

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 45

WEDNESDAY, 14 MARCH 2018

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

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

2. Ministerial Statement — Ride for Youth

The Parliamentary Secretary to the Minister for Health made a Ministerial Statement with respect to the annual Hawaiian Ride for Youth to raise funds and awareness for youth mental health.

3. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Corruption and Crime Commission — Criminal Investigation (Covert Powers) Act 2012 Western Australian Police Force (2016–2017)	1121
Local Grants Commission (2016–2017) (Date received 14/03/2018)	1122

Local Laws —

Local Government Act 1995 (City of Vincent Fencing Amendment Local Law 2017 G.G. 09/03/2018, Shire of Halls Creek Public Places and Local Government Property Amendment Local Law 2018 G.G. 02/03/2018, Shire of Murray Health Local Law 2018 G.G. 07/03/2018, Shire of Northam Activities In Thoroughfares and Public Places and Trading Amendment Local Law 2018 G.G. 27/02/2018, Shire of Victoria Plains Dogs Local Law 2018 G.G. 06/03/2018, Shire of Victoria Plains Fencing Local Law 2018 G.G. 06/03/2018, Shire of Woodanilling Animals, Environment and Nuisance Amendment Local Law 2018 G.G. 02/03/2018 and Town of Cambridge Parking Amendment Local Law 2018 G.G. 09/03/2018).....	1123
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Regulations —

Cross-border Justice Act 2008 (Cross-border Justice Amendment Regulations 2018 G.G. 09/03/2018).....	1124
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Rules —

Legal Profession Act 2008 (Legal Profession (Law Library Fees) Amendment Rules 2018 G.G. 23/02/2018)	1125
Supreme Court Act 1935 (Supreme Court (Corporations) (WA) Amendment Rules 2018 G.G. 27/02/2018 and Supreme Court Amendment Rules 2018 G.G. 27/02/2018).....	1126

Minister for Environment*Leases* —

CALM Lease No. 2411/100 — Between the Conservation and Land Management Executive Body and the Crombie-Wilson family for an existing recreational hut located at Broke Inlet in the D’Entrecasteaux National Park.....	1127
CALM Lease No. 2304/100 — Between the Conservation and Land Management Executive Body and the King Bay Game Fishing Club INC for an existing recreational shack located at Malus Island in the Dampier Archipelago	1128

Local Laws —

Waste Avoidance and Resource Recovery Act 2007 (Town of Claremont Waste Local Law 2017 G.G. 27/02/2018 and Town of East Fremantle Waste Amendment Local Law 2017 G.G. 27/02/2018).....	1129
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Regulations —

Taxation Administration Act 2003 (Taxation Administration Amendment Regulations 2018 G.G. 06/03/2018).....	1130
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Minister for Regional Development*Local Laws* —

Dividing Fences Act 1961 (Shire of Halls Creek Fencing Amendment Local Law 2018 G.G. 02/03/2018).....	1131
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Regulations —

Building Act 2011 (Building Amendment Regulations 2018 G.G. 09/03/2018)	1132
Gaming and Wagering Commission Act 1987 (Gaming and Wagering Commission Amendment Regulations 2018 G.G. 02/03/2018).....	1133
Liquor Control Act 1988 (Liquor Control (Kalumburu Restricted Area) Regulations 2018 G.G. 02/03/2018).....	1134
Rights in Water and Irrigation Act 1914 (Rights in Water and Irrigation Amendment Regulations 2018 G.G. 20/02/2018)	1135

Parliamentary Secretary to the Deputy Premier*Orders* —

Health Services Act 2016 (Health Services (Fees and Charges) Amendment Order (No. 2) 2018 G.G. 09/03/2018).....	1136
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4. A Quality Education for Western Australian Children

Motion No. 1 having been called, Hon Jacqui Boydell, pursuant to notice, moved —

That this House calls on the McGowan Labor Government to honour its November 2016 policy position that commits to providing “*a quality education to Western Australian children and young people regardless of where they live*” by:

- (1) Reversing the decisions to:
 - (a) shut down six camp schools;
 - (b) close Moora residential college;
 - (c) take 20 per cent from the Agricultural Education Farm Provisions Trust;
 - (d) cut the number of frontline regional education professionals;
 - (e) increase fees for Vacswim; and
 - (f) reduce the Boarding Away from Home Allowance.
- (2) Recognising the stress, uncertainty, and mistrust created by making rushed decisions in the regional education portfolio.

