



LEGISLATIVE COUNCIL

THURSDAY, 30 MARCH 2023

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. Statement by President — Filling of Casual Vacancy — Hon Ben Dawkins

The President made the following Statement —

I advise that I have received correspondence from the Electoral Commissioner, Mr Robert Kennedy, stating that he has declared Mr Ben Dawkins to be elected as Member of the Legislative Council to fill the vacancy in the South West Region.

I advise the Council that this morning I presided over the swearing-in of Hon Ben Dawkins as a Member of the Legislative Council. I take this opportunity to welcome the new Member to the Chamber.

The President tabled correspondence from the Electoral Commissioner, Mr Robert Kennedy, advising that there is a vacancy in the South West region and that Mr Ben Dawkins has been elected to fill that vacancy. (Tabled Paper 2141).

3. Petitions

Hon Dr Brad Pettitt presented an E-petition from 83 petitioners requesting the Legislative Council to support an urgent review into racial discrimination within the Western Australian justice system. (Tabled Paper 2412).

Hon Dr Brad Pettitt presented a petition from 2,599 petitioners requesting the Legislative Council to support an urgent review into racial discrimination within the Western Australian justice system. (Tabled Paper 2143).

4. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Central Regional TAFE (2022) (Date received 29/03/2023)	2132
North Metropolitan TAFE (2022) (Date received 29/03/2023)	2133
North Regional TAFE (2022) (Date received 29/03/2023)	2134
South Metropolitan TAFE (2022) (Date received 29/03/2023)	2135
South Regional TAFE (2022) (Date received 29/03/2023)	2136

Minister for Agriculture and Food*Proposals —*

Land Administration Act 1997 — Submission No 01/2023 — Excision from Class A Reserves 18705, 40836 and 47663 to support road widening and drainage improvements on South Western Highway2137

Reports —

Review of the Small Business Development Corporation Amendment Act 2020 — (March 2023)2138

Parliamentary Secretary to the Minister for Culture and the Arts*Annual Reports —*

Western Australian Institute of Sport (WAIS) (2022) (Date received 29/03/2023)2139

Parliamentary Secretary to the Minister for Regional Development*Annual Reports —*

Primary Industries and Regional Development, Department of (2021-2022) (Date received 29/03/2023)2140

5. Joint Standing Committee on the Corruption and Crime Commission — Report 8 — Unlawful detention in public hospitals — Parliamentary Inspector's report

Hon Dr Steve Thomas presented Report 8 of the Joint Standing Committee on the Corruption and Crime Commission, *Unlawful detention in public hospitals — Parliamentary Inspector's report*. (Tabled Paper 2144).

6. Joint Standing Committee on the Corruption and Crime Commission — Report 9 — A need for clarity — Parliamentary Inspector's report: Can the Corruption and Crime Commission decline to form an opinion that serious misconduct has occurred despite the definition being met?

Hon Dr Steve Thomas presented Report 9 of the Joint Standing Committee on the Corruption and Crime Commission, *A need for clarity — Parliamentary Inspector's report: Can the Corruption and Crime Commission decline to form an opinion that serious misconduct has occurred despite the definition being met?* (Tabled Paper 2145).

7. Joint Standing Committee on the Commissioner for Children and Young People — Report 5 — Report Review 2022: Examination of selected reports by the Commissioner for Children and Young People

Hon Neil Thomson presented Report 5 of the Joint Standing Committee on the Commissioner for Children and Young People, *Report Review 2022: Examination of selected reports by the Commissioner for Children and Young People*. (Tabled Paper 2146).

8. Select Committee into Cannabis and Hemp — Final Report — Medicinal cannabis and industrial hemp in Western Australia

Hon Dr Brian Walker presented the Final Report of the Select Committee into Cannabis and Hemp, *Medicinal cannabis and industrial hemp in Western Australia*. (Tabled Paper 2147).

9. **Edith Cowan University Amending Statute No 1 of 2022 — Disallowance**

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

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Edith Cowan University Amending Statute No 1 of 2022* published in the *Gazette* on 31 January 2023 and tabled in the Council on 14 February 2023 under the *Edith Cowan University Act 1984*, be and is hereby disallowed. (Tabled Paper 1963).

10. **City of Vincent Animal Local Law 2022 — Disallowance**

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

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Vincent Animal Local Law 2022* published in the *Gazette* on 3 February 2023 and tabled in the Council on 14 February 2023 under the *Dog Act 1976*, be and is hereby disallowed. (Tabled Paper 1973).

11. **Road Trauma in Western Australia**

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

That this House —

- (a) recognises that 175 people lost their lives on Western Australian roads in 2022, which is tragically the highest toll since 2016;
- (b) acknowledges the impact of road trauma on individuals, families, first responders and communities and the benefits of access to trauma support services;
- (c) notes the closing balance of the Road Trauma Trust Account at 31 December 2022 was \$89 million; and
- (d) discusses strategies and initiatives to improve road safety outcomes, including how to address the disproportionately high number of fatalities on regional roads.

Debate ensued.

Motion lapsed.

12. **Women's Issues — Progressive Initiatives**

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

That this House acknowledges the progressive initiatives that the McGowan Government has implemented to advance women's issues in Western Australia.

Debate ensued.

Motion lapsed.

13. **Shire of Kojonup Cat Local Law 2022 — Disallowance — Discharge from Notice Paper**

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 1, *Shire of Kojonup Cat Local Law 2022 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

14. Shire of Kojonup Parking Local Law 2022 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 2, *Shire of Kojonup Parking Local Law 2022 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

15. Shire of Dumbleyung Bush Fire Brigades Local Law 2022 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 3, *Shire of Dumbleyung Bush Fire Brigades Local Law 2022 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

16. Shire of Dumbleyung Health Local Law 2022 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 4, *Shire of Dumbleyung Health Local Law 2022 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

17. Shire of Dumbleyung Local Government Property and Public Places Local Law 2022 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 5, *Shire of Dumbleyung Local Government Property and Public Places Local Law 2022 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

18. Shire of Kondinin Bush Fire Brigades Local Law 2022 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 6, *Shire of Kondinin Bush Fire Brigades Local Law 2022 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

19. City of Wanneroo Bush Fire Brigades Local Law 2022 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 7, *City of Wanneroo Bush Fire Brigades Local Law 2022 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

20. Local Government Amendment Bill 2023

The Order of the Day having been read for the adjourned debate on the second reading of this Bill. Debate ensued.

21. Questions Without Notice

Questions without notice were taken.

The Minister for Agriculture and Food representing the Minister for Early Childhood Education, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Donna Faragher.

The Minister for Agriculture and Food representing the Minister for Housing, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Steve Martin.

22. Local Government Amendment Bill 2023

Debate resumed on the second reading of this Bill (*see item 20 above*).

Interruption pursuant to order.

23. Members' Statements

Statements were taken.

24. Adjournment

The Council adjourned at 5.57pm until Tuesday, 9 May 2023 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ayor Makur Chuot (*leave*).

PAUL GRANT

Acting Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council