

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 100

THURSDAY, 29 NOVEMBER 2018

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. Statement by President — Joint Standing Committee on the Commissioner for Children and Young People — Terms of Reference

The President made the following Statement —

I have received a letter from the Joint Standing Committee on the Commissioner for Children and Young People, which states —

Dear Madam President

The Joint Standing Committee on the Commissioner for Children and Young People has today resolved to conduct an inquiry with the following terms of reference:

The Committee will examine the scope and direction of the work currently being undertaken by government agencies, regulatory bodies and non-government organisations to improve the monitoring of child safe standards and the role of the Commissioner for Children and Young People in ensuring Western Australia's independent oversight mechanisms operate in a way that makes the interests of children and young people the paramount consideration. In particular, the Committee will consider the following:

- The recommendations made by the Commissioner for Children and Young People in the report 'Oversight of services for children and young people in Western Australia';
- The recommendations from the 'Royal Commission into Institutional Responses to Child Sexual Abuse' relating to an independent oversight body responsible for monitoring and enforcing child safe standards; and
- The response from the State Government of Western Australia to the above recommendations.

The Committee will report by the end of November 2019.

Yours sincerely

Hon Dr S.E. Talbot, MLC

Chair

3. Petitions

Hon Diane Evers presented a petition from 174 petitioners requesting the Legislative Council to oppose SMART Drumline trials in Gracetown. (Tabled Paper 2265).

Hon Pierre Yang presented a petition from 26 petitioners requesting the Legislative Council to inquire into the performance of the Local Government Standards Panel. (Tabled Paper 2266).

4. Papers

The following Papers were laid on the Table by —

Leader of the House

Reports —

Public Sector Commission — State of the Sector 2018	2254
Report on Consultants Engaged by the Government (for the six months ended 30 June 2018).....	2255
Report on Overseas Air Travel Undertaken by Ministers, Parliamentary Secretaries and Government Officers on Official Business (for the three months ended 30 June 2018).....	2256

Minister for Environment

Annual Reports —

Police, Western Australia — Criminal Investigation (Covert Powers) Act 2012 (Assumed Identities) (2017–2018) (Date received 28/11/2018)	2257
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Proposals —

Land Administration Act 1997 — Submission No. 3/2018 — Cancellation of Class B Reserve No. 5659 to create a new reserve for the purpose of recreation, museum, cultural community centre, carpark and café to facilitate the Claremont Museum Redevelopment	2258
Land Administration Act 1997 — Submission No. 4/2018 — Amendment of Class A Reserve No. 885 for inclusion into new Crown Reserve for the purpose of recreation, museum, cultural community centre, carpark and café to facilitate the Claremont Museum Redevelopment	2259

Reports —

Government of Western Australia — 2018–2019 Quarterly Financial Results Report (September 2018)	2260
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Parliamentary Secretary to the Deputy Premier

Notices —

Financial Management Act 2006 (section 82) — Notice from the Minister for Health regarding Legislative Council Standing Committee on Estimates and Financial Operations Questions 1(b) and 9(d) asked by the Hon Martin Aldridge.....	2261
Financial Management Act 2006 (section 82) — Notice from the Minister for Health regarding Legislative Council Questions on Notice No. 1189 and 1438 asked by the Hon Martin Aldridge	2262
Financial Management Act 2006 (section 82) — Notice from the Minister for Health regarding Legislative Council Question without Notice No. 745 asked by the Hon Tjorn Sibma.....	2263

Reports —

Valley View Residential Aged Care Upgrade Project — Business Case Documentation (July 2018).....	2264
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5. **Joint Standing Committee on the Corruption and Crime Commission — Report No. 9 — Annual Report 2017–18**

Hon Alison Xamon presented Report No. 9 of the Joint Standing Committee on the Corruption and Crime Commission, *Annual Report 2017–18*. (Tabled Paper 2267).

6. 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 next week as follows —

- (1) Tuesday, 4 December:
 - (a) The Council to sit at 1pm; and
- (2) Wednesday, 5 December:
 - (a) No Motions on Notice;
 - (b) No consideration of Committee Reports;
 - (c) The Council to sit after 6.20pm and suspend sittings between 6.00pm and 7.00pm;
 - (d) Members' Statements to be taken at 9.45pm.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question — put.

