



## LEGISLATIVE COUNCIL

**TUESDAY, 3 AUGUST 2021**

**2.00pm**

### 1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

### 2. Message from His Excellency the Governor — Assent to Bills

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

<b>25 June 2021 — Message No. 11</b>	<b>Act No.</b>
Building and Construction Industry (Security of Payment) Bill 2021	4 of 2021
Supply Bill 2021	5 of 2021
Sunday Entertainments Repeal Bill 2021	6 of 2021
Corruption, Crime and Misconduct Amendment Bill 2021	7 of 2021

### 3. Ministerial Statement — 75 Years of Agricultural Research on the Ord

The Minister for Agriculture and Food made a Ministerial Statement with respect to 75 years of agricultural research in the East Kimberley by the Frank Wise Institute of Tropical Agriculture and its predecessors.

### 4. Statement by President — Perth USAsia Centre

The President made the following Statement —

Members would have received an email from my office regarding a number of opportunities to hear from the Perth USAsia Centre in a series of lectures over the next few months.

The Perth USAsia Centre is a leading think tank focusing on geo-political issues, policy development and building a strategic affairs community across government, business and academia.

This is an excellent opportunity to learn about Australia's role in the Indo-Pacific region and the globe.

The sessions will take place during the lunch break on sitting day Thursdays.

If you haven't already done so, I encourage you to RSVP to the various sessions offered.

## 5. Statement by President — Photography in Parliament

The President made the following Statement —

The Clerk sent Members an email today advising arrangements that have been made for photography to be taken in and around the Council Chamber during tomorrow's sitting.

The photos will serve as a record of the 41<sup>st</sup> Parliament, and will be used on the Parliament's public website and in other parliamentary publications.

I have authorised the photographer:

- to come onto the floor of the Chamber during Wednesday's Formal Business and Questions Without Notice, to take photographs of Members and staff in action during proceedings; and
- to access the areas around the Chamber, including the President's corridor.

## 6. Statement by President — Edith Cowan Play

The President made the following Statement —

I would like to remind Members of the special performance of the short play *Edith* tonight in the Legislative Assembly chamber commencing at 6:15pm.

*Edith* recreates Edith Cowan's first speech in the Legislative Assembly 100 years ago, and adds points of view by historical and future characters including Sir John Forrest, the state's first Premier, and a young woman from 2021.

Refreshments will be served before and after the performance in the courtyard.

I look forward to seeing you in the Legislative Assembly Chamber at 6:15pm.

## 7. Papers

The following Papers were laid on the Table by —

### President

*Addendums* —

Auditor General Western Australia — Audit Results Report —  
Annual 2019-20 Financial Audits of Local Government Entities (Report 30)  
(July 2021) — Erratum ..... 357

*Auditor General's Papers* —

Temporary Abbreviated State Procurement Control Requirements (Report No. 33)  
(June 2021) (Deemed tabled 29/06/2021) ..... 358

Opinion on Ministerial Notification — FPC Arbitration Outcome  
(Report No. 1) (July 2021) (Deemed tabled 29/07/2021) ..... 359

SafeWA — Application Audit (Report No. 2) (August 2021) (Deemed tabled 02/08/2021)  
..... 360

*Reports* —

Ombudsman Western Australia — An investigation into the Office of the Public  
Advocate's role in notifying the families of Mrs Joyce Savage, Mr Robert  
Ayling and Mr Kenneth Hartley of the deaths of Mrs Savage, Mr Ayling and  
Mr Hartley (Deemed tabled 08/07/2021) ..... 361

