

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 106

THURSDAY, 14 FEBRUARY 2019

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Ministerial Statement — International Angelman Syndrome Day

The Minister for Disability Services made a Ministerial Statement with respect to International Angelman Syndrome Day.

3. Ministerial Statement — Grains Research Partnership

The Minister for Agriculture and Food made a Ministerial Statement with respect to a scientific research partnership between the Government and the Grains Research and Development Corporation.

4. Ministerial Statement — Mental Health Patient Flow

The Parliamentary Secretary to the Minister for Mental Health made a Ministerial Statement with respect to recent innovations within the health system designed to improve the care of people suffering mental illness.

5. Paper

The following Paper was laid on the Table by —

Parliamentary Secretary to the Deputy Premier

Annual Reports —

Pharmacy Registration Board (2017-2018) (Date received 13/02/2019)..... 2398

6. 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

Hon Matthew Swinbourn presented Report 49 of the Standing Committee on Environment and Public Affairs, *Mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material*. (Tabled Paper 2399).

7. Transparency and Accountability

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

That the House register its concern with the McGowan Government's continued failure to conduct itself in a manner which is open, transparent or accountable.

Debate ensued.

Hon Tjorn Sibma, by leave, tabled an invitation to a business dinner with the Premier and documents obtained under Freedom of Information relating to MRL contracts with Southern Ports. (Tabled Paper 2400).

Debate resumed.

Motion lapsed.

8. Future Battery Industry Strategy

Private Members' Business No. 1 having been called, Hon Pierre Yang moved, without notice —

That the Legislative Council commend the McGowan Government for launching its Future Battery Industry Strategy and its focus to diversify the Western Australian economy and create jobs.

Debate ensued.

Motion lapsed.

9. Order of Business

Ordered — That Orders of the Day Nos 2, *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance* and 12, *Health Practitioner Regulation National Law Regulation 2018 — Disallowance*, be taken after Order of the Day No. 22, *Suitors' Fund Amendment (Levy) Bill 2017*. (Leader of the House).

10. City of Mandurah Cemeteries Amendment Local Law 2018 — 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, *City of Mandurah Cemeteries Amendment Local Law 2018 — Disallowance — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Local Law 2018 — 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. 3, *Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

12. Shire of Mount Magnet Animals, Environment and Nuisance Local Law 2018 — 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. 4, *Shire of Mount Magnet Animals, Environment and Nuisance Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

13. Shire of Mount Magnet Cats Local Law 2018 — 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. 5, *Shire of Mount Magnet Cats Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

14. Shire of Mount Magnet Cemeteries Local Law 2018 — 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. 6, *Shire of Mount Magnet Cemeteries Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

15. Shire of Mount Magnet Dogs Local Law 2018 — 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 Mount Magnet Dogs Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

16. Shire of Mount Magnet Extractive Industries Local Law 2018 — 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. 8, *Shire of Mount Magnet Extractive Industries Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

17. Shire of Mount Magnet Fencing Local Law 2018 — 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 Mount Magnet Fencing Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

18. Shire of Mount Magnet Health Local Law 2018 — 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. 10, *Shire of Mount Magnet Health Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

19. Shire of Mount Magnet Standing Orders Local Law 2018 — 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. 11, *Shire of Mount Magnet Standing Orders Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

20. Ports Legislation 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.

In Committee

(Hon Dr Steve Thomas in the Chair)

Clause 47.

Debate resumed.

Clause agreed to.

Clauses 48 to 50 agreed to.

Clause 51.

Debate ensued.

Clause agreed to.

Clause 52.

Debate ensued.

Question — That the clause stand as printed — put and negatived.

Clauses 53 to 65 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported with amendment.

The Minister for Ports, by leave, moved, That the report be adopted.

Report adopted.

The Minister for Ports moved, without notice —

That so much of Standing Orders be suspended so as to enable the Bill to be read a third time.

The motion requiring the concurrence of an absolute majority.

Question — put.

The Deputy 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 Minister for Ports, by leave, moved, That the Bill be read a third time.

The Deputy President announced that the Deputy 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.

Bill read a third time and passed.

21. Corruption, Crime and Misconduct Amendment Bill 2017

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

Debate resumed.

On the motion of Hon Pierre Yang the debate was adjourned to the next sitting.

22. Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018

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

Debate resumed.

23. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Women's Interests tabled the Department of Communities *WA's 10 Year Women's Strategy Toolkit*, in response to a question without notice asked by Hon Donna Faragher. (Tabled Paper 2401).

The Minister for Regional Development representing the Minister for Fisheries tabled the Department of Primary Industries and Regional Development's *Request for the Provision of Non-Lethal Shark Management Alert in Real Time (SMART) Drumline Services*, in response to a question without notice asked by Hon Jim Chown. (Tabled Paper 2402).

The Minister for Regional Development representing the Minister for Innovation and ICT, in accordance with Standing Order 108(2), advised that an answer to questions on notice 1779 asked by Hon Robin Chapple will be provided on 21 February 2019.

The Minister for Environment representing the Minister for Emergency Services tabled a list of appliances which are outside the specified replacement period at the Department of Fire and Emergency Services, in response to question on notice 1793 asked by Hon Colin de Grussa. (Tabled Paper 2403).

24. Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018

Debate resumed on the second reading of this Bill (*see item 22 above*).

Interruption pursuant to order.

25. Members' Statements

Statements were taken.

26. Adjournment

The Council adjourned at 5.39pm until Tuesday, 19 February 2019 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Colin Holt and Hon Kyle McGinn.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council