



# Minutes of Proceedings

## LEGISLATIVE COUNCIL

**THURSDAY, 14 OCTOBER 2021**

**10.00am**

### 1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

### 2. Petition

Hon Nick Goiran presented a petition from 2,232 petitioners requesting the Legislative Council to urge the Attorney General to release of the Coroner's Court Recommendation to amend the *Health (Miscellaneous Provisions) Act 2011*. (Tabled Paper 792).

### 3. Ministerial Statement — Pregnancy and Infant Loss Remembrance Day

The Minister for Mental Health representing the Minister for Health made a Ministerial Statement with respect to Pregnancy and Infant Loss Remembrance Day.

### 4. Papers

The following Papers were laid on the Table by —

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#### Leader of the House

*Annual Reports* —

|  |     |
|--|-----|
| Fire and Emergency Services Superannuation Board (2020-21) |     |
| (Date received 13/10/2021).....                            | 788 |

#### Minister for Mental Health

*Addendums* —

|  |     |
|--|-----|
| Department of Biodiversity, Conservation and Attractions — Annual Report (2020-21) ..... | 789 |
|--|-----|

#### Parliamentary Secretary to the Minister for Child Protection

*Annual Reports* —

|   |     |
|---|-----|
| Communities, Department of (2020-21) (Date received 13/10/2021) ..... | 790 |
|---|-----|

**Parliamentary Secretary to the Minister for Child Protection on behalf of the  
Parliamentary Secretary to the Minister for Disability Services**

*Annual Reports —*

Corruption and Crime Commission — Criminal Investigation (Covert Powers)

Act 2012 — Department of Fisheries (2020-21) (Date received 13/10/2021) ..... 791

**5. Early Childhood Sector**

Hon Lorna Harper: To move on the next day of sitting —

That this House —

- (a) acknowledge that the early childhood sector provides vital education and care for children in the early years; and
- (b) recognises the sector's workforce in ensuring high quality safety, education and care of children.

**6. Suspension of Standing Orders**

The Leader of the House moved, without notice —

That so much of Standing Orders be suspended so as to enable the Council to sit beyond 5.20pm on this day's sitting and take Members' Statements at a time ordered by the House.

The motion requiring the concurrence of an absolute majority.

Question — put.

The President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

**7. Climate Change and Greenhouse Gas Emissions Reduction Bill 2021**

Non-Government Business No. 1 having been called, Hon Dr Brad Pettitt, pursuant to notice, moved —

That a Bill for "An Act to provide for —

- targets for the reduction of greenhouse gas emissions and the increase in renewable energy generation; and
  - the establishment of the Climate Change Council,
- and for related purposes." be introduced and read a first time.

Question — put and passed.

Bill read a first time.

Hon Dr Brad Pettitt moved, That the Bill be read a second time.

Hon Dr Brad Pettitt tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 793).

Debate stands adjourned.

**8. Climate Change**

Non-Government Business No. 2 having been called, Hon Dr Brad Pettitt moved, without notice —

That this House notes:

- (a) the Paris Climate Agreement, the latest IPCC reports, other associated climate science, and the implications of their recommendations for addressing climate changes here in Western Australia and across the globe;
- (b) the economic opportunities that an ambitious transition to a low carbon economy creates for Western Australia; and

- (c) that Western Australia is the only Australian state with rising carbon emissions and one of the few Australian states to not have legislated targets for reducing carbon emissions and calls on the Western Australian Government to:
  - (i) develop as a priority (and bring back to this Parliament) a legislated target for reaching net zero carbon emissions and an interim target for 2030 that is consistent with the latest IPCC report and associated climate science; and
  - (ii) set up a climate expert panel to advise Government with transparent and regular reporting mechanisms to the Parliament.

Debate ensued.

*Motion lapsed.*

## **9. Order of Business**

Ordered — That Order of the Day No. 1, *Weapons Amendment Regulations 2021 — Disallowance*, be taken after Order of the Day No. 3, *Conservation and Land Management Amendment Bill 2021*. (Minister for Regional Development).

## **10. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2021–2022**

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Mental Health representing the Treasurer as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 534A-D (2021–2022 Budget Statements), laid upon the Table of the House on 9 September 2021.

Debate resumed.

On the motion of Hon Pierre Yang the debate was adjourned to the next sitting.

## **11. Order of Business**

Ordered — That Order of the Day No. 1, *Weapons Amendment Regulations 2021 — Disallowance*, be taken forthwith. (Minister for Regional Development).

## **12. Weapons Amendment Regulations 2021 — Disallowance**

The Order of the Day having been read for the motion moved by Hon Dr Brian Walker, as follows —

That the *Weapons Amendment 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. (Tabled Paper 389).

Debate ensued.

Hon Dr Brian Walker, by leave, tabled the Queensland Police Service's penalties for carrying a gel blaster or replica firearm. (Tabled Paper 794).