### Leader of the House

*Local Laws* —

Cat Act 2011 (Shire of Carnarvon Cats Local Law 2021 G.G. 15/07/2021) ..... 362

Cemeteries Act 1986 (Shire of Waroona Drakesbrook Cemetery Local Law 2021 G.G. 05/07/2021) .....	363
Dog Act 1976 (Shire of Carnarvon Dogs Local Law 2021 G.G. 15/07/2021) .....	364
Local Government Act 1995 (Shire of Carnarvon Health Amendment Local Law 2021 G.G. 15/07/2021, Shire of Carnarvon Parking Local Law 2021 G.G. 15/07/2021, Shire of Corrigin War Memorial Swimming Pool Repeal Local Law 2021 G.G. 27/07/2021 and Shire of Leonora Bush Fire Brigades Local Law 2021 G.G. 30/07/2021) .....	365
<i>Regulations —</i>	
Fire and Emergency Services Act 1998 (Fire and Emergency Services Amendment Regulations 2021 G.G. 02/07/2021) .....	366
Local Government Act 1995 (Local Government (Elections) Amendment Regulations 2021 G.G. 30/07/2021) .....	367
Planning and Development Act 2005 (Planning and Development (Development Assessment Panels) Amendment Regulations (No. 2) 2021 G.G. 29/06/2021 and Planning and Development (Development Assessment Panels) Amendment Regulations 2021 G.G. 16/07/2021) .....	368
Road Traffic (Authorisation to Drive) Act 2008; Road Traffic (Vehicles) Act 2012 (Road Traffic Regulations Amendment Regulations 2021 G.G. 22/06/2021) .....	369
Road Traffic (Vehicles) Act 2012 (Road Traffic (Vehicles) Amendment Regulations (No. 7) 2021 G.G. 22/06/2021) .....	370
Rottnest Island Authority Act 1987 (Rottnest Island Amendment Regulations 2021 G.G. 29/06/2021) .....	371
<i>Reports —</i>	
Report of the Salaries and Allowances Tribunal — Remuneration of Judges, District Court Judges, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission (2021) .....	372
<i>Rules —</i>	
Lotteries Commission Act 1990 (Lotteries Commission (Authorised Lotteries) Amendment (Saturday Lotto) Rules 2021 G.G. 23/07/2021) .....	373
<b>Leader of the House on behalf of the Minister for Mental Health</b>	
<i>Documents —</i>	
Western Australian Future Health Research and Innovation Fund Act 2021 — Forecast (2021-22) (Deemed tabled 30/06/2021) .....	374
<i>Orders —</i>	
Health Services Act 2016 (Health Services (Fees and Charges) Amendment Order (No. 4) 2021 G.G. 27/07/2021) .....	375
<i>Regulations —</i>	
Community Protection (Offender Reporting) Act 2004 (Community Protection (Offender Reporting) Amendment Regulations (No. 2) 2021 G.G. 16/07/2021) .....	376
Firearms Act 1973; Pawnbrokers and Second-hand Dealers Act 1994; Police Act 1892; Security and Related Activities (Control) Act 1996 (Police Regulations Amendment (Fees and Charges) Regulations 2021 G.G. 29/06/2021) .....	377

