

# Minutes of Proceedings



## LEGISLATIVE COUNCIL

**THURSDAY, 20 OCTOBER 2022**

**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. Ministerial Statement — Aboriginal Pastoral Academy Graduation

The Minister for Regional Development made a Ministerial Statement with respect to the graduation of six young people from the Rise up to Work employment program by the Aboriginal Pastoral Academy in the Kimberley.

### 3. Papers

The following Papers were laid on the Table by —

#### President

*Reports —*

Ombudsman Western Australia — Investigation into family and domestic violence  
and suicide (Volumes 1-4) (October 2022) .....1739

#### Minister for Emergency Services

*Annual Reports —*

Fire and Emergency Services Superannuation Board (2021-22)  
(Date received 19/10/2022).....1740

#### Parliamentary Secretary to the Minister for Disability Services

*Annual Reports — Extension of Time*

Disability Services Commission — Annual Reports (2021-22)  
(Date received 19/10/2022).....1741

### 4. Joint Standing Committee on the Commissioner for Children and Young People — Report 4 — Annual Report 2021-2022

Hon Neil Thomson presented Report 4 of the Joint Standing Committee on the Commissioner for Children and Young People, *Annual Report 2021-2022*. (Tabled Paper 1742).

## 5. Vape Stores

Non-Government Business No. 1 having been called, Hon Dr Brian Walker moved, without notice —

- (1) This House notes the recent vaping education pack issued by the McGowan Government, and supports regulation to prevent vape stores from operating within a pre-determined radius of schools.
- (2) Further, the Legislative Council encourages the Government to investigate the potential to regulate such distanced-based solution, alongside an investigation into the level and scope of regulation necessary to allow small vape businesses to continue to provide a valuable economic and social service to the community, while protecting the vulnerable, the results to be presented to Parliament upon completion.

Debate ensued.

Hon Dr Brian Walker, by leave, tabled *Nicotine Vaping in England: an evidence update including health risks and perceptions*. (Tabled Paper 1743).

*Motion lapsed.*

## 6. Aboriginal Procurement Policy

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

That this House acknowledge the McGowan Labor Government's delivery of the Aboriginal Procurement Policy, which complements its ongoing commitment to facilitate increased employment and business opportunities for Aboriginal communities.

Debate ensued.

*Motion lapsed.*

## 7. Order of Business

Ordered — That Orders of the Day Nos 2, *City of Fremantle Cat Management Amendment Local Law 2022 — Disallowance*, and 3, *City of Joondalup Health Amendment Local Law 2021 2022 — Disallowance*, be taken after Order of the Day No. 4, *Statutes (Repeals and Minor Amendments) Bill 2021*. (Minister for Emergency Services).

## 8. Public Trustee Scale of Fees — 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, *Public Trustee Scale of Fees — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

## 9. Standing Committee on Procedure and Privileges — Report 68 — Hon James Hayward MLC — Referral of a Matter of Privilege raised by Hon Sue Ellery MLC

The Order of the Day having been called for the adjourned debate on the motion of Hon Dan Caddy as follows —

That Recommendations 1 to 3 contained in Report 68 of the Standing Committee on Procedure and Privileges, *Hon James Hayward MLC — Referral of a Matter of Privilege raised by Hon Sue Ellery MLC*, be agreed to.

Debate ensued.

Question — put and passed.

# **10. Health and Disability Services (Complaints) Amendment Bill 2021**

The Order of the Day having been read for the third reading of this Bill.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Minister for Health 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.

Debate ensued.

Question — put and passed.

Bill read a third time and passed.

# **11. Charitable Trusts Bill 2022**

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

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

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## **In Committee**

(Hon Jackie Jarvis in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

The Parliamentary Secretary to the Attorney General moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

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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. Questions Without Notice**

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Minister for Transport tabled documents in relation to Federal funding for the Outback Way, in response to a question without notice asked by Hon Neil Thomson. (Tabled Paper 1744).

The Minister for Emergency Services representing the Minister for Environment tabled documents in relation to plantations deemed fallow on State forest and timber reserve, by year of clearing, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 1745).

The Minister for Regional Development on behalf of the Parliamentary Secretary to the Minister for Mines and Petroleum tabled, and by leave incorporated into *Hansard*, documents in relation to a table of total number of active tenancy bonds held by the Department of Mines, Industry Regulation and Safety, in response to a question without notice asked by Hon Dr Brad Pettitt. (Tabled Paper 1746).

The Minister for Emergency Services representing the Minister for Police by leave, incorporated into *Hansard* information in relation to meal allowances provided to sworn police officers throughout Western Australia, in response to a question without notice asked by Hon Peter Collier.

The Minister for Emergency Services representing the Minister for Police, in accordance with Standing Order 108(2), advised that an answer to question on notice 925 asked by Hon Martin Aldridge will be provided by 25 October 2022.

The Parliamentary Secretary to the Minister for Mines and Petroleum tabled an extract from the AUSTRAC Remittance Sector Register for the Perth Mint, in response to question on notice 923 asked by Hon Dr Steve Thomas. (Tabled Paper 1747).

### **13. Land Tax Assessment Amendment Bill 2022**

The President reported the receipt of Message No. 79 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Emergency Services representing the Minister for Finance moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Emergency Services representing the Minister for Finance moved, That the Bill be read a second time.

The Minister for Emergency Services representing the Minister for Finance tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1748).

Debate stands adjourned.

### **14. Government Railways Amendment Bill 2021**

The President reported the receipt of Message No. 80 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Minister for Transport 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 Culture and the Arts on behalf of the Leader of the House representing the Minister for Transport moved, That the Bill be read a second time.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Minister for Transport tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1749).

Debate stands adjourned.

### **15. Fair Trading Amendment Bill 2021**

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 81

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Fair Trading Amendment Bill 2021* without amendment.

Mr D.A.E. Scaife

Acting Speaker

Legislative Assembly Chamber

Perth, 20 October 2022

**16. Order of Business**

Ordered — That Members' Statements be taken forthwith. (Minister for Emergency Services).

**17. Members' Statements**

Statements were taken.

Hon Dr Brian Walker, by leave, tabled an email from GLR Law in reference to electronic cigarettes. (Tabled Paper 1750).

**18. Adjournment**

The Council adjourned at 5.38pm until Tuesday, 25 October 2022 at 2.00pm.

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

Attendance: Present all Members except Hon Martin Aldridge, Hon Sue Ellery, Hon Ayor Makur Chuot and Hon Rosetta Sahanna.

**SAM HASTINGS**

Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council