



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 —

25 June 2021 — Message No. 11	Act No.
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 41st 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

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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.

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.

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.

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*).

Interruption pursuant to order.

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.