Food Act 2008; Health (Miscellaneous Provisions) Act 1911; Human Reproductive Technology Act 1991; Radiation Safety Act 1975; Tobacco Products Control Act 2006 (Health Regulations Amendment (Fees and Charges) Regulations 2021 G.G. 29/06/2021) .....	378
Health Services Act 2016 (Health Services (Conduct and Traffic) Amendment Regulations 2021 G.G. 29/06/2021) .....	379
Occupational Safety and Health Act 1984 (Occupational Safety and Health Amendment Regulations (No. 2) 2021 G.G. 21/06/2021) .....	380
Pay-roll Tax Assessment Act 2002 (Pay-roll Tax Assessment Amendment Regulations 2021 G.G. 02/07/2021) .....	381
Police Act 1892 (Police Force (Member Testing) Amendment Regulations 2021 G.G. 25/06/2021) .....	382
Public Health Act 2016 (Public Health Amendment Regulations (No. 2) 2021 G.G. 16/07/2021) .....	383
Road Traffic Act 1974 (Road Traffic Code Amendment Regulations (No. 2) 2021 G.G. 22/06/2021 and Road Traffic (Events on Roads) Amendment Regulations 2021 G.G. 29/06/2021).....	384
State Superannuation Act 2000 (State Superannuation Amendment Regulations (No. 2) 2021 G.G. 16/07/2021) .....	385
Surrogacy Act 2008 (Surrogacy Amendment Regulations 2021 G.G. 23/06/2021).....	386
Swan and Canning Rivers Management Act 2006 (Swan and Canning Rivers Management Amendment Regulations 2021 G.G. 16/07/2021).....	387
Taxation Administration Act 2003 (Taxation Administration Amendment Regulations 2021 G.G. 02/07/2021) .....	388
Weapons Act 1999 (Weapons Amendment Regulations 2021 G.G. 02/07/2021) .....	389
<b>Minister for Regional Development</b>	
<i>Annual Reports —</i>	
Land Surveyors Licensing Board of Western Australia (2020) (Date received 29/07/2021) .....	390
<i>By-laws —</i>	
Energy Operators (Powers) Act 1979 (Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-laws 2021 G.G. 22/06/2021) and Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2021 G.G. 29/06/2021) .....	391
<i>Codes —</i>	
Electricity Industry Act 2004 (Pilbara Networks Access Code 2021 G.G. 25/06/2021, Electricity Networks Access Code Amendments 2021 G.G. 02/07/2021 and Electricity Networks Access Code Amendments 2021 (No. 2) G.G. 30/07/2021).....	392
<i>Determinations —</i>	
Biosecurity and Agriculture Management Act 2007 (Biosecurity and Agriculture Management Determination under s. 130 - Determined Rates 2021 G.G. 02/07/2021, Biosecurity and Agriculture Management Determination under s. 130 - Rangeland Recognised Biosecurity Groups 2021 G.G. 09/07/2021 and Biosecurity and Agriculture Management Determination under s. 130 - Blackwood Biosecurity Incorporated 2021 G.G. 09/07/2021) .....	393

*Notices —*

Fair Trading Act 2010 (Consumer Goods (Quad Bikes) Amendment Safety Standard 2021 G.G. 23/07/2021 and Consumer Goods (Self-balancing Scooters) Amendment Safety Standard 2021 G.G. 23/07/2021).....	394
---	-----

*Proposals —*

Land Administration Act 1997 — Submission No 04/2021 — Proposed Excision from a Class A Reserve 20091 to exclude the Marangaroo Golf Course.....	395
--	-----

*Regulations —*

Architects Act 2004; Associations Incorporation Act 2015; Auction Sales Act 1973; Building Act 2011; Building Services (Registration) Act 2011; Construction Contracts Act 2004; Co-operatives Act 2009; Debt Collectors Licensing Act 1964; Electricity Act 1945; Employment Agents Act 1976; Gas Standards Act 1972; Land Valuers Licensing Act 1978; Limited Partnerships Act 2016; Motor Vehicle Dealers Act 1973; Motor Vehicle Repairers Act 2003; Plumbers Licensing Act 1995; Real Estate and Business Agents Act 1978; Retirement Villages Act 1992; Settlement Agents Act 1981 (Commerce Regulations Amendment (Fees and Charges) Regulations 2021 G.G. 21/06/2021) .....	396
Biosecurity and Agriculture Management Act 2007 (Biosecurity and Agriculture Management Amendment Regulations 2021 G.G. 16/07/2021) .....	397
Building Act 2011; Residential Tenancies Act 1987 (Commerce Regulations Amendment (Swan Valley Planning Scheme) Regulations 2021 G.G. 16/07/2021) .....	398
Dangerous Goods Safety Act 2004; Mines Safety and Inspection Act 1994; Mining Act 1978; Offshore Minerals Act 2003; Petroleum (Submerged Lands) Act 1982; Petroleum (Submerged Lands) Registration Fees Act 1982; Petroleum and Geothermal Energy Resources (Registration Fees) Act 1967; Petroleum and Geothermal Energy Resources Act 1967; Petroleum and Geothermal Energy Safety Levies Act 2011; Petroleum Pipelines Act 1969 (Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2021 G.G. 21/06/2021) .....	399
Land Administration Act 1997 (Land Administration Amendment Regulations 2021 G.G. 29/06/2021) .....	400
Water Services Act 2012 (Water Services (Water Corporations Charges) Amendment Regulations 2021 G.G. 16/07/2021) .....	401

