

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 143

TUESDAY, 20 AUGUST 2019

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### 1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, 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 —

15 August 2019 — Message No. 16	Act No.
Appropriation (Recurrent 2019–20) Bill 2019	17 of 2019
Appropriation (Capital 2019–20) Bill 2019	18 of 2019
Police Amendment (Medical Retirement) Bill 2019	19 of 2019
Road Traffic Amendment (Blood Alcohol Content) Bill 2019	20 of 2019

### 3. Ministerial Statement — Centre for Excellence in the Explicit Teaching of Literacy Internship Program Launch

The Minister for Education and Training made a Ministerial Statement with respect to the launch of the Centre for Excellence in the Explicit Teaching of Literacy Internship Program.

### 4. Ministerial Statement — Planfarm Benchmarks

The Minister for Agriculture and Food made a Ministerial Statement with respect to the release of the Planfarm Benchmarks for 2018–19 demonstrating the very strong overall position of Western Australia's broad acre agriculture industry.

### 5. Papers

The following Papers were laid on the Table by —

#### Leader of the House

*Annual Reports* —

Local Government Advisory Board (2018-19) (Date received 16/08/2019) ..... 2944

#### Minister for Environment

*Local Laws* —

Waste Avoidance and Resource Recovery Act 2007 (Shire of Harvey Waste Local Law 2019 G.G. 14/08/2019)..... 2945

*Regulations* —

Fire Brigades Act 1942 (Fire Brigades Amendment Regulations 2019 G.G. 16/08/2019) ..... 2946

Land Tax Assessment Act 2002; Pay-roll Tax Assessment Act 2002; Taxation Administration Act 2003 (Finance Regulations Amendment Regulations 2019 G.G. 13/08/2019).....	2947
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### **Minister for Regional Development**

#### *Orders —*

Fish Resources Management Act 1994 (Prohibition on Fishing (Cockburn Sound and Warnbro Sound) Amendment Order 2019 G.G. 16/08/2019) .....	2948
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### **Parliamentary Secretary to the Deputy Premier**

#### *Notices —*

Financial Management Act 2006 (section 82) — Notice from the Minister for Health in regards to Legislative Council Question on Notice No. 2128 asked by the Hon Nick Goiran .....	2949
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## **6. Standing Committee on Uniform Legislation and Statutes Review — Report 123 — Fair Trading Amendment Bill 2019**

Hon Michael Mischin presented Report 123 of the Standing Committee on Uniform Legislation and Statutes Review, *Fair Trading Amendment Bill 2019*. (Tabled Paper 2950).

Hon Michael Mischin moved, without notice —

That the following motion be made an Order of the Day for consideration in the Committee of the Whole House —

That this House amends its Standing Orders to refer Commonwealth amending laws to the Joint Standing Committee on Delegated Legislation, which is to be given effect as follows —

That recommendations 1 and 2 contained in Report 123 of the Standing Committee on Uniform Legislation and Statutes Review, *Fair Trading Amendment Bill 2019*, be adopted and agreed to.

Hon Michael Mischin moved, without notice —

That the following motion be made an Order of the Day for consideration in the Committee of the Whole House —

That this House amends its Standing Orders to refer Commonwealth amending laws to the Standing Committee on Legislation, which is to be given effect as follows —

That recommendations 1, 2, 5 and 6 contained in Report 123 of the Standing Committee on Uniform Legislation and Statutes Review, *Fair Trading Amendment Bill 2019*, be adopted and agreed to.

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

Leave granted.

Debate stands adjourned pursuant to Standing Orders.

## **7. TAB (Disposal) Bill 2019 and Betting Control Amendment (Taxing) Bill 2019**

The Orders of the Day for the consideration of these Bills, in Committee of the Whole House, having been read.

The President left the Chair.

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(Hon Dr Steve Thomas in the Chair)

### ***TAB (Disposal) Bill 2019***

Clause 1.

Debate ensued.

## 8. Questions Without Notice

Questions without notice were taken.

The Minister for Environment tabled the results of all water monitoring over the last five years for Cleanaway's Banksia Road Waste Facility, in response to question on notice 2210 asked by Hon Diane Evers. (Tabled Paper 2951).

The Minister for Environment representing the Minister for Police tabled the quarterly breakdown of crime statistics from 2016 to present for various offences in regional Western Australia, in response to question on notice 2236 asked by Hon Martin Aldridge. (Tabled Paper 2952).

The Minister for Environment representing the Minister for Police tabled the quarterly breakdown of crime statistics from 2016 to present for various offences in regional Western Australia, in response to question on notice 2237 asked by Hon Martin Aldridge. (Tabled Paper 2953).

The Minister for Environment representing the Minister for Police tabled the quarterly breakdown of crime statistics from 2016 to present for various offences in regional Western Australia, in response to question on notice 2238 asked by Hon Martin Aldridge. (Tabled Paper 2954).

The Minister for Environment representing the Minister for Transport, in accordance with Standing Order 108(2), advised that an answer to question on notice 2205 asked by Hon Dr Steve Thomas will be provided by 22 August 2019.

## 9. TAB (Disposal) Bill 2019 and Betting Control Amendment (Taxing) Bill 2019

Resumption of consideration of this Bill in Committee of the Whole House (*see item 7 above*).

The President left the Chair.

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### In Committee

(Hon Robin Chapple in the Chair)

#### ***TAB (Disposal) Bill 2019***

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 and 4 agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clause 6 agreed to.

Clause 7.

Debate ensued.

Clause agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9.

Debate ensued.

Clause agreed to.

Clause 10 agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clause 12 agreed to.

Clause 13.

Debate ensued.

The Minister for Environment representing the Treasurer moved, That consideration of Clause 13 be postponed until after Clause 161.

Question — put and passed.

Clause 14.

Debate ensued.

Clause agreed to.

*Interruption pursuant to order.*

The President resumed the Chair.

The Deputy 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.

## **10. Members' Statements**

Statements were taken.

## **11. Small Business Development Corporation Amendment Bill 2019**

The President reported the receipt of Message No. 138 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House on behalf of the Minister for Regional Development representing the Minister for Small Business moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House on behalf of the Minister for Regional Development representing the Minister for Small Business moved, That the Bill be read a second time.

The Leader of the House on behalf of the Minister for Regional Development representing the Minister for Small Business tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2955).

Debate stands adjourned.

## **12. Adjournment**

The Council adjourned at 10.17pm until Wednesday, 21 August 2019 at 1.00pm.

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

Attendance: Present all Members except Hon Jacqui Boydell.

**NIGEL PRATT**  
Clerk of the Legislative Council

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