

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**  
**MINUTES OF PROCEEDINGS**  
**No. 109**  
**THURSDAY, 21 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 — Animal Welfare Roundtable in Broome**

The Minister for Agriculture and Food made a Ministerial Statement with respect to a roundtable held in Broome with senior pastoral industry representatives to address two serious animal welfare issues in the Pilbara and Kimberley.

**3. Papers**

The following Papers were laid on the Table by —

**President**

*Reports —*

Work of the Legislative Council in 2018 ..... 2426

**Minister for Environment on behalf of the Leader of the House**

*Annual Reports —*

Australian Children's Education and Care Quality Authority (2017-2018)  
(Date received 20/02/2019) ..... 2427

**Minister for Environment**

*Reports —*

Landgate — WA Operating Requirements (Version 5) (February 2019) ..... 2428

Landgate — WA Participation Rules (Version 5) (February 2019) ..... 2429

**Minister for Regional Development**

*Reports —*

Energy Safety Business Plan (2019-20) ..... 2430

**4. Shire of Morawa Amenity 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 Morawa Amenity Local Law 2018* published in the *Gazette* on 13 November 2018 and tabled in the Legislative Council on 20 November 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 2181).

**5. Shire of Morawa 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 Morawa Cemeteries Local Law 2018* published in the *Gazette* on 13 November 2018 and tabled in the Council on 20 November 2018 under the *Cemeteries Act 1986*, be and is hereby disallowed. (Tabled paper 2180).

**6. Shire of Morawa Public Places and Local Government Property 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 Morawa Public Places and Local Government Property Local Law 2018* published in the *Gazette* on 13 November 2018 and tabled in the Council on 20 November 2018 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 2181).

**7. Protection for farmers, family and workers against animal activists**

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

That the House calls on the Government to —

- (a) provide greater protection for the safety and welfare of farmers, families, workers and livestock against animal activists who illegally trespass on private land or interfere with lawful activities by investigating harsher penalties, stronger regulations or other protections;
- (b) provide extra resources for law enforcement agencies to tackle rural crime and increase community protection in rural areas; and
- (c) strengthen regulation and enforcement around the use of drones for clandestine surveillance, trespass or other unlawful activity.

Debate ensued.

*Motion lapsed.*

**8. Container deposit scheme**

Private Members' Business No. 1 having been called, Hon Dr Sally Talbot moved, without notice —

That the Legislative Council congratulates the Government on its plans to introduce a container deposit scheme and other important initiatives to make Western Australia a sustainable low-waste community.

Debate ensued.

*Motion lapsed.*

**9. Order of Business**

Ordered — That Orders of the Day Nos 1, *Rights in Water and Irrigation Amendment Regulations (No. 2) 2018 — Disallowance*, 2, *Health Practitioner Regulation National Law Regulation 2018 — Disallowance*, and 3, *Prohibition on Fishing (Greens Pool) Order 2018 — Disallowance*, be taken after Order of the Day No. 18, *Births, Deaths and Marriages Registration Amendment (Change of Name) Bill 2018*. (Minister for Environment).

**10. 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.

## 11. Questions Without Notice

Questions without notice were taken.

The Minister for Environment representing the Minister for Energy tabled supplementary information from the Legislative Assembly relating to Premier Coal purchases, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 2431).

The Minister for Regional Development representing the Minister for Fisheries tabled minutes of consultations regarding the closure of fishing at Greens Pool, in response to a question without notice asked by Hon Rick Mazza. (Tabled Paper 2432).

The Minister for Environment, by leave, incorporated into *Hansard* information in relation to fauna management in Baldivis, in response to a question without notice asked by Hon Alison Xamon.

The Minister for Environment representing the Minister for Corrective Services, by leave, incorporated into *Hansard* information relating to juvenile detention, in response to a question without notice asked by Hon Michael Mischin.

The Minister for Environment, by leave, incorporated into *Hansard* information relating to fire related calls received by COMCEN (000), in response to a question without notice asked by Hon Rick Mazza.

The Parliamentary Secretary to the Minister for Health tabled details of clinical incidents notified by various Western Australian country health services, in response to question on notice 1801 asked by Hon Martin Aldridge. (Tabled Paper 2433).

## 12. Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018

Debate resumed on the second reading of this Bill (*see item 10 above*).

*Interruption pursuant to order.*

## 13. Members' Statements

Statements were taken.

## 14. Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill 2018

The President reported the receipt of Message No. 113 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Environment moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Environment moved, That the Bill be read a second time.

The Minister for Environment tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2434).

Debate stands adjourned.

## 15. Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill (No. 2) 2018

The President reported the receipt of Message No. 114 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Environment moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Environment moved, That the Bill be read a second time.

The Minister for Environment tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2435).

Debate stands adjourned.

**16. Adjournment**

The Council adjourned at 5.44pm until Tuesday, 12 March 2019 at 2.00pm.

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

Attendance: Present all Members except Hon Jacqui Boydell, Hon Sue Ellery, Hon Adele Farina, Hon Kyle McGinn (Leave), Hon Matthew Swinbourn and Hon Colin Tincknell.

**NIGEL PRATT**  
Clerk of the Legislative Council

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