WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 123

WEDNESDAY, 8 MAY 2019

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Parliament of Western Australia Website

The President made the following Statement —

Members would have noticed that Parliament launched its new public website on Sunday, 28 April 2019. This website is very modern. It provides easy access to information for all users and near real-time news about the activities of Parliament, and has improved search capability. The website integrates various notifications about the work of the Houses and committees and other activities offered by the Parliament, a watch and listen page and social media links. The website includes a link to the new official Parliament of Western Australia Facebook page, and I encourage each of you to like this page to improve the dissemination of accurate and current information to our community. The Legislative Council will continue to operate its Facebook page. I thank the website team, the project steering committee and working groups, and others who contributed to the website's design and delivery.

3. Statement by President — Emperor of Japan — Book of Celebration

The President made the following Statement —

The Consulate-General of Japan in Perth has arranged a book of celebration on the occasion of His Imperial Highness the Crown Prince of Japan acceding to the imperial throne as Emperor of Japan on 1 May 2019. Yesterday, many of you took the opportunity to sign the book to offer your congratulations to Emperor Naruhito, who ascended to the Chrysanthemum Throne after his father, Emperor Emeritus Akihito, abdicated. This book of celebration will be at Parliament House again tomorrow, Thursday, 9 May, between 1.00pm and 2.00pm in the corridor outside the Members' dining room for Members to sign if they wish to do so.

4. Ministerial Statement — Animal Welfare Review Panel

The Minister for Agriculture and Food made a Ministerial Statement with respect to the implementation of an independent review panel to oversee a public review of the operation and effectiveness of the *Animal Welfare Act 2002*.

5. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —	
$Australian\ Criminal\ Intelligence\ Commission\ (2016-17)\ (Date\ received\ 7/05/2019)\$	2657
Reports —	
Commissioner for Children and Young People — Improving the Odds for WA's	
Vulnerable Children and Young People (April 2019)	2658

Minister for Environment

Reports —

6. Stamp Duty Exemptions for Retirees

Motion No. 1 having been called, Hon Colin Tincknell, pursuant to Standing Order 62(b), by leave, moved his motion in an amended form as follows —

That this House calls on the State Government to extend stamp duty exemptions to Western Australian Retirees to the property value of \$800,000 and capped at \$17,500 in order to —

- (a) provide an incentive when downsizing from their current home; and
- (b) allow them to maximise the equity in their current home and encourage them to move to a dwelling that would better suit their circumstances.

Debate ensued.

The Minister for Environment moved, without notice —

To delete all words after "House" and insert —

recognise that the gross mismanagement of the State Budget by the previous Government has severely limited the current Government's ability to provide stamp duty exemptions to elderly Western Australians seeking to downsize their homes.

Debate ensued.

Amendment — put.

The Council divided.

Ayes (10)

Hon Alanna Clohesy	Hon Kyle McGinn
Hon Stephen Dawson	Hon Martin Pritchard
Hon Sue Ellery	Hon Samantha Rowe
Hon Adele Farina	Hon Darren West
Hon Laurie Graham	Hon Pierre Yang (Teller)

Noes (13)

Hon Martin Aldridge	Hon Michael Mischin
Hon Jacqui Boydell	Hon Simon O'Brien
Hon Peter Collier	Hon Charles Smith
Hon Donna Faragher	Hon Dr Steve Thomas
Hon Nick Goiran	Hon Colin Tincknell
Hon Colin Holt	Hon Ken Baston (Teller)
Hon Rick Mazza	

Amendment thus negatived.

Debate resumed.

Hon Dr Steve Thomas moved, without notice —

To delete "to the property value of \$800,000 and capped at \$17,500" and insert —

of \$15,000 for new and established homes up to the value of \$750,000 for the 2019-20 and 2020-21 financial years

Debate ensued.

Amendment — put and passed.

Debate resumed on the motion, as amended.

Question — put.

The Council divided.

Ayes (17)

Hon Martin Aldridge	Hon Michael Mischin
Hon Jacqui Boydell	Hon Simon O'Brien
Hon Robin Chapple	Hon Charles Smith
Hon Jim Chown	Hon Aaron Stonehouse
Hon Tim Clifford	Hon Dr Steve Thomas
Hon Peter Collier	Hon Colin Tincknell
Hon Nick Goiran	Hon Alison Xamon
Hon Colin Holt	Hon Ken Baston (Teller)
Hon Rick Mazza	

Noes (10)

Hon Alanna Clohesy	Hon Alannah MacTiernan
Hon Stephen Dawson	Hon Kyle McGinn
Hon Sue Ellery	Hon Martin Pritchard
Hon Adele Farina	Hon Darren West
Hon Laurie Graham	Hon Pierre Yang (Teller)

Motion thus passed.

7. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Simon O'Brien in the Chair)

Select Committee into Elder Abuse — Final Report — 'I never thought it would happen to me': When trust is broken

Debate resumed on the motion of Hon Nick Goiran, That the Report be noted.

Pursuant to Temporary Order 4, consideration of the report was postponed.

Standing Committee on Estimates and Financial Operations — Report 77 — 2017–18 Budget Cycle — Part 2: Annual Report Hearings

Hon Alanna Clohesy moved, That the Report be noted.

Debate ensued.

Interruption pursuant to order.

The Acting President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Select Committee into Elder Abuse Final Report 'I never thought it would happen to me': When trust is broken, made progress and seeks to sit again.
- (2) Standing Committee on Estimates and Financial Operations Report 77 2017–18 Budget Cycle — Part 2: Annual Report Hearings, made progress and seeks to sit again.

Report adopted.

8. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training tabled documents provided to stakeholders by the School Curriculum and Standards Authority concerning changes to vocational education and training in schools, in response to a question without notice asked by Hon Donna Faragher. (Tabled Paper 2662).

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to heat related incidents at North Regional TAFE Kimberley, in response to a question without notice asked by Hon Ken Baston.

The Leader of the House representing the Minister for Local Government; Heritage; Culture and the Arts tabled an itinerary of a visit to the Agricultural Region on 14–15 March 2019 by the Minister for Local Government; Heritage; Culture and the Arts and associated briefing notes, in response to question on notice 2028 asked by Hon Martin Aldridge. (Tabled Paper 2663).

The Minister for Environment representing the Minister for Police; Road Safety, in accordance with Standing Order 108(2), advised that an answer to question on notice 2013 asked by Hon Diane Evers will be provided on 14 May 2019.

The Minister for Regional Development, by leave, incorporated into *Hansard* information in relation to the Building Management and Works Tender No. BMW0626118, which called for Expressions of Interest for Broome Senior High School new facilities and Yanchep Secondary College Stage 2, in response to a question without notice asked by Hon Ken Baston.

The Parliamentary Secretary to the Minister for Health tabled correspondence with Federal Ministers, Members of the House of Representatives and Senators in respect of Magnetic Resonance Imaging (MRI) machines in contemplation for the Kalgoorlie Health Precinct, in response to question on notice 2035 asked by Hon Robin Scott. (Tabled Paper 2665).

9. Order of Business

Ordered — That Bills for Introduction No. 5, *Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019*, be taken forthwith. (Leader of the House).

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

The Minister for Education and Training, pursuant to notice, moved —

That a Bill for "An Act to amend the *Public Health Act 2016* and the *School Education Act 1999*." be introduced and read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Education and Training moved, That the Bill be read a second time.

The Minister for Education and Training tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2666).

Debate stands adjourned.

11. Order of Business

Ordered — That Orders of the Day Nos 1, Prohibition on Fishing (Greens Pool) Order 2018 — Disallowance, 2, Biodiversity Conservation (Exemptions) Order 2018 — Disallowance, 3, Tobacco Products Control Amendment Regulations 2019 — Disallowance, 4, Shire of Dowerin Local Government Property Local Law 2018 — Disallowance, 5, City of Bunbury Cats Local Law 2018 — Disallowance, 6, City of Bunbury Parking and Parking Facilities Local Law 2018 — Disallowance, 7, Town of Victoria Park Dog Local Law 2018 — Disallowance, and 8, City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 — Disallowance, be taken after Order of the Day No. 18, Criminal Code Amendment (Child Marriage) Bill 2018. (Leader of the House).

12. Consumer Protection 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.

Interruption pursuant to order.

13. Members' Statements

Statements were taken.

14. Infrastructure Western Australia Bill 2019

The Deputy President reported the receipt of Message No. 122 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Premier moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Premier moved, That the Bill be read a second time.

The Leader of the House representing the Premier tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2667).

Debate stands adjourned.

15. Suitors' Fund Amendment Bill 2017

The following Message from the Legislative Assembly was reported —

Madam President Message No. 123

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Suitors' Fund Amendment Bill 2017*.

Mr S.J. Price Acting Speaker

Legislative Assembly Chamber

Perth, 8 May 2019

16. Adjournment

The Council adjourned at 6.47pm until Thursday, 9 May 2019 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Matthew Swinbourn.

NIGEL PRATT

Clerk of the Legislative Council

HON KATE DOUST MLC

President of the Legislative Council