site Management Plan*, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 1689).

The Minister for Environment representing the Minister for Housing, by leave, incorporated into *Hansard* information in relation to Community Housing Limited rental collections at Katampul in the Shire of Leonora, in response to a question without notice asked by Hon Robin Scott.

The Minister for Regional Development representing the Minister for Innovation and ICT tabled documents in relation to the Western Australian Electric Working Group, minutes from meeting and outcomes under the Climate Action Roundtable Memorandum of Understanding, in response to a question without notice asked by Hon Tim Clifford. (Tabled Paper 1690).

## 11. Education and Care Services National Law (WA) Amendment Bill 2018

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

Hon Michael Mischin, by leave, tabled a letter from the Minister for Child Protection regarding the *Education and Care Services National Law (WA) Amendment Bill 2018*. (Tabled Paper 1691).

Debate resumed.

The Minister for Education and Training representing the Minister for Child Protection tabled the Education and Care Compliance Enforcement Framework. (Tabled Paper 1692).

Debate resumed.

Question — put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading.

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

Question — put and passed.

Bill read a third time and passed.

**12. Courts Legislation Amendment 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.*

**13. Members' Statements**

Statements were taken.

**14. Adjournment**

The Council adjourned at 6.30pm until Thursday, 30 August 2018 at 10.00am.

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

Attendance: Present all Members except Hon Martin Aldridge, Hon Jim Chown, Hon Laurie Graham, Hon Colin Tincknell and Hon Darren West.

**NIGEL PRATT**  
Clerk of the Legislative Council

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