Ayes (25)

Hon Ken Baston
 Hon Robin Chapple
 Hon Jim Chown
 Hon Tim Clifford
 Hon Alanna Clohesy
 Hon Peter Collier
 Hon Stephen Dawson
 Hon Sue Ellery
 Hon Diane Evers
 Hon Nick Goiran
 Hon Laurie Graham
 Hon Alannah MacTiernan
 Hon Kyle McGinn

Hon Michael Mischin
 Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Robin Scott
 Hon Tjorn Sibma
 Hon Aaron Stonehouse
 Hon Matthew Swinbourn
 Hon Dr Sally Talbot
 Hon Dr Steve Thomas
 Hon Darren West
 Hon Alison Xamon
 Hon Pierre Yang (*Teller*)

Noes (7)

Hon Jacqui Boydell
 Hon Colin de Grussa
 Hon Colin Holt
 Hon Rick Mazza

Hon Charles Smith
 Hon Colin Tincknell
 Hon Martin Aldridge (*Teller*)

Question thus passed.

7. Increasing Resources for Fire and Emergency Services

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

That this House calls on the Government to do more in preparing the Western Australian community for bushfires, including a commitment to —

- (a) increased funds for fire mitigation;
- (b) locating the Bushfire Centre for Excellence in regional Western Australia;
- (c) ensuring all equipment in our emergency services volunteer units are fit for purpose;
- (d) increased recruitment, training and retention of volunteers; and
- (e) increased funding to promote the “Are You Bushfire Ready” message.

Debate ensued.

Hon Diane Evers, by leave, tabled a graph in relation to ash forest recovery from fire and changes to flammability (Tabled Paper 2268).

Debate resumed.

Motion lapsed.

8. Order of Business

Ordered — That Orders of the Day Nos 2, *City of Mandurah Cemeteries Amendment Local Law — Disallowance*, 4, *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance*, 6, *Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Local Law 2018 — Disallowance*, 7, *Shire of Mount Magnet Animals, Environment and Nuisance Local Law 2018 — Disallowance*, 8, *Shire of Mount Magnet Cats Local Law 2018 — Disallowance*, 9, *Shire of Mount Magnet Cemeteries Local Law 2018 — Disallowance*, 10, *Shire of Mount Magnet Dogs Local Law 2018 — Disallowance*, 11, *Shire of Mount Magnet Extractive Industries Local Law 2018 — Disallowance*, 12, *Shire of Mount Magnet Fencing Local Law 2018 — Disallowance*, 13, *Shire of Mount Magnet Health Local Law 2018 — Disallowance*, and 15, *Shire of Mount Magnet Standing Orders Local Law 2018 — Disallowance*, be taken after Order of the Day No. 24, *Public and Health Sector Legislation Amendment (Right of Return) Bill 2018*. (Leader of the House)

9. Public Transport Authority Amendment Regulations 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, *Public Transport Authority Amendment Regulations 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

10. Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 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, *Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Biodiversity Conservation Regulations 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, *Biodiversity Conservation Regulations 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

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

Question — put and passed.

13. Residential Tenancies Legislation Amendment (Family Violence) Bill 2018

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

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Robin Chapple in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 and 4 agreed to.

Clause 5.

Hon Rick Mazza moved —

Page 4, line 24 — To delete “fundamental”.

Debate ensued.

Amendment — put.

Ayes (17)

Hon Martin Aldridge
Hon Jim Chown
Hon Peter Collier
Hon Colin de Grussa
Hon Donna Faragher
Hon Nick Goiran
Hon Colin Holt
Hon Rick Mazza
Hon Michael Mischin

Hon Simon O’Brien
Hon Robin Scott
Hon Tjorn Sibma
Hon Charles Smith
Hon Aaron Stonehouse
Hon Dr Steve Thomas
Hon Colin Tincknell
Hon Ken Baston (*Teller*)

Noes (16)

Hon Robin Chapple
Hon Tim Clifford
Hon Alanna Clohesy
Hon Stephen Dawson
Hon Sue Ellery
Hon Diane Evers
Hon Laurie Graham
Hon Alannah MacTiernan

Hon Kyle McGinn
Hon Martin Pritchard
Hon Samantha Rowe
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West
Hon Alison Xamon
Hon Pierre Yang (*Teller*)

Amendment thus passed.

Clause, as amended, agreed to.

Clause 6.

The Deputy Chair moved the following Committee recommendation —

Page 5, line 24 — To delete “person” and insert:

lessor

Amendment — put and passed.

The Deputy Chair moved the following Committee recommendation —

Page 5, line 26 — To delete “person — ” and insert:

lessor —

Amendment — put and passed.