**Parliamentary Secretary to the Attorney General***Regulations —*

Births, Deaths and Marriages Registration Act 1998; Children's Court of Western Australia Act 1988; Civil Judgments Enforcement Act 2004; Coroners Act 1996; District Court of Western Australia Act 1969; Evidence Act 1906; Fines, Penalties and Infringement Notices Enforcement Act 1994; Magistrates Court Act 2004; State Administrative Tribunal Act 2004; Supreme Court Act 1935 (Attorney General Regulations Amendment (Fees and Charges) Regulations 2021 G.G. 29/06/2021) .....	403
Criminal Procedure Act 2004; Fines, Penalties and Infringement Notices Enforcement Act 1994 (Attorney General Regulations Amendment (Shipping and Pilotage) Regulations 2021 G.G. 30/07/2021) .....	404

Criminal Procedure Act 2004; Fines, Penalties and Infringement Notices Enforcement Act 1994; Sentencing Act 1995 (Attorney General Regulations Amendment (Sunday Entertainments) Regulations 2021 G.G. 30/07/2021) .....	405
Family Court Act 1997 (Family Court Amendment Regulations (No. 2) 2021 G.G. 30/07/2021) .....	406
Freedom of Information Act 1992; State Administrative Tribunal Act 2004 (Attorney General Regulations Amendment (Swan Valley Planning Scheme) Regulations 2021 G.G. 16/07/2021) .....	407
Liquor Control Act 1988 (Liquor Control Amendment Regulations 2021 G.G. 22/06/2021, Liquor Control (Parngurr Restricted Area) Amendment Regulations 2021 G.G. 02/07/2021, Liquor Control (Transitional Housing and Support Program Restricted Areas) Amendment Regulations 2021 G.G. 02/07/2021 and Racing and Gaming Regulations Amendment (Liquor Control) Regulations (No. 2) 2021 G.G. 30/07/2021) .....	408
Magistrates Court Act 2004 (Magistrates Court (Fees) Amendment Regulations 2021 G.G. 02/07/2021) .....	409
State Administrative Tribunal Act 2004 (State Administrative Tribunal Amendment Regulations (No. 3) 2021 G.G. 29/06/2021 and State Administrative Tribunal Amendment Regulations (No. 2) 2021 G.G. 30/07/2021) .....	410
<i>Reports —</i>	
Review into Prosecutions arising from Corruption and Crime Commission Investigations (May 2020) .....	411
<i>Rules —</i>	
Magistrates Court (Civil Proceedings) Act 2004; Magistrates Court Act 2004 (Magistrates Court Rules Amendment Rules (No. 2) 2021 G.G. 23/07/2021) .....	412
State Administrative Tribunal Act 2004 (State Administrative Tribunal Amendment Rules 2021 G.G. 16/07/2021) .....	413
Supreme Court Act 1935 (Supreme Court (Corporations) (WA) Amendment Rules 2021 G.G. 13/07/2021) .....	414
<i>Schemes —</i>	
Professional Standards Act 1997 (The Australian Institute of Building Surveyors Professional Standards Scheme (2021) G.G. 22/06/2021, The Australian Property Institute Valuers Limited Professional Standards Scheme (2021) G.G. 22/06/2021, Queensland Law Society Professional Standards Scheme (Extension) G.G. 29/06/2021 and Law Institute of Victoria Professional Standards Scheme (Extension) G.G. 27/07/2021) .....	415
<b>Parliamentary Secretary to the Minister for Child Protection</b>	
<i>Regulations —</i>	
Children and Community Services Act 2004 (Children and Community Services Amendment Regulations (No. 2) 2021 G.G. 30/07/2021) .....	416
Education and Care Services National Law (WA) Act 2012 (Education and Care Services National Amendment Regulations (No. 2) 2021 G.G. 30/07/2021) .....	417
<b>Parliamentary Secretary to the Minister for Child Protection on behalf of the Parliamentary Secretary to the Minister for Disability Services</b>	
<i>Regulations —</i>	
Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations 2021 G.G. 02/07/2021) .....	418

