

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 138

WEDNESDAY, 7 AUGUST 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 — Standing Committee on Legislation

The President made the following Statement —

I have received a letter from the Standing Committee on Legislation to advise me that the Standing Committee on Legislation has ordered the substitution of Hon Aaron Stonehouse MLC in place of Hon Simon O'Brien MLC as a Member of the committee for the duration of the Ticket Scalping Bill 2018 inquiry. It is signed by Hon Dr Sally Talbot MLC.

3. Statement by President — Non-Government Business

The President made the following Statement —

I have received two pieces of correspondence, one from Hon Alison Xamon and one from Hon Jacqui Boydell, to advise that an agreement has been reached between the Greens WA and the Nationals WA to swap the dates for non-government business. The Greens will be undertaking non-government business on 15 August and the National Party will be undertaking non-government business on 22 August.

The President tabled the agreement reached between the Greens WA and the Nationals WA to swap the dates for non-government business. (Tabled Paper 2901).

4. Paper

The following Paper was laid on the Table by —

Minister for Environment

Reviews —

Western Australia Police Force — Review of the Operation and Effectiveness of the Public Notification Scheme established by Part 5A Community Protection (Offender Reporting) Act 2004 (2018) 2900

5. 2019-20 State Budget

Motion No. 1 having been called, Hon Pierre Yang, pursuant to notice, moved —

That this House notes that the State Budget is back on track, with an official surplus delivered for the first time in five years, thanks to the responsible financial management of the McGowan Labor Government.

Debate ensued.

Hon Dr Steve Thomas, by leave, tabled an overview of interim dividends in 2017-18 for Western Power and the Pilbara Ports Authority. (Tabled Paper 2902).

Debate resumed.

Hon Dr Steve Thomas moved to amend the motion as follows —

To delete all words after “Budget” and insert instead:

in the 2019-20 budget papers reports a General Government estimated actual accrual budget surplus in 2018-19, thanks to the GST resolution provided by the Federal Coalition Government and an increase in iron ore royalty revenues.

Debate ensued.

Amendment — put and negatived.

Debate resumed.

Question — put.

The Council divided.

Ayes (10)

Hon Alanna Clohesy
Hon Stephen Dawson
Hon Sue Ellery
Hon Adele Farina
Hon Martin Pritchard

Hon Samantha Rowe
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West
Hon Pierre Yang (*Teller*)

Noes (14)

Hon Martin Aldridge
Hon Jacqui Boydell
Hon Jim Chown
Hon Peter Collier
Hon Colin de Grussa
Hon Nick Goiran
Hon Rick Mazza

Hon Michael Mischin
Hon Simon O’Brien
Hon Robin Scott
Hon Charles Smith
Hon Dr Steve Thomas
Hon Colin Tincknell
Hon Ken Baston (*Teller*)

Motion thus negatived.

6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Simon O’Brien in the Chair)

Standing Committee on Environment and Public Affairs — Report 49 — Mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material

Debate resumed on the motion of Hon Matthew Swinbourn, That the Report be noted.

On the motion of Hon Diane Evers debate was postponed to the next sitting.

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.

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) Standing Committee on Environment and Public Affairs — Report 49 — *Mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material*, made progress, and postponed further consideration until the next sitting.
- (2) 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.

Report adopted.

The President left the Chair at 4.10pm

The President resumed the Chair at 4.30pm

7. Questions Without Notice

Questions without notice were taken.

The Minister for Disability Services tabled Orders of the Supreme Court between the Disability Services Commission and the Nine Network Australia, in response to a question without notice asked by Hon Michael Mischin. (Tabled Paper 2903).

The Minister for Environment representing the Minister for Housing tabled details of the Metronet Social and Affordable Housing and Jobs Package, in response to a question without notice asked by Hon Tim Clifford. (Tabled Paper 2904).

8. Order of Business

Ordered — That Bills for Introduction No. 5, *Agricultural Produce Commission Amendment Bill 2019*, be taken forthwith. (Minister for Environment).

9. Agricultural Produce Commission Amendment Bill 2019

The Minister for Agriculture and Food, pursuant to notice, moved —

That a Bill for “An Act to amend the *Agricultural Produce Commission Act 1988*.” be introduced and read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Agriculture and Food moved, That the Bill be read a second time.

The Minister for Agriculture and Food tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2905).

Debate stands adjourned.

10. Order of Business

Ordered — That Order of the Day No. 1, *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment local Law 2018 — Disallowance*, be taken after Order of the Day No. 13, *Residential Parks (Long-stay Tenants) Amendment Bill 2018*. (Minister for Environment).

11. Police Amendment (Medical Retirement) Bill 2019

The Order of the Day for the consideration of this Bill, in Committee of the Whole House, having been read.

The Acting President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 1.

Debate ensued.

The Minister for Environment representing the Minister for Police moved, That the Chair report progress and seek to sit again.

Question — put and passed.

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.

12. Order of Business

Ordered — That Order of the Day No. 1, *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 — Disallowance*, be taken forthwith. (Minister for Environment).

13. City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 — Disallowance

The Order of the Day having been called for the motion of Hon Robin Chapple moved *pro forma* as follows —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018* published in the *Gazette* on 18 January 2019 and tabled in the Legislative Council on 12 February 2019 under the *Bush Fires Act 1954*, be and is hereby disallowed.

Debate ensued.

Question — put and passed.

14. Order of Business

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

15. Members' Statements

Statements were taken.

Hon Robin Scott, by leave, tabled emails purporting to show Australian mining companies shifting their procurements of equipment from local to Chinese suppliers. (Tabled Paper 2907).

16. Terrorism (Preventative Detention) Amendment Bill 2019

The President reported the receipt of Message No. 135 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Minister for Environment representing the Minister for Police tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2906).

Debate stands adjourned.

17. Adjournment

Council adjourned at 6.40pm until Thursday, 8 August 2019 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Colin Holt, Hon Kyle McGinn and Hon Tjorn Sibma.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council