

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 145

THURSDAY, 22 AUGUST 2019

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### 1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

### 2. Death of Hon Oscar Neil Blackburne Oliver — Motion of Condolence

The Leader of the House moved, without notice —

That this Council expresses its deep regret at the death of Hon Neil Oliver, a former Member of the Legislative Council for the West Province; and places on record its appreciation for his long public service, and tenders its profound sympathy to his family in their bereavement.

Debate ensued.

The motion was supported by Members, including the President, and carried in silence; Members standing in their places.

### 3. Statement by President — Standing Committee on Estimates and Financial Operations — 2018–19 Annual Report Hearings

The President made the following Statement —

I have received a letter from the Standing Committee on Estimates and Financial Operations, which states —

Dear Madam President

2018–19 Annual Reports

The Legislative Council Standing Committee on Estimates and Financial Operations (Committee) requests you advise the House of the following information as part of the Committee's consideration of the 2018–19 Annual Reports:

- The hearings will be held in the Legislative Council Committee Office from the week of 11 November 2019.
- The Electronic Lodgement System will open from 2 September 2019 for Members to submit a reasonable number of questions prior to hearings. It will close at 5pm on Friday 11 October 2019.
- Nominations for agencies to appear for a hearing are also due to the Committee at 5pm on Friday 11 October 2019.
- A Procedure Policy and timetable of hearings will be emailed to Members in due course.

Yours sincerely

Hon Alanna Clohesy MLC  
Chair

#### 4. Petition

Hon Alison Xamon presented a petition from 2,181 petitioners requesting the Legislative Council to oppose the construction of new outer harbour facilities in Kwinana. (Tabled Paper 2963).

#### 5. Ministerial Statement — Strong Spirit Strong Mind Awards and the Community in Action and Advocacy Awards

The Parliamentary Secretary to the Minister for Health made a Ministerial Statement with respect to the Strong Spirit Strong Mind Awards and the Community in Action and Advocacy Awards.

The Parliamentary Secretary to the Minister for Health tabled a list of the award winners and those recognised for their years of voluntary service. (Tabled Paper 2964).

#### 6. Paper

The following Paper was laid on the Table by —

##### Minister for Environment

##### *Proposals —*

Conservation and Land Management Act 1984 — Proposal of excision from State  
Forest No. 14 to facilitate upgrades to the Pinjarra-Williams Rd ..... 2962

#### 7. Select Committee into Alternate Approaches to Reducing Illicit Drug use and its Effect on the Community — Interim Report — Extension of Time

Hon Alison Xamon presented the Interim Report of the Select Committee into Alternate Approaches to Reducing Illicit Drug use and its Effect on the Community, *Extension of Time*. (Tabled Paper 2965).

Hon Alison Xamon moved, without notice —

That the reporting date for the Inquiry into alternate approaches to reducing illicit drug use be extended from 17 October 2019 to 5 December 2019.

Hon Alison Xamon sought leave to continue her remarks at a later stage of the day's sitting.

Leave granted.

Debate stands adjourned pursuant to Standing Orders.

#### 8. Climate Change

Hon Tim Clifford: To move on the next day of sitting —

That this House —

- (a) acknowledges the climate crisis and declares a climate emergency; and
- (b) notes that climate change will increase the likelihood of extreme weather events including more regular and intense bushfires, and drought, and cause extreme disruption to Western Australia's biodiversity, coastlines, water and food security, economy, and to its people and their livelihoods.

#### 9. Police and Public Officers — Ongoing Concerns

Non-Government Business No. 1 having been called, Hon Martin Aldridge moved, without notice —

That this House —

- (a) condemns assaults on Police Officers and other public officers in the strongest terms;
- (b) expresses deep concern at the increasing number of assaults on Police Officers in Western Australia;
- (c) calls on the State Government to immediately respond to this growing issue including ensuring that our Police Officers can access a compensation scheme for work related physical or mental injury; and

- (d) calls on the Premier to immediately resolve the pay dispute with Police Officers to restore confidence among officers and recognise the challenges of their role.

Debate ensued.

Hon Martin Aldridge, by leave, tabled the Western Australia Police union media release regarding pay negotiations (August 2019). (Tabled Paper 2966).

Debate resumed.