Clause, as amended, agreed to.

Clauses 7 to 9 agreed to.

Clause 10.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 8, line 21 — To insert after “lessor”:

in writing

Amendment — put and passed.

The Deputy Chair moved the following Committee recommendation —

Page 8, line 27 — To delete the line and insert:

Penalty for this subsection: a fine of \$5 000

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 11 agreed to.

Clause 12.

Hon Rick Mazza, by leave, moved —

Page 10, line 9 — To delete “prescribed”.

Page 10, line 10 — To delete “prescribed”.

Page 10, line 11 — To delete “*prescribed*”.

Debate ensued.

Amendments — put and negatived.

Debate resumed.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 10, after line 23 — To insert:

- (aa) the tenant must give written notice to the lessor of the tenant’s intention to make the prescribed alterations; and

Debate ensued.

Amendment — put and passed.

Hon Rick Mazza moved —

Page 10, line 25 — To delete “tradesperson; and” and insert:

tradesperson, a copy of whose invoice the tenant must provide to the lessor within 7 days of the alterations being completed; and

Debate ensued.

Hon Simon O'Brien moved to amend the amendment as follows —

To delete "7" and insert —

14

Amendment to the amendment — put.

The Committee divided.

Ayes (21)

Hon Martin Aldridge
Hon Robin Chapple
Hon Jim Chown
Hon Tim Clifford
Hon Peter Collier
Hon Colin de Grussa
Hon Diane Evers
Hon Donna Faragher
Hon Nick Goiran
Hon Colin Holt
Hon Rick Mazza

Hon Michael Mischin
Hon Simon O'Brien
Hon Robin Scott
Hon Tjorn Sibma
Hon Charles Smith
Hon Aaron Stonehouse
Hon Dr Steve Thomas
Hon Colin Tincknell
Hon Alison Xamon
Hon Ken Baston (*Teller*)

Noes (12)

Hon Alanna Clohesy
Hon Stephen Dawson
Hon Sue Ellery
Hon Laurie Graham
Hon Alannah MacTiernan
Hon Kyle McGinn

Hon Martin Pritchard
Hon Samantha Rowe
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West
Hon Pierre Yang (*Teller*)

Amendment to the amendment thus passed.

Debate resumed on the amendment, as amended.

Amendment, as amended agreed to.

Hon Rick Mazza moved —

Page 11, line 2 — To delete "so." and insert:

so and the restoration must be undertaken by a qualified tradesperson, a copy of whose invoice the tenant must provide to the lessor within 7 days of the restoration being completed.

Debate ensued.

Hon Nick Goiran moved to amend the amendment as follows —

To delete "7" and insert —

14

Amendment to the amendment — put and passed.

Debate resumed on the amendment, as amended.

Amendment, as amended — put.

The Committee divided.

Ayes (17)

Hon Martin Aldridge
 Hon Jacqui Boydell
 Hon Jim Chown
 Hon Peter Collier
 Hon Colin de Grussa
 Hon Donna Faragher
 Hon Nick Goiran
 Hon Colin Holt
 Hon Rick Mazza

Hon Michael Mischin
 Hon Robin Scott
 Hon Tjorn Sibma
 Hon Charles Smith
 Hon Aaron Stonehouse
 Hon Dr Steve Thomas
 Hon Colin Tincknell
 Hon Ken Baston (*Teller*)

Noes (16)

Hon Robin Chapple
 Hon Tim Clifford
 Hon Alanna Clohesy
 Hon Stephen Dawson
 Hon Sue Ellery
 Hon Diane Evers
 Hon Laurie Graham
 Hon Alannah MacTiernan

Hon Kyle McGinn
 Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Matthew Swinbourn
 Hon Dr Sally Talbot
 Hon Darren West
 Hon Alison Xamon
 Hon Pierre Yang (*Teller*)

Amendment, as amended thus passed.

The Deputy Chair moved the following Committee recommendation —

Page 11, lines 3 to 7 — To delete the lines and insert:

- (6) Subsection (4) does not apply to premises entered into the Register as defined in the *Heritage of Western Australia Act 1990* section 3(1) or in the register as defined in the *Heritage Act 2018* section 4.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 13.

Debate ensued.

Clause agreed to.

Clause 14.

Debate ensued.

Clause agreed to.

Clauses 15 to 17 agreed to.

Clause 18.

Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 17, line 13 — To delete “not less than” and insert:

within

Debate ensued.

Amendment — put and passed.

Debate resumed.