Debate ensued.

Interruption pursuant to order.

5. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Simon O'Brien in the Chair)

Joint Standing Committee on the Corruption and Crime Commission — Report No. 1 — The efficiency and timeliness of the current appointment process for Commissioners and Parliamentary Inspectors of the CCC

Debate resumed on the motion of Hon Jim Chown, That the Report be noted.

Pursuant to Temporary Order No. 4, consideration of the report was postponed until the next sitting.

Joint Standing Committee on the Corruption and Crime Commission — Report No. 2 — The ability of the Corruption and Crime Commission to charge and prosecute

Debate resumed on the motion of Hon Jim Chown, That the Report be noted.

Interruption pursuant to order.

The Acting President resumed the Chair.

The 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. 1 — *The efficiency and timeliness of the current appointment process for Commissioners and Parliamentary Inspectors of the CCC*, made progress and seeks to sit again.
- (2) Joint Standing Committee on the Corruption and Crime Commission — Report No. 2 — *The ability of the Corruption and Crime Commission to charge and prosecute*, made progress and seeks to sit again.

Report adopted.

6. 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 the independent review of the *Human Reproductive Technology Act 1991* and the *Surrogacy Act 2008*, in response to a question without notice asked by Hon Nick Goiran.

The Minister for Environment representing the Minister for Corrective Services, by leave, incorporated into *Hansard* information in relation to assaults against prison staff in the last 12 months, in response to a question without notice asked by Hon Charles Smith.

The Minister for Environment representing the Minister for Emergency Services, by leave, incorporated into *Hansard* information in relation to applications for the Emergency Services Volunteer Fuel Card, in response to a question without notice asked by Hon Colin de Grussa.

The Minister for Agriculture and Food tabled the final report by LiveCorp and Meat and Livestock Australia entitled *Export of sheep from southern ports to the Middle East in winter months*, in response to a question without notice asked by Hon Rick Mazza. (Tabled Paper 1137).

The Minister for Regional Development representing the Minister for Forestry, by leave, incorporated into *Hansard* information in relation to the Southern Forest Irrigation Scheme, in response to a question without notice asked by Hon Diane Evers.

7. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Northampton Dogs Local Law 2017 — Disallowance*, 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*, 7, *Shire of Victoria Plains Bush Fire*

Brigades Local Law 2017 — Disallowance, 8, Transfer of Land Amendment Regulations 2017 — Disallowance, and 9, Shire of Narrogin Bush Fire Brigades Local Law 2017 — Disallowance, be taken after Order of the Day No. 22, Appropriation (Capital 2016–17) Supplementary Bill 2017. (Leader of the House).

8. 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 President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 9.

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

Page 3, after line 23 — To insert:

(aa) manslaughter; or

Amendment — put and passed.

The Leader of the House representing the Attorney General moved —

Page 5, after line 32 — To insert:

(2A) The Board must, when deciding whether it is satisfied under subsection (1)(a), take into account any information the Board has about the prisoner's mental capacity to provide relevant information or evidence.

Debate ensued.

Amendment — put and passed.

The Leader of the House representing the Attorney General moved —

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;

Debate ensued.

Interruption pursuant to order.

The President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

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

9. Members' Statements

Statements were taken.

10. Adjournment

The Council adjourned at 6.43pm until Thursday, 15 March 2018 at 10.00am.

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