

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**  
**MINUTES OF PROCEEDINGS**  
**No. 134**  
**TUESDAY, 25 JUNE 2019**

**1. Meeting of Council**

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

**2. Message from His Excellency the Governor — Assent to Bills**

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bills —

<b>12 June 2019 — Message No. 12</b>	<b>Act No.</b>
Pay-roll Tax Assessment Amendment Bill 2019	10 of 2019
Taxation Administration Amendment Bill 2018	11 of 2019
Revenue Laws Amendment Bill 2018	12 of 2019

**3. Ministerial Statement — Yakka Munga**

The Minister for Agriculture and Food made a Ministerial Statement with respect to the clearing of native vegetation at Yakka Munga Station by Shanghai Zenith Investment Holding Pty Ltd without a clearing permit.

**4. Papers**

The following Papers were laid on the Table by —

**President**

*Auditor General's Papers —*

Verifying Employee Identity and Credentials (Report No. 24) (June 2019) (2018-19) (Deemed tabled 19/06/2019) .....	2785
PathWest Laboratory Information System Replacement Project (Report No. 25) (June 2019) (2019) (Deemed tabled 19/06/2019).....	2786
Opinions on Ministerial Notifications (Report No. 26) (June 2019) (2018-19) (Deemed tabled 19/06/2019) .....	2787
Opinions on Ministerial Notifications (Report No. 27) (June 2018-19) (Deemed tabled 20/06/2019) .....	2788

**Leader of the House**

*Local Laws —*

Local Government Act 1995 (City of Mandurah Animals Environment and Nuisance Amendment Local Law 2019 G.G. 11/06/2019 and Shire of Collie Cemeteries Local Law 2019 G.G. 14/06/2019).....	2789
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Local Government Act 1995 (City of Albany Waste Amendment Local Law 2019 G.G. 21/06/2019, Shire of Mount Magnet Bush Fire Brigades Local Law 2018 G.G. 17/06/2019 and Shire of Mount Magnet Waste Local Law 2019 G.G. 17/06/2019).....	2790
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*Reports —*

Lotterywest — Statement of Corporate Intent (2019–20).....	2791
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*Schemes —*

Professional Standards Act 1997 (The Australian Property Institute Valuers Limited Scheme Amendment 2019 G.G. 14/06/2019) .....	2792
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**Minister for Environment**

*By-laws —*

Energy Operators (Powers) Act 1979 (Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-laws 2019 G.G. 21/06/2019 and Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2019 G.G. 21/06/2019).....	2793
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*Proposals —*

Land Administration Act 1997 — Submission No. 2/2019 — Proposal for an easement in Class A Reserve No. 7804 in the City of Nedlands .....	2794
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Land Administration Act 1997 — Submission No. 3/2019 — Proposal for amendment of Class A Reserve No. 6638 High Street upgrade City of Fremantle.....	2795
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*Regulations —*

Firearms Act 1973 (Police Regulations Amendment (Fees and Charges) Regulations 2019 G.G. 21/06/2019).....	2796
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Land Administration Act 1997 (Land Administration Amendment Regulations 2019 G.G. 18/06/2019).....	2797
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Road Traffic Act 1974 (Road Traffic (Events on Roads) Amendment Regulations 2019 G.G. 21/06/2019).....	2798
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Road Traffic (Vehicles) Act 2012 (Road Traffic (Vehicles) Amendment Regulations 2019 G.G. 18/06/2019).....	2799
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*Reports —*

Government Employees Superannuation Board — Statement of Corporate Intent (2019-20).....	2800
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Landgate — Statement of Corporate Intent (2019–20).....	2801
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Treasury Corporation — Statement of Corporate Intent (2019–20) .....	2802
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**Minister for Regional Development**

*Regulations —*

Associations Incorporation Act 2015 (Commerce Regulations Amendment (Fees and Charges) Regulations 2019 G.G. 18/06/2019).....	2803
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Dangerous Goods Safety Act 2004 (Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2019 G.G. 18/06/2019) .....	2804
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Fair Trading Act 2010 (Fair Trading (Fitness Industry Interim Code) Regulations 2019 G.G. 21/06/2019).....	2805
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Liquor Control Act 1988 (Liquor Control (Bayulu Restricted Area) Amendment Regulations 2019 G.G. 11/06/2019 and Liquor Control (Wakathuni Restricted Area) Regulations 2019 G.G. 14/06/2019).....	2806
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Occupational Safety and Health Act 1984 (Occupational Safety and Health Amendment Regulations (No. 2) 2019 G.G. 18/06/2019 and Occupational Safety and Health Amendment Regulations (No. 3) 2019 G.G. 21/06/2019).....	2807
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Water Services Act 2012 (Water Services Regulations Amendment (Fees and Charges) Regulations 2019 G.G. 14/06/2019).....	2808
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Western Australian Meat Industry Authority Act 1976 (Western Australian Meat Industry Authority Amendment Regulations 2019 G.G. 14/06/2019).....	2809
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### **Parliamentary Secretary to the Deputy Premier**

#### *By-laws —*

Queen Elizabeth II Medical Centre Act 1966 (Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws 2019 G.G. 14/06/2019).....	2810
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#### *Local Laws —*

Health (Miscellaneous Provisions) Act 1911 (Shire of Quairading Animals, Environment and Nuisance Amendment Local Law 2019 G.G. 14/06/2019).....	2811
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#### *Regulations —*

Food Act 2008 (Health Regulations Amendment (Fees and Charges) Regulations 2019 G.G. 14/06/2019).....	2812
Health (Miscellaneous Provisions) Act 1911 (Health (Notifications by Midwives) Amendment Regulations 2019 G.G. 14/06/2019).....	2813