Hon Michael Mischin moved —

Page 19, after line 10 — To insert:

71AF. Review of Division

- (1) The Minister must carry out a review of the operation and effectiveness of this Division, and prepare a report based on the review, as soon as practicable after the 3rd anniversary of the day on which this Division comes into operation.
- (2) Without limiting the scope of the review, the review must address the following —
 - (a) the effect of this Division on lessors' rights to recover debts owed by tenants;
 - (b) the effect of this Division on lessors' insurance policies;
 - (c) the effect of this Division on contractual certainty;
 - (d) the extent to which this Division affects contractual obligations upon lessors and co-tenants who are not perpetrators of family violence and the impact of those obligations;
 - (e) such other matters as appear to the Minister to be relevant.
- (3) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 3rd anniversary.

Amendment — put and passed.

Clause, as amended, agreed to.

Clauses 19 to 22 agreed to.

New clause 22A.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 20, after line 19 — To insert:

22A. Section 88 amended

After section 88(2) insert:

- (3) Regulations made under subsection (1) for the purposes of section 47(4) or (6)(b) or 71AB(2)(d)(vi) cannot come into operation earlier than 6 months after they are published in the *Gazette*.

The Minister for Regional Development representing Minister for Commerce and Industrial Relations moved, That the Deputy Chair report progress and seek to sit again at a later stage of this day's sitting.
Question — put and passed.

The Deputy 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 at a later stage of this day's sitting.

Ordered — That the Committee of the Whole House sit again at a later stage of this day's sitting.

14. Suspension of Standing Orders

The Leader of the House moved, without notice —

That so much of standing orders be suspended to enable the House —

- (1) to sit beyond 5.20pm for the purposes of further consideration of the *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018*; and
- (2) to take Members' Statements at a time to be determined by 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.

15. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to Department of Education employees currently employed at each of the camp schools, in response to a question without notice asked by Hon Jacqui Boydell.

The Minister for Education and Training tabled documents in relation to briefing notes and advice provided to the Minister in relation to commitments undertaken on 25 October 2018, in response to question on notice No. 1729 asked by Hon Martin Aldridge. (Tabled Paper 2271).

The Minister for Environment tabled documents in relation to a basic summary of records search response for lot 9105 on plan 404839, Dalyellup, by the Department of Water and Environmental Regulation, in response to question on notice No. 1733 asked by Hon Diane Evers. (Tabled Paper 2270).

The Minister for Environment representing the Minister for Police tabled documents in relation to the Regional Enforcement Unit of the Western Australia Police, in response to question on notice No. 1705 asked by Hon Martin Aldridge. (Tabled Paper 2272).

The Minister for Environment representing the Minister for Police tabled documents in relation to National Dignitary Protection protocols, in response to question on notice No. 1708 asked by Hon Martin Aldridge. (Tabled Paper 2269).

The Parliamentary Secretary to the Minister for Health tabled the North Metropolitan Health Service Sir Charles Gairdner Hospital, *Facilities Management Procurement Review*, in response to a question without notice asked by Hon Tjorn Sibma. (Tabled Paper 2273).

The Parliamentary Secretary to the Minister for Health tabled documents in relation to Geraldton Health Campus Redevelopment Project Stage 1 and Community mental health Step Up – Step Down Service, in response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 2274).

The Minister for Environment representing the Minister for Emergency Services, by leave, incorporated into *Hansard* information in relation to reduction, combination and merger of emergency services, in response to a question without notice asked by Hon Rick Mazza.

16. Message from His Excellency the Governor — Assent to Bill

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

28 November 2018 — Message No. 34
Animal Welfare Amendment Bill 2017

Act No.
35 of 2018

17. Order of Business

Ordered — That Order of the Day No. 37, *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018*, be taken forthwith. (Leader of the House).

18. Residential Tenancies Legislation Amendment (Family Violence) Bill 2018

Resumption of consideration of this Bill in Committee of the Whole House (*see item 13 above*).

The President left the Chair.

In Committee

(Hon Dr Steve Thomas in the Chair)

New Clause 22A.

Debate resumed on the amendment of the Minister for Regional Development representing the Minister for Commerce and Industrial Relations as follows —

Page 20, after line 19 — To insert:

22A. Section 88 amended

After section 88(2) insert:

- (3) Regulations made under subsection (1) for the purposes of section 47(4) or (6)(b) or 71AB(2)(d)(vi) cannot come into operation earlier than 6 months after they are published in the *Gazette*.

