

Minutes of Proceedings



LEGISLATIVE COUNCIL

WEDNESDAY, 17 NOVEMBER 2021

1.00pm

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Standing Order 169 — Request to meet by the Standing Committee on Estimates and Financial Operations

The President made the following Statement —

As required by Standing Order 169, I advise that I have granted permission to the Standing Committee on Estimates and Financial Operations to meet today at 4.15pm, for 15 minutes.

3. Petition

Hon Neil Thomson presented a petition from 2,134 petitioners requesting the Legislative Council to support returning the East Subiaco Reserve to A-Class status. (Tabled Paper 886).

4. Ministerial Statement — World Prematurity Day

The Minister for Mental Health representing the Minister for Health made a Ministerial Statement with respect to World Prematurity Day on 17 November 2021.

5. Paper

The following Paper was laid on the Table by —

President

Auditor General's Papers —

Water Corporation: Management of Water Pipes — Follow-Up (Report No. 7)
(2021 — 22)..... 885

6. Change to the Date of Australia Day

Motion No. 19 having been called, Hon Wilson Tucker, pursuant to notice, moved —

(1) That this House recognises that —

- (a) Australians deserve a national holiday around which we can all rally and celebrate our positive achievements and experiences to date;
- (b) 26 January is not an appropriate date for that purpose because for many indigenous Australians, it marks the beginning of a period of immense loss and trauma at the hands of European settlers; and

- (c) as Australia becomes more multicultural, issues of identity and belonging are becoming more important, and governments can't afford to ignore them.
- (2) Expresses its support for a change to the date of Australia Day, and calls on the Premier to request that the Commonwealth Government makes this change.

Debate ensued.

Motion — put.

The Council divided.

Ayes (4)

Hon Sophia Moermond
Hon Dr Brad Pettitt

Hon Wilson Tucker
Hon Dr Brian Walker (*Teller*)

Noes (29)

Hon Martin Aldridge
Hon Klara Andric
Hon Dan Caddy
Hon Sandra Carr
Hon Peter Collier
Hon Stephen Dawson
Hon Colin de Grussa
Hon Kate Doust
Hon Sue Ellery
Hon Donna Faragher
Hon Peter Foster
Hon Nick Goiran
Hon Lorna Harper
Hon James Hayward
Hon Jackie Jarvis

Hon Ayor Makur Chuot
Hon Steve Martin
Hon Kyle McGinn
Hon Shelley Payne
Hon Stephen Pratt
Hon Martin Pritchard
Hon Samantha Rowe
Hon Tjorn Sibma
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Dr Steve Thomas
Hon Neil Thomson
Hon Darren West
Hon Pierre Yang (*Teller*)

Motion thus negated.

7. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Dr Sally Talbot in the Chair)

Joint Standing Committee on the Corruption and Crime Commission — Report 2 — If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force

Debate resumed on the motion of Hon Dr Steve Thomas, 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 —
 Joint Standing Committee on the Corruption and Crime Commission — Report 2 — *If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force*, made progress and seek to sit again.

Report adopted.

8. Order of Business

Ordered — That Bills for Introduction be taken forthwith. (Leader of the House).

9. Mutual Recognition (Western Australia) Act 2020

The Leader of the House representing the Premier, pursuant to notice, moved —

That a Bill for "An Act to amend the *Mutual Recognition (Western Australia) Act 2020* and to make consequential amendments to other Acts." be introduced and read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Premier moved, That the Bill be read a second time.

The Leader of the House representing the Premier tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 887).

Debate stands adjourned and Bill referred to the Standing Committee on Uniform Legislation and Statutes Review [SO 126].

10. Order of Business

Ordered — That Order of the Day No. 1, *Biodiversity Conservation (Exemptions) Amendment Order 2021 — Disallowance*, be taken after Order of the Day No. 9, *Administration Amendment Bill 2021*. (Leader of the House).

11. Business of the House — COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 2021 — Time Limits

The Leader of the House advised the Council that the *COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 2021* was COVID-19 related business, and pursuant to Temporary Order, set maximum time limits to apply to the debate.

12. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 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 Minister for Mental Health, by leave, incorporated into *Hansard* information in relation to services provided under the new perinatal pilot announced by the Minister, in response to a question without notice asked by Hon Donna Faragher.

The Leader of the House representing the Minister for Emergency Services tabled documents in relation to the Chief Health Officer's advice supporting mandatory vaccination of fire and emergency service volunteers, in response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 888).

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to school psychologists employed by the Department of Education in 2020, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Mental Health representing the Minister for Environment, in accordance with Standing Order 108(2), advised that an answer to question on notice 333 asked by Hon Tjorn Sibma will be provided on 30 November 2021.

14. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 2021

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

Interruption pursuant to order.

15. Members' Statements

Statements were taken.

16. Industrial Relations Legislation Amendment Bill 2021

The President reported the receipt of Message No. 46 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Industrial Relations moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Industrial Relations moved, That the Bill be read a second time.

The Minister for Industrial Relations tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 889).

Debate stands adjourned.

17. Adjournment

The Council adjourned at 6.42pm until Thursday, 18 November 2021 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Rosetta Sahanna.

PAUL GRANT

Deputy Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council