**8. Standing Committee on Uniform Legislation and Statutes Review — Report 132 — Veterinary Practice Bill 2021**

Hon Donna Faragher presented Report 132 of the Standing Committee on Uniform Legislation and Statutes Review, *Veterinary Practice Bill 2021*. (Tabled Paper 419).

**9. Weapons Amendment Regulations 2021 — Disallowance**

Hon Dr Brian Walker: To move on the next day of sitting —

That the *Weapons Amendments Regulations 2021* published in the *Gazette* on 2 July 2021 and tabled in the Legislative Council on 3 August 2021 under the *Weapons Act 1999*, be and are hereby disallowed.

**10. Order of Business**

Ordered — That Orders of the Day Nos 1, *City of Bunbury Public Places and Local Government Property Local Law 2020 — Disallowance*, 2, *Boxing Contest Rules 2020 — Disallowance*, 3, *Kickboxing Contest Rules 2020 — Disallowance*, 4, *MMA Contest Rules 2019 — Disallowance*, 5, *Muay Thai Contest Rules 2020 — Disallowance*, 6, *Road Traffic (Towing of Vehicles) Regulations 2020 — Disallowance*, 7, *City of Greater Geraldton Public Places and Local Government Property Local Law 2020 — Disallowance*, 8, *Shire of Coolgardie Waste Local Law 2020 — Disallowance*, 9, *Town of Port Hedland Waste Local Law 2020 — Disallowance*, 10, *City of Belmont Consolidated Local Law 2020 — Disallowance*, 11, *Consumer Goods (Products Containing Button/Coin Batteries) Safety Standard 2020 — Disallowance*, 12, *Consumer Goods (Button/Coin Batteries) Information Standard 2020 — Disallowance*, 13, *Consumer Goods (Button/Coin Batteries) Safety Standard 2020 — Disallowance*, 14, *Consumer Goods (Products Containing Button/Coin Batteries) Information Standard 2020 — Disallowance*, 15, *City of Bayswater Waste Local Law 2020 — Disallowance*, 16, *Bush Fires Amendment Regulations 2021 — Disallowance*, 17, *National Disability Insurance Scheme (Worker Screening) Regulations 2021 — Disallowance*, 18, *Curtin University Statute No. 5 — Election of Council Members — Disallowance*, 19, *Mindarie Regional Council Waste Facility Site Amendment Local Law 2020 — Disallowance*, 20, *City of Cockburn Parking and Parking Facilities Amendment No. 1 Local Law 2021 — Disallowance*, 21, *Shire of Broomehill-Tambellup Activities in Thoroughfares and Public Places and Trading Local Law 2020 — Disallowance*, 22, *Shire of Broomehill-Tambellup Cemeteries Local Law 2020 — Disallowance*, 23, *Shire of Broomehill-Tambellup Fencing Local Law 2020 — Disallowance*, 24, *Shire of Broomehill-Tambellup Health Local Law 2020 — Disallowance*, 25, *Shire of Broomehill-Tambellup Waste Local Law 2020 — Disallowance*, 26, *City of Gosnells Standing Orders Amendment Local Law (Number 2) 2020 — Disallowance*, 27, *Town of Cottesloe Local Government (Meetings Procedure) Local Law 2021 — Disallowance*, 28, *City of Rockingham Fencing Local Law 2020 — Disallowance*, 29, *City of Canning Dog Local Law 2021 — Disallowance*, 30, *Shire of Broome Waste Local Law 2021 — Disallowance*, 31, *Town of Victoria Park Fencing Local Law 2021 — Disallowance*, 32, *Shire of Gingin—Meeting Procedures Amendment Local Law 2021 — Disallowance*, 33, *Racing Bets Levy Amendment Regulations 2021 — Disallowance*, 34, *City of Bayswater Activities in Thoroughfares and Public Places and Trading Local Law 2020 — Disallowance*, 35, *City of Kalamunda Dogs Local Law 2021 — Disallowance*, 36, *City of Kalamunda Extractive Industries Local Law 2021 — Disallowance*, 37, *Shire of Peppermint Grove Activities in Thoroughfares and Public Places and Trading Local Law 2021 — Disallowance*, 38, *Shire of Peppermint Grove Fencing Local Law 2021 — Disallowance*, and 39, *Shire of Peppermint Grove Waste Local Law 2021 — Disallowance*, be taken after Order of the Day No. 41, *Legislation Bill 2021*. (Leader of the House).

