

WESTERN AUSTRALIA

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 126**

**WEDNESDAY, 15 MAY 2019**

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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. Death of Hon Max Evans — Motion of Condolence**

The Leader of the House moved, without notice —

That this Council expresses its deep regret at the death of Hon Max Evans, a former Member of the Legislative Council for the North Metropolitan Region; and places on record its appreciation for his long public service, and tenders its profound sympathy to his family in their bereavement.

The motion was supported by Members, including the President, and carried in silence; Members standing in their places.

**3. Ministerial Statement — NAPLAN Online connectivity issues**

The Minister for Education and Training made a Ministerial Statement with respect to technical connectivity issues experienced by schools when attempting to use the NAPLAN Online portal.

**4. Ministerial Statement — Metropolitan Region Scheme Amendment 1332/41**

The Minister for Environment representing the Minister for Planning made a Ministerial Statement with respect to the Metropolitan Region Scheme Amendment 1332/41, Swan Valley Omnibus 1.

The Minister for Environment representing the Minister for Planning tabled the Metropolitan Region Scheme Amendment 1332/41. (Tabled Paper 2701).

The Minister for Environment representing the Minister for Planning tabled the submission relating to the Metropolitan Region Scheme Amendment 1332/41. (Tabled Paper 2702).

**5. Ministerial Statement — Lake Grace Water Deficiency Declaration**

The Minister for Agriculture and Food made a Ministerial Statement with respect to the Lake Grace Water Deficiency Declaration made by the State Government.

**6. Ministerial Statement — Recovery Colleges**

The Parliamentary Secretary to the Minister for Mental Health made a Ministerial Statement with respect to the establishment of Recovery Colleges.

## 7. Papers

The following Papers were laid on the Table by —

### President

*Auditor General's Papers —*

Firearms Controls (Report No. 18) (May 2019).....	2694
Audit Results Report — Annual 2018 Financial Audits (Report No. 19) (May 2019).....	2695
Information Systems Audit Report (2019) (Report No. 20) (May 2019).....	2696

*Letters —*

Letter from the Premier to the President in response to the Legislative Council resolution of 3 April 2019, on access to specialist palliative care in Western Australia .....	2697
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### Leader of the House

*Reports —*

Ministerial Office Staffing Report (as at 18 April 2019) .....	2698
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### Minister for Environment

*Leases —*

CALM Lease No. 2972/100 — Between the Conservation and Land Management Executive Body and the Department of Fire and Emergency Services to operate regional offices from existing premises located on Reserve No. 27865 at 5 Wald Street Narrogin .....	2699
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### Minister for Regional Development

*Reports —*

Workcover WA — Statutory Review of Firefighter Cancer Legislation (April 2019).....	2700
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## 8. 2019 — 2020 State Budget

Hon Pierre Yang: To move on the next day of sitting —

That this House notes that the State Budget is back on track, with an official surplus delivered for the first time in five years, thanks to the responsible financial management of the McGowan Labor Government.

## 9. National Disability Insurance Scheme

Motion No. 1 having been called, Hon Peter Collier, pursuant to notice, moved —

That this House:

- (a) recognises the potential benefits of the National Disability Scheme (NDIS) for people with a disability throughout Australia; and
- (b) expresses its concern with elements of the implementation of the NDIS, particularly in Western Australia, and the effect that these problems are having on a significant number of people living with a disability.

Debate ensued.

Question — put and passed.

## 10. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

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**In Committee**

(Hon Simon O'Brien in the Chair)

**Standing Committee on Estimates and Financial Operations — Report 77 — 2017-18 Budget Cycle — Part 2: Annual Report Hearings**

Debate resumed on the motion of Hon Tjorn Sibma, That the Report be noted.

**11. Questions Without Notice**

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Environment representing the Minister for Police tabled documents in relation to, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 2703).

The Minister for Environment representing the Minister for Police, by leave, incorporated into *Hansard* information in relation to, in response to a question without notice asked by Hon Diane Evers.

The Minister for Ports tabled documents in relation to, in response to question on notice 2040 asked by Hon Robin Chapple. (Tabled Paper 2704).

