

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 217

WEDNESDAY, 16 SEPTEMBER 2020

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Ministerial Statement — Recovery College

The Parliamentary Secretary to the Minister for Mental Health made a Ministerial Statement with respect to the official opening and launch of the first state-wide Western Australian Recovery College.

3. Papers

The following Papers were laid on the Table by —

Minister for Environment

Annual Reports —

Australian Criminal Intelligence Commission — Surveillance Devices Act 1998 (WA)
(2019–20) (Date received 15/09/2020) 4217

Police Force Western Australia — Criminal Investigation (Covert Powers) Act 2012 —
Witness Identity Protection Certificates (2019–20) (Date received 15/09/2020) 4218

Leases —

CALM Lease No. 2526/97 between the Conservation and Land Management Executive
Body and the Shire of Serpentine-Jarrahdale for a purpose of installation,
operation and maintenance of static water infrastructure in a portion of state
forest No. 22 in Jarrahdale 4219

Minister for Regional Development

Annual Reports —

AQWEST (2019–20) (Date received 15/09/2020)..... 4220

Explanatory Memorandums —

Work Health and Safety Bill 2019 (Amended version) 4221

4. Standing Committee on Legislation — Report 45 — Agricultural Produce Commission Amendment Bill 2019

Hon Dr Sally Talbot presented Report 45 of the Standing Committee on Legislation, *Agricultural Produce Commission Amendment Bill 2019*. (Tabled Paper 4222).

5. Standing Committee on Public Administration — Report 32 — Inquiry into Private Property Rights — Extension of Time

Hon Adele Farina presented Report 32 of the Standing Committee on Public Administration, *Inquiry into Private Property Rights — Extension of time*. (Tabled Paper 4223).

Hon Adele Farina moved, without notice —

That the reporting date for the Standing Committee on Public Administration inquiry into Private Property Rights be extended from 24 September 2020 to 22 October 2020.

Hon Adele Farina sought leave to continue her remarks at a later stage of this day's sitting.

Leave granted.

Debate stands adjourned.

6. Homelessness in Western Australia

Motion No. 3 having been called, Hon Alison Xamon, pursuant to notice, moved —

That this House—

- (a) expresses its grave concern about growing rates of homelessness in Western Australia;
- (b) recognises that the WA Labor Government's initiatives and announcements to date are wholly insufficient to address this crisis; and
- (c) condemns the WA Labor Government for failing to take a whole of government approach to homelessness, acknowledging particularly the failed intersections between homelessness responses and WA Police, Transport, Justice, mental health, and alcohol and other drug services.

Debate ensued.

Motion — put.

The Council divided.

Ayes (17)

Hon Martin Aldridge
 Hon Ken Baston
 Hon Robin Chapple
 Hon Tim Clifford
 Hon Peter Collier
 Hon Colin de Grussa
 Hon Nick Goiran
 Hon Colin Holt
 Hon Rick Mazza

Hon Michael Mischin
 Hon Simon O'Brien
 Hon Robin Scott
 Hon Tjorn Sibma
 Hon Charles Smith
 Hon Aaron Stonehouse
 Hon Colin Tincknell
 Hon Alison Xamon (*Teller*)

Noes (9)

Hon Stephen Dawson
 Hon Sue Ellery
 Hon Adele Farina
 Hon Laurie Graham
 Hon Alannah MacTiernan

Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Dr Sally Talbot
 Hon Pierre Yang (*Teller*)

Motion thus passed.

7. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Simon O'Brien in the Chair)

Standing Committee on Estimates and Financial Operations — Report 80 — 2018-19 Budget Cycle — Part 2: Annual Report Hearings

Debate resumed on the motion of Hon Alanna Clohesy, That the Report be noted.

Hon Aaron Stonehouse moved, That consideration be postponed until the next sitting.

Question — put and passed.

Select Committee on Personal Choice and Community Safety — Final Report — Community safety: for the greater good, but at what cost?

Debate resumed on the motion of Hon Aaron Stonehouse, That the Report be noted.

Pursuant to Temporary Order 4, consideration of the report was postponed.

