

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL
MINUTES OF PROCEEDINGS
No. 97
THURSDAY, 22 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. Petition

Hon Alison Xamon presented a petition from 40 petitioners requesting the Legislative Council to oppose the relocation and construction of the International School of Western Australia. (Tabled Paper 2219).

3. Ministerial Statement — Wave Energy

The Minister for Regional Development made a Ministerial Statement with respect to the launch of the Western Australia Waves website, developed by the Wave Energy Research Centre.

4. Papers

The following Papers were laid on the Table by —

Minister for Regional Development

Orders —

Ministerial Order — Building Act 2011 (section 67 Exemption) Amendment Order
2018..... 2217

Parliamentary Secretary to the Deputy Premier

Reports —

2017/18 Financial Year Update to the Report of Inquiry into Sponsored Travel and Gifts
and its Annexure — Department of Health..... 2218

5. Standing Committee on Environment and Public Affairs — Report No. 48 — Overview of Petitions 16 May 2017 to 30 June 2018

Hon Matthew Swinbourn presented Report No. 48 of the Standing Committee on Environment and Public Affairs, *Overview of Petitions 16 May 2017 to 30 June 2018*. (Tabled Paper 2220).

6. Joint Standing Committee on the Commissioner for Children and Young People — Report No. 3 — Annual Report 2017–18

Hon Dr Sally Talbot presented Report No. 3 of the Joint Standing Committee on the Commissioner for Children and Young People, *Annual Report 2017–18*. (Tabled Paper 2221).

7. Standing Committee on Legislation — Report No. 38 — Residential Tenancies Legislation Amendment (Family Violence) Bill 2018

Hon Dr Sally Talbot presented Report No. 38 of the Standing Committee on Legislation, *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018*. (Tabled Paper 2222).

8. Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

9. Shire of Mount Magnet Animals, Environment and Nuisance Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Animals, Environment and Nuisance Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

10. Shire of Mount Magnet Cats Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Cats Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Cat Act 2011*, be and is hereby disallowed. (Tabled paper No. 1963).

11. Shire of Mount Magnet Cemeteries Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Cemeteries Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Cemeteries Act 1986*, be and is hereby disallowed. (Tabled paper No. 1964).

12. Shire of Mount Magnet Dogs Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Dogs Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Dog Act 1976*, be and is hereby disallowed. (Tabled paper No. 1965).

13. Shire of Mount Magnet Extractive Industries Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Extractive Industries Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

14. Shire of Mount Magnet Fencing Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Fencing Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

15. Shire of Mount Magnet Health Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Health Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

16. Shire of Mount Magnet Repeal Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Repeal Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

17. Shire of Mount Magnet Standing Orders Local Law 2018 — Disallowance

Hon Robin Chapple: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Mount Magnet Standing Orders Local Law 2018* published in the *Gazette* on 3 October 2018 and tabled in the Legislative Council on 9 October 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 1966).

18. Agricultural Industry

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

That this House supports the agricultural industry, and encourages innovations:

- (a) that lead to greater microbial activity in the soil, higher concentrations of carbon in the soil, and higher water holding capacity of the soil;
- (b) alongside, reduced dependency on chemical inputs, increased collaboration among farmers, and improved service for regional communities; and
- (c) in order to create more resilient agricultural landscapes, grow more nutrient dense food, stimulate rural residential growth, and reduce input costs thereby providing a greater net return to the farmer.

Debate ensued.

Motion lapsed.

19. Asian Engagement

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

That the Legislative Council commends the McGowan Labor Government for the release of the Asian Engagement Strategy Consultation Paper and for holding the inaugural Western Australian – ASEAN Trade and Investment Dialogue.

Debate ensued.

Motion lapsed.

20. Order of Business

Ordered — That Orders of the Day Nos 2, *Public Transport Authority Amendment Regulations 2018 — Disallowance*, 4, *City of Mandurah Cemeteries Amendment Local Law — Disallowance*, 5, *Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2018 — Disallowance*, 6,

Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance, and 7, *Biodiversity Conservation Regulations 2018 — Disallowance*, be taken after Order of the Day No. 23, *Betting Tax Assessment Bill 2018*. (Leader of the House).

21. Environmental Protection Amendment Regulations (No. 2) 2018 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Kyle McGinn moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 1, *Environmental Protection Amendment Regulations (No. 2) 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

22. Shire of Victoria Plains Extractive Industries Local Law 2018 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Kyle McGinn moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 3, *Shire of Victoria Plains Extractive Industries Local Law 2018 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

23. National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

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 Robin Chapple in the Chair)

Clause 1.

Debate resumed.

24. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training tabled a list of 222 schools in the Ember Screens Program, in response to a question without notice asked by Hon Donna Faragher. (Tabled Paper 2223).

The Minister for Environment tabled, and by leave incorporated into *Hansard*, comments from the Minister for Energy in relation to the State Climate Change Policy, in response to a question without notice asked by Hon Tim Clifford. (Tabled Paper 2224).

The Minister for Education and Training tabled the 2018-19 Plaster Glass Ceilings Program school list, in response to a question without notice asked by Hon Donna Faragher. (Tabled Paper 2225).

The Minister for Environment representing the Minister for Transport, in accordance with Standing Order No. 108(2), advised that an answer to question on notice No. 1699 asked by Hon Martin Aldridge will be provided on 27 November 2018.

The Minister for Environment representing the Minister for Police; Road Safety, in accordance with Standing Order No. 108(2), advised that an answer to questions on notice Nos 1705 and 1708 asked by Hon Martin Aldridge will be provided on 29 November 2018.

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to the Southern Inland Health Initiative Governance Group, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Regional Development tabled documents in relation to 2017-18 Royalties for Regions operating underspends, in response to question on notice No. 1667 asked by Hon Martin Aldridge. (Tabled Paper 2226).

The Minister for Regional Development, by leave, incorporated into *Hansard* information in relation to attendance to the Developing Northern Australia Conference and the Northern Australia Food Futures Conference by Mr Gavin Robins, in response to a question without notice asked by Hon Robin Chapple. The Minister for Agriculture and Food, by leave, incorporated into *Hansard* information in relation to the live export of animals, in response to a question without notice asked by Hon Robin Scott.

25. Paper

The following Paper was laid on the Table by —

Leader of the House representing the Minister for Child Protection

Reviews —

Statutory review of the Adoption Act 1994 (November 2018) 2227

26. National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

Resumption of consideration of this Bill in Committee of the Whole House (*see item 23 above*).

The President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate resumed.

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.

27. Members' Statements

Statements were taken.

28. Adjournment

The Council adjourned at 5.32pm until Tuesday, 27 November 2018 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge, Hon Jim Chown and Hon Robin Scott.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council