The Minister for Regional Development representing the Minister for Water, in accordance with Standing Order 108(2), advised that answers to questions on notice Nos 2043 and 2044 asked by Hon Robin Chapple will be provided on 4 June 2019.

The Parliamentary Secretary to the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to questions on notice No. 2059 asked by Hon Alison Xamon will be provided on 4 June 2019.

The Parliamentary Secretary to the Minister for Health tabled documents in response to a question without notice asked by Hon Colin Tincknell. (Tabled Paper 2705).

The Parliamentary Secretary to the Minister for Health tabled documents in response to a question without notice asked by Hon Robin Scott. (Tabled Paper 2706).

**12. Statement by President — Members' Survey**

The President made the following Statement —

For those of you who have not yet done so, I remind you to complete the annual performance surveys for the Department of the Legislative Council and the Parliamentary Service Department. These surveys were emailed to you on Monday, 6 May 2019 and hard copies were placed on your desks on Tuesday, 7 May 2019.

These surveys are critical in assisting the Departments to provide better services to you and the results will be incorporated into the 2018-2019 Annual Reports.

It would be appreciated if you would take a few minutes to complete the surveys online or in hard copy by Friday, 17 May 2019.

**13. Consideration of Committee Reports**

Pursuant to order for the consideration of Committee Reports (*see item 10 above*).

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**In Committee**

(Hon Simon O'Brien in the Chair)

**Standing Committee on Estimates and Financial Operations — Report 77 — 2017-18 Budget Cycle — Part 2: Annual Report Hearings**

Debate resumed on the motion of Hon Tjorn Sibma, That the Report be noted.

Pursuant to Temporary Order 4, consideration of the report was postponed.

**Joint Standing Committee on Delegated Legislation — Report 15 — Annual Report 2018**

The Minister for Environment moved, That the Report be noted.

Question — put and passed.

**Standing Committee on Environment and Public Affairs — Report 49 — Mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material**

Debate resumed on the motion of Hon Dr Steve Thomas, That the Report be noted.

Debate ensued.

Hon Diane Evers moved, That consideration be postponed until the next sitting.

Question — put and passed.

**Select Committee into Elder Abuse — Final Report — ‘I never thought it would happen to me’: When trust is broken**

Debate resumed on the motion of Hon Nick Goiran, 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) Standing Committee on Estimates and Financial Operations — Report 77 — *2017-18 Budget Cycle — Part 2: Annual Report Hearings*, made progress and postponed further consideration until the next sitting.
- (2) Joint Standing Committee on Delegated Legislation — Report 15 — *Annual Report 2018* and had noted same.
- (3) Standing Committee on Environment and Public Affairs — Report 49 — *Mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material*, made progress and postponed further consideration until the next sitting.
- (4) Select Committee into Elder Abuse — Final Report — *‘I never thought it would happen to me’: When trust is broken*, made progress and seeks to sit again.

Report adopted.

**14. Order of Business**

Ordered — That Orders of the Day Nos 1, *Biodiversity Conservation (Exemptions) Order 2018 — Disallowance*, 2, *Tobacco Products Control Amendment Regulations 2019 — Disallowance*, 3, *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 — Disallowance*, and 4, *Transport (Road Passenger Services) Regulations 2019 — Disallowance* be taken after Order of the Day No. 18, *Road Traffic Amendment (Blood Alcohol Content) Bill 2019*. (Minister for Environment).

**15. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2019–2020**

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Environment representing the Treasurer as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 2664A–D (2019–2020 Budget Statements), laid upon the Table of the House on 9 May 2019.

Debate resumed.

*Interruption pursuant to order.*

**16. Members’ Statements**

Statements were taken.

**17. Adjournment**

The Council adjourned at 6.33pm until Thursday, 16 May 2019 at 10.00am.

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

Attendance: Present all Members except Hon Jim Chown, Hon Adele Farina, Hon Samantha Rowe, Hon Aaron Stonehouse and Hon Dr Sally Talbot.

**NIGEL PRATT**  
Clerk of the Legislative Council

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

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