Select Committee into Alternate Approaches to Reducing Illicit Drug Use and its Effects on the Community — Final Report — Help, Not Handcuffs: Evidence-Based Approaches to Reducing Harm from Illicit Drug Use

Debate resumed on the motion of Hon Alison Xamon, That the Report be noted.

Hon Alison Xamon, by leave, tabled a letter from Wanada in relation to the Select Committee into Alternate Approaches to Reducing Illicit Drug Use and its Effects on the Community. (Tabled Paper 4224).

8. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Child Protection tabled documents in relation to unendorsed placements by the Department of Communities, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 4225).

The Minister for Regional Development representing the Minister for Forestry tabled contracts of sale between the Forest Products Commission and Simcoa Operations Pty Ltd, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 4226).

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to the Patient Assisted Travel Scheme in 2019-20, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Environment representing the Minister for Housing, in accordance with Standing Order 108(2), advised that an answer to question on notice 3057 asked by Hon Jacqui Boydell will be provided on 22 September 2020.

The Minister for Agriculture and Food representing the Minister for Commerce, by leave, incorporated into *Hansard* information in relation to COVID-19 funding designated to rent relief for residential tenants facing financial hardship, in response to a question without notice asked by Hon Colin Tincknell.

The Minister for Regional Development representing the Minister for Water, in accordance with Standing Order 108(2), advised that answers to questions on notice Nos 3036, 3037, 3038 and 3047 asked by Hon Robin Chapple will be provided on 15 October 2020.

The Minister for Regional Development representing the Minister for Water, in accordance with Standing Order 108(2), advised that an answer to question on notice 3039 asked by Hon Diane Evers will be provided on 15 October 2020.

The Minister for Regional Development representing the Minister for Forestry, in accordance with Standing Order 108(2), advised that an answer to question on notice 3063 asked by Hon Diane Evers will be provided on 15 October 2020.

9. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports (*see item 7 above*).

The President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Standing Committee on Estimates and Financial Operations — Report 80 — *2018-19 Budget Cycle — Part 2: Annual Report Hearings*, made progress, and postponed further consideration until the next sitting.
- (2) Select Committee on Personal Choice and Community Safety — Final Report — *Community safety: for the greater good, but at what cost?*, made progress, and postponed further consideration until the next sitting.
- (3) Select Committee into Alternate Approaches to Reducing Illicit Drug Use and its Effects on the Community — Final Report — *Help, Not Handcuffs: Evidence-Based Approaches to Reducing Harm from Illicit Drug Use*, made progress, and seeks to sit again.

Report adopted.

10. Order of Business

Ordered — That Orders of the Day Nos 1, *Local Government (Rules of Conduct) Amendment Regulations 2020 — Disallowance*, 2, *Local Government (Rules of Conduct) Amendment Regulations 2020 — Disallowance*, 3, *Local Government (Rules of Conduct) Amendment Regulations 2020 — Disallowance*, and 4, *City of Vincent Parking and Parking Facilities Amendment Local Law 2020 — Disallowance*, be taken after Order of the Day No. 39, *Children and Community Services Amendment Bill 2019*. (Minister for Environment).

11. Work Health and Safety Bill 2019 and Safety Levies Amendment Bill 2019

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills cognately.

Debate resumed.

Question — That the *Work Health and Safety Bill 2019* be read a second time — put and passed.

Bill read a second time.

Question — That the *Safety Levies Amendment Bill 2019* be read a second time — put and passed.

Bill read a second time.

The Acting President left the Chair.

(Hon Martin Aldridge in the Chair)

Work Health and Safety Bill 2019

Clause 1

Debate ensued.

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.

12. Members' Statements

Statements were taken.

13. Arts and Culture Trust Bill 2020

The President reported the receipt of Message No. 222 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister for Culture and the Arts moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Minister for Culture and the Arts moved, That the Bill be read a second time.

The Leader of the House representing the Minister for Culture and the Arts tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 4227).

Debate stands adjourned.

14. Adjournment

The Council adjourned at 6.52pm until Thursday, 17 September 2020 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Jacqui Boydell, Hon Kyle McGinn and Hon Matthew Swinbourn.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council