**11. Agricultural Produce Commission Amendment Bill 2021**

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.

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**In Committee**

(Hon Dr Sally Talbot in the Chair)

Clause 4.

Debate resumed.

The Minister for Agriculture and Food moved —

Page 2, line 25 — To insert after “enterprises”:

generally

Amendment — put and passed.

Debate resumed.

Hon Colin de Grussa moved to postpone consideration of Clause 4 until after consideration of New Clause 24A.

Question — put and negatived.

Clause, as amended — put.

The Committee divided.

**Ayes (21)**

Hon Klara Andric  
 Hon Dan Caddy  
 Hon Sandra Carr  
 Hon Kate Doust  
 Hon Sue Ellery  
 Hon Peter Foster  
 Hon Lorna Harper  
 Hon Jackie Jarvis  
 Hon Alannah MacTiernan  
 Hon Ayor Makur Chuot  
 Hon Sophia Moermond

Hon Shelley Payne  
 Hon Stephen Pratt  
 Hon Martin Pritchard  
 Hon Samantha Rowe  
 Hon Rosie Sahanna  
 Hon Matthew Swinbourn  
 Hon Dr Sally Talbot  
 Hon Dr Brian Walker  
 Hon Darren West  
 Hon Pierre Yang (*Teller*)

**Noes (9)**

Hon Martin Aldridge  
 Hon Peter Collier  
 Hon Donna Faragher  
 Hon James Hayward  
 Hon Steve Martin

Hon Tjorn Sibma  
 Hon Dr Steve Thomas  
 Hon Neil Thomson  
 Hon Colin de Grussa (*Teller*)

Clause, as amended, thus passed.

Clause 5.

Debate ensued.

Clause agreed to.



Clause 6.

Debate ensued.

Clause agreed to.

Clauses 7 and 8 agreed to.

Clause 9.

Debate ensued.

The Minister for Agriculture and Food tabled a list of producers for establishment polls. (Tabled Paper 420).

Debate resumed.

Clause agreed to.

Clauses 10 to 21 agreed to.

Clause 22.

Debate ensued.

Clause agreed to.

Clause 23.

Debate ensued.

Clause agreed to.

Clause 24 agreed to.

New Clause 24A.

Hon Colin de Grussa moved —

Page 23, after line 12 — To insert:

#### **24A. Section 18A inserted**

After section 18 insert:

#### **18A. Opting out**

(1) In this section —

***specified agricultural produce*** means the agricultural produce specified in the notice given under subsection (2);

***specified producers' committee*** means the producer's committee specified in the notice given under subsection (2).

(2) A person who is a producer of agricultural produce for which a producers' committee has responsibility may, by notice given to the Commission, opt out of paying charges imposed under this Act that would otherwise be payable by the producer for services provided by the producers' committee in relation to the agricultural produce.