*Motion lapsed.*

## **10. Regional Communities — Projects and Programs**

Private Members' Business No. 1 having been called, Hon Laurie Graham moved, without notice —

That this House acknowledges the range of projects and programs being successfully delivered by the McGowan Government across regional Western Australia and the positive impact they are having on regional communities and economies.

Debate ensued.

*Motion lapsed.*

## **11. Order of Business**

Ordered — That Order of the Day No. 1, *City of Armadale Bush Fire Brigades Local Law 2019 — Disallowance*, be taken after Order of the Day No. 7, *Appropriation (Capital 2016–17) Supplementary Bill 2017*. (Minister for Environment).

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

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

The Acting President left the Chair.

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(Hon Robin Chapple in the Chair)

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

Clause 26.

Debate resumed.

Clause agreed to.

Clause 27.

Debate ensued.

Clause agreed to.

Clauses 28 to 34 agreed to.

Clause 35.

Debate ensued.

The Minister for Environment representing the Treasurer moved, That consideration of clause 35 be postponed until after clause 161.

Question — put and passed.

Clause 36.

Debate ensued.

Clause agreed to.

Clauses 37 to 39 agreed to.

Clause 40.

Debate ensued.

Hon Alison Xamon moved —

Page 28, lines 6 to 12 — To delete the lines.

Debate ensued.

Amendment — put.

The Committee divided.

### Ayes (7)

Hon Robin Chapple  
Hon Tim Clifford  
Hon Diane Evers  
Hon Robin Scott

Hon Charles Smith  
Hon Colin Tincknell  
Hon Alison Xamon (*Teller*)

### Noes (23)

Hon Martin Aldridge  
Hon Jacqui Boydell  
Hon Alanna Clohesy  
Hon Peter Collier  
Hon Stephen Dawson  
Hon Colin de Grussa  
Hon Sue Ellery  
Hon Donna Faragher  
Hon Laurie Graham  
Hon Colin Holt  
Hon Alannah MacTiernan  
Hon Michael Mischin

Hon Simon O'Brien  
Hon Martin Pritchard  
Hon Samantha Rowe  
Hon Tjorn Sibma  
Hon Aaron Stonehouse  
Hon Matthew Swinbourn  
Hon Dr Sally Talbot  
Hon Dr Steve Thomas  
Hon Darren West  
Hon Pierre Yang  
Hon Ken Baston (*Teller*)

Amendment thus negatived.

Debate resumed.

Question, That the clause stand as printed — put and passed.

Clauses 41 to 46 agreed to.

Clause 47.

Debate ensued.

Clause agreed to.

Clauses 48 to 66 agreed to.

## 13. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to Department of Education funding provided to the Enhanced Transition to Schools Project, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Environment representing the Minister for Transport, by leave, incorporated into *Hansard* information in relation to contaminated soil excavated from the Forrestfield Airport Link transferred to the Kenwick Rail Freight Facility Project, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Regional Development representing the Minister for Mines and Petroleum; Industrial relations tabled documents in relation to government regional officer housing, in response to question on notice 2293 asked by Hon Martin Aldridge. (Tabled Paper 2967).

The Parliamentary Secretary to the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to questions on notice 2242 asked by Hon Martin Aldridge will be provided on 3 September 2019.

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

Resumption of consideration of these Bills in Committee of the Whole House (*see item 12 above*).  
The President left the Chair.

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**In Committee**

(Hon Matthew Swinbourn in the Chair)

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

Clause 67.

Debate ensued.

Clause agreed to.

Clauses 68 to 128 agreed to.

Clause 129.

Debate ensued.

Clause agreed to.

Clauses 130 to 160 agreed to.

Clause 161.

Debate ensued.

Clause agreed to.

Postponed Clause 13.

Debate resumed.

*Interruption pursuant to order.*

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The Deputy 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.

**15. Personal Explanation**

The Minister for Environment, by leave, made a personal explanation in relation to further information sought by a Member in response to a question asked of the Minister for Police regarding multi-agency protocols for harmful sexual behaviour.

**16. Members' Statements**

Statements were taken.

**17. Adjournment**

The Council adjourned at 5.42pm until Tuesday, 3 September 2019 at 2.00pm.

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

Attendance: Present all Members except Hon Jim Chown.

**NIGEL PRATT**  
Clerk of the Legislative Council

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