## **5. Suspension of Standing Orders**

The Leader of the House moved, without notice —

That so much of the Standing Orders be suspended as to enable the following variations to the order of business and sitting times for Tuesday, Wednesday and Thursday of this sitting week —

- (a) that the dinner adjournments on Tuesday and Wednesday be taken for a period of 1 hour between 6.00pm and 7.00pm; and
- (b) no Consideration of Committee Reports on Wednesday; and
- (c) that the House may sit beyond 6.20pm on Wednesday if further ordered; and
- (d) that the House commence sitting at 9:00am on Thursday; and
- (e) that the House may sit beyond 5.20pm on Thursday if further ordered; and
- (f) that Members' Statements on both Wednesday and Thursday are taken at a time to be determined by order of the House.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question — put.

The 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.

## **6. Order of Business**

Ordered — That Orders of the Day Nos 1, *Tobacco Products Control Amendment Regulations 2019 — Disallowance* and 3, *Transport (Road Passenger Services) Regulations 2019 — Disallowance*, be taken after Order of the Day No. 4, *Estimates of Revenue and Expenditure — Consolidated Account Estimates 2019-20*, and Order of the Day No. 2, *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 — Disallowance* be taken after Order of the Day No. 18, *Consumer Protection Legislation Amendment Bill 2018*. (Leader of the House).

## **7. 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 Finance 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.

## 8. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training tabled the following documents; *Assessment of Asbestos in Soil, Eastern Quadrangle Merredin College, Preliminary Site Investigation* (January 2018) (February 2018) *Limited Site Investigation and Remediation* (May 2019), *Greencap Review, ACM Surface Investigation* (May 2019), *Merredin College* and *Merredin Residential College*, in response to question on notice 2131 asked by Hon Martin Aldridge. (Tabled Paper 2814).

The Minister for Environment representing the Minister for Transport tabled school bus service contracts 2017-2019, in response to question without notice 1921 asked by Hon Martin Aldridge. (Tabled Paper 2815).

The Parliamentary Secretary to the Minister for Health tabled an email from a consultant to the Minister for Health in relation to the *Human Reproductive Technology Act 1991* and the *Surrogacy Act 2008*, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 2816).

The Parliamentary Secretary to the Minister for Health, in accordance with Standing Order 108(2), advised that answers to questions on notice 2071 and 2109 asked by Hon Martin Aldridge will be provided on 26 June 2019.

## 9. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2019–2020

Debate resumed on the motion of the Minister for Finance representing the Treasurer (*see item 7 above*).

Question — put and passed.

## 10. Tobacco Products Control Amendment Regulations 2019 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Aaron Stonehouse moved, without notice —

That, Order of the Day No. 1, *Tobacco Products Control Amendment Regulations 2019* — *Disallowance*, be discharged from the Notice Paper.

Debate ensued.

Question — put and passed.

## 11. Transport (Road Passenger Services) Regulations 2019 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Dr Steve Thomas moved, without notice —

That, Order of the Day No. 3, *Transport (Road Passenger Services) Regulations 2019* — *Disallowance*, be discharged from the Notice Paper.

Debate ensued.

Question — put and passed.

## 12. Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019

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 Robin Chapple in the Chair)

Clause 1.

Debate resumed.

The Minister for Education and Training tabled National Immunisation Program Schedule. (Tabled Paper 2817).

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Hon Nick Goiran moved —

Page 2, line 7 — To delete “Part 1” and insert —

sections 1 to 3, 11A and 12

Debate ensued.

Hon Nick Goiran, by leave, withdrew his amendment.

The Minister for Education and Training moved —

Page 2, lines 7 and 8 — To delete the lines and insert —

- (a) Part 1, Part 2 (other than sections 4 to 11) and Part 3 (other than sections 13 to 21) — on the day on which this Act receives the Royal Assent;
- (b) The rest of the Act — on a day fixed by proclamation, and different days may be fixed for different provisions.

Amendment — put and passed.

Clause 2, as amended, agreed to

Clause 3 agreed to

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clause 6 agreed to.

Clause 7.

Debate ensued.

Hon Nick Goiran moved —

Page 6, line 2 — To insert after “university or” —

educational

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 8.

Debate ensued.

Hon Rick Mazza moved —

Page 6, lines 24 to 26 — To delete the lines.

Debate ensued.

*Interruption pursuant to order.*

The President resumed the Chair.

The Deputy 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.

### **13. Members' Statements**

Statements were taken.

### **14. TAB (Disposal) Bill 2019**

The President reported the receipt of Message No. 127 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Regional Development representing the Minister for Racing and Gaming moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Regional Development representing the Minister for Racing and Gaming moved, That the Bill be read a second time.

The Minister for Regional Development representing the Minister for Racing and Gaming tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2818).

Debate stands adjourned.

### **15. Betting Control Amendment (Taxing) Bill 2019**

The President reported the receipt of Message No. 128 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Regional Development representing the Minister for Racing and Gaming moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Regional Development representing the Minister for Racing and Gaming moved, That the Bill be read a second time.

The Minister for Regional Development representing the Minister for Racing and Gaming tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2819).

Debate stands adjourned.

### **16. Adjournment**

The Council adjourned at 10.31pm until Wednesday, 26 June 2019 at 1.00pm.

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

Attendance: Present all Members except Hon Martin Pritchard and Hon Dr Sally Talbot.

**NIGEL PRATT**  
Clerk of the Legislative Council

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