(3) A notice given under subsection (2) must —

- (a) be in writing; and
- (b) specify the agricultural produce concerned; and
- (c) specify the producers' committee concerned.

- (4) If a person gives the Commission a notice under subsection (2), then —
- (a) despite any other provision of this Act, a charge imposed under this Act that would otherwise be payable by the person for the provision of a service by the specified producers' committee in relation to specified agricultural produce is not payable by the person to the extent that it relates to a time after the day on which the notice is given; and
  - (b) for the purposes of this Part, the person is taken not to be a producer of specified agricultural produce while the person is not paying charges that would be payable by the person if the notice had not been given.

Debate ensued.

New Clause — put.

The Committee divided.

**Ayes (10)**

Hon Martin Aldridge  
 Hon Peter Collier  
 Hon Donna Faragher  
 Hon James Hayward  
 Hon Steve Martin

Hon Tjorn Sibma  
 Hon Dr Steve Thomas  
 Hon Neil Thomson  
 Hon Dr Brian Walker  
 Hon Colin de Grussa (*Teller*)

**Noes (20)**

Hon Klara Andric  
 Hon Dan Caddy  
 Hon Sandra Carr  
 Hon Kate Doust  
 Hon Sue Ellery  
 Hon Peter Foster  
 Hon Lorna Harper  
 Hon Jackie Jarvis  
 Hon Alannah MacTiernan  
 Hon Ayor Makur Chuot

Hon Sophia Moermond  
 Hon Shelley Payne  
 Hon Stephen Pratt  
 Hon Martin Pritchard  
 Hon Samantha Rowe  
 Hon Rosie Sahanna  
 Hon Matthew Swinbourn  
 Hon Dr Sally Talbot  
 Hon Darren West  
 Hon Pierre Yang (*Teller*)

New Clause thus negatived.

Clause 25 agreed to.

Clause 26.

The Minister for Agriculture and Food moved —

Page 25, line 21 — To delete "may" and insert:

is likely to

Debate ensued.

Amendment — put and passed.

Debate resumed.

Clause, as amended, agreed to.

Clauses 27 to 31 agreed to

Title agreed to.

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The President resumed the Chair.

Bill reported with amendments.

Ordered — That consideration of the Committee's Report be made an Order of the Day for the next sitting.

**12. Metropolitan Region Scheme (Beeliar Wetlands) Bill 2021**

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

**13. Questions Without Notice**

Questions without notice were taken.

The Leader of the House representing the Premier tabled documents in relation to draft State infrastructure projects and programs, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 421).

**14. Metropolitan Region Scheme (Beeliar Wetlands) Bill 2021**

Debate resumed on the second reading of this Bill (*see item 12 above*).

Hon Nick Goiran sought leave to continue his remarks at the next sitting.

Leave granted.

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

**15. Standing Committee on Procedure and Privileges — Report 63 — Review of the Standing Orders — Extension of Time**

The President presented Report No. 63 of the Standing Committee on Procedure and Privileges, *Review of the Standing Orders — Extension of Time*. (Tabled Paper 422).

Hon Martin Aldridge moved, without notice —

That the reporting date for the Standing Committee on Procedure and Privileges inquiry into the Review of the Standing Orders be extended from 10 August 2021 to 2 September 2021.

Hon Martin Aldridge sought leave to continue his remarks at a later stage of this day's sitting.

Leave granted.

Debate stands adjourned

**16. Order of Business**

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

**17. Members' Statements**

Statements were taken.

**18. Adjournment**

The Council adjourned at 10.16pm until Wednesday, 4 August 2021 at 1.00pm.

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

Attendance: Present all Members except Hon Stephen Dawson and Hon Kyle McGinn.

**PAUL GRANT**

Deputy Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council