Debate ensued.

Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved the following amendment to the amendment —

To delete “or (6)(b)”

Debate ensued.

Amendment to the amendment put and passed.

Debate resumed on the amendment, as amended.

New clause, as amended, agreed to.

Clauses 23 to 28 agreed to.

Clause 29.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 26, line 4 — To delete “not less than” and insert:

within

Amendment — put and passed.

Debate ensued.

Hon Michael Mischin moved —

Page 26, after line 10 — To insert:

45C. Review of Division

- (1) The Minister must carry out a review of the operation and effectiveness of this Division, and prepare a report based on the review, as soon as practicable after the 3rd anniversary of the day on which this Division comes into operation.
- (2) Without limiting the scope of the review, the review must address the following —
 - (a) the effect of this Division on lessors’ rights to recover debts owed by tenants;
 - (b) the effect of this Division on lessors’ insurance policies;
 - (c) the effect of this Division on contractual certainty;

- (d) the extent to which this Division affects contractual obligations upon lessors and co-tenants who are not perpetrators of family violence and the impact of those obligations;
 - (e) such other matters as appear to the Minister to be relevant.
- (3) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 3rd anniversary.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 30 agreed to.

Clause 31.

Hon Rick Mazza moved —

Page 30, line 17 — To delete “fundamental”.

Amendment — put and passed.

Hon Michael Mischin moved —

Page 31, after line 6 — To insert:

74D. Review of Division

- (1) The Minister must carry out a review of the operation and effectiveness of this Division, and prepare a report based on the review, as soon as practicable after the 3rd anniversary of the day on which this Division comes into operation.
- (2) Without limiting the scope of the review, the review must address the following —
 - (a) the effect of this Division on lessors’ rights to recover debts owed by tenants;
 - (b) the effect of this Division on lessors’ insurance policies;
 - (c) the effect of this Division on contractual certainty;
 - (d) the extent to which this Division affects contractual obligations upon lessors and co-tenants who are not perpetrators of family violence and the impact of those obligations;
 - (e) such other matters as appear to the Minister to be relevant.
- (3) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 3rd anniversary.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 32 agreed to.

New Clause 32A.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 31, after line 18 — To insert:

32A. Section 95 amended

After section 95(3) insert:

- (4) Regulations made under subsection (1) for the purposes of section 45A(2)(d)(vi) or Schedule 1 clause 14(4) cannot come into operation earlier than 6 months after they are published in the *Gazette*.

Amendment — put and passed.

New clause agreed to.

Clause 33.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 32, line 18 — To insert after “park operator”:

in writing

Amendment — put and passed.

The Deputy Chair moved the following Committee recommendation —

Page 32, line 24 — To delete the line and insert:

Penalty for this subclause: a fine of \$5 000.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 34 agreed to.

Clause 35.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 34, after line 23 — To insert:

- (aa) the long-stay tenant must give written notice to the park operator of the tenant’s intention to make the prescribed alterations; and

Amendment — put and passed.

Hon Rick Mazza moved —

Page 34, line 25 — To delete “tradesperson; and” and insert:

tradesperson, a copy of whose invoice the long-stay tenant must provide to the park operator within 14 days of the alterations being completed; and

Amendment — put and passed.

Hon Rick Mazza moved —

Page 34, line 32 — To delete “so.” and insert:

so and the restoration must be undertaken by a qualified tradesperson, a copy of whose invoice the tenant must provide to the park operator within 14 days of the restoration being completed.

Amendment — put and passed.

Clause, as amended, agreed to.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 34, after line 32 — To insert:

- (6) The long-stay tenant must give notice of the prescribed alterations to the park operator within 14 days after the alterations have been completed.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 36.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved —

Page 35, after line 8 — To insert:

family violence has the meaning given in the *Restraining Orders Act 1997* section 5A(1);

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 37 agreed to.

Title agreed to.

The President resumed the Chair.

Bill reported with amendments.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations, by leave, moved, That the report be adopted.

Report adopted.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved, without notice —

That so much of Standing Orders be suspended so as to enable the *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018* to be read a third time.

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.

The Minister for Regional Development representing the Minister for Commerce and Industrial Relations moved, That the Bill be read a third time.

The 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.

Question — put and passed.

Bill read a third time and passed.

19. Order of Business

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

20. Members' Statements

Statements were taken.

21. Adjournment

The Council adjourned at 6.20pm until Tuesday, 4 December 2018 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Adele Farina.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council