Debate resumed.

Question — put and negatived.

## **13. Children and Community Services 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 Acting President left the Chair.

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**In Committee**

(Hon Peter Foster in the Chair)

Clause 53.

Debate resumed.

Clause agreed to.

Clause 54.

Debate ensued.

Clause agreed to.

Clauses 55 to 58 agreed to.

Clause 59.

Debate ensued.

Clause agreed to.

Clause 60 agreed to.

Clause 61.

Debate ensued.

Clause agreed to.

Clause 62.

Debate ensued.

Clause agreed to.

Clauses 63 to 69 agreed to.

Clause 70.

Debate ensued.

The Parliamentary Secretary to the Minister for Child Protection tabled a comparison between proposed clause 71 – Part 10A inserted, and the *Child Services Act 2007*, Part 4 – Compliance and Enforcement. (tabled Paper 795).

Debate resumed.

#### **14. Questions Without Notice**

Questions without notice were taken.

The Parliamentary Secretary to the Attorney General tabled correspondence between the Corruption and Crime Commission and the Attorney General regarding a telephone call between Phil Edman and a then Member of the Standing Committee on Procedure and Privileges (Council), in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 796).

The Leader of the House representing the Minister for Transport, by leave, incorporated into *Hansard* information in relation to the amount of days of planned disruptions on the Mandurah line for both regular maintenance and project works, in response to question without notice 791 asked by Hon Sophia Moermond.

The Leader of the House on behalf of the Minister for Mental Health representing the Minister for Finance tabled information in relation to the status of market led proposals initiated by the private sector received by the Government in 2019, 2020 and 2021 to date, in response to question without notice 798 asked by Hon Colin de Grussa. (Tabled Paper 797).

The Leader of the House on behalf of the Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to staffing at the WA Country Health Service, in response to a question without notice 795 asked by Hon Neil Thomson.

The Minister for Regional Development representing the Minister for Corrective Services tabled information in relation to the amount spent covering travel and other expenses for prisoners attending funerals in 2018, 2019, 2020 and 2021 (to date), in response to question without notice 766 asked by Hon Peter Collier. (Tabled Paper 798).

The Minister for Regional Development representing the Minister for Lands, in accordance with Standing Order 108(2), advised that an answer to question on notice 292 asked by Hon Dr Steve Thomas will be provided on 26 October 2021.

### **15. Statement by President — Legislative Council Estimates Hearings**

The President made the following Statement —

Members, when the House rises this evening, I ask that you take a moment to clear your desks of personal and work material prior to leaving Parliament as next week this Chamber will be occupied by the Standing Committee on Estimates and Financial Operations for their Budget Estimates hearings. Any items remaining on desks tonight will be cleared by staff and retained until the next sitting week.

### **16. Children and Community Services Amendment Bill 2021**

Resumption of consideration of this Bill in Committee of the Whole House (*see item 13 above*).

The President left the Chair.

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#### **In Committee**

(Hon Dr Sally Talbot in the Chair)

Clause 70.

Debate resumed.

Question — put.

The Committee divided.

#### **Ayes (18)**

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 Stephen Pratt  
Hon Martin Pritchard  
Hon Samantha Rowe  
Hon Matthew Swinbourn  
Hon Dr Sally Talbot  
Hon Dr Brian Walker  
Hon Darren West  
Hon Pierre Yang (*Teller*)

#### **Noes (6)**

Hon Peter Collier  
Hon Donna Faragher  
Hon Nick Goiran

Hon Steve Martin  
Hon Dr Steve Thomas  
Hon Colin de Grussa (*Teller*)

Clause thus passed.

Clause 71 agreed to.

Clause 72.

Debate ensued.

Clause agreed to.

Clauses 73 to 76 agreed to.

Title agreed to.

The President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Parliamentary Secretary to the Minister for Child Protection moved, That the Bill be read a third time.

The President announced that the Deputy Chair of Committees had certified that this was a true copy of the Bill as agreed to in Committee of the Whole House and reported.

Question — put and passed.

Bill read a third time and passed.

### **17. Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021**

The President reported the receipt of Message No. 38 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Minister for Electoral Affairs moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Parliamentary Secretary to the Minister for Electoral Affairs moved, That the Bill be read a second time.

The Parliamentary Secretary to the Minister for Electoral Affairs tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 799).

Debate stands adjourned.

### **18. Order of Business**

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

### **19. Members' Statements**

Statements were taken.

### **20. Adjournment**

The Council adjourned at 6.11pm until Tuesday, 26 October 2021 at 2.00pm.

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

Attendance: Present all Members except Hon Kyle McGinn, Hon Sophia Moermond, Hon Rosetta Sahanna, Hon Neil Thomson and Hon Wilson Tucker.

**PAUL GRANT**

Deputy Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council