



LEGISLATIVE COUNCIL

WEDNESDAY, 1 DECEMBER 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. Petition

Hon Wilson Tucker presented a petition from 71 petitioners requesting the Legislative Council oppose the *Aboriginal Cultural Heritage Bill 2021* in its current form. (Tabled Paper 946).

3. Papers

The following Papers were laid on the Table by —

President

Documents —

Amended Non-Government Business Schedule (2021)..... 944

Amended Private Member's Business Schedule (2021)..... 945

4. Non-Government Business — Amended Schedule

The Minister for Mental Health moved, without notice —

That pursuant to Standing Order 111(4), the Schedule for Non-Government Business tabled today by the President be adopted.

Debate ensued.

Question — put and passed.

5. Private Members' Business — Amended Schedule

The Minister for Mental Health moved, without notice —

That pursuant to Standing Order 112(4), the Schedule for Private Members' Business tabled today by the President be adopted.

Question — put and passed.

6. Leave of Absence — Hon Samantha Rowe

The Minister for Mental Health moved, without notice —

That leave be granted to Hon Samantha Rowe for eight sitting days due to urgent personal business.

Question — put and passed.

7. Leave of Absence — Hon Rosetta Sahanna

The Minister for Mental Health moved, without notice —

That leave be granted to Hon Rosetta Sahanna for five sitting days due to urgent personal business.

Question — put and passed.

8. State Disability Strategy

Motion No. 7 having been called, Hon Lorna Harper, pursuant to notice, moved —

That the Legislative Council commends the McGowan Labor Government's ongoing commitment to building inclusive communities which support and empower people with disability, through the State Disability Strategy.

Debate ensued.

Question — put and passed.

9. 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 1 — Annual Report 2020–21

Debate resumed on the motion of Hon Dr Steve Thomas, That the Report be noted.

Hon Nick Goiran moved, That further consideration of the report be postponed until the next sitting.

Question — put and passed.

Joint Standing Committee on the Commissioner for Children and Young People — Report 1 — Annual Report 2020–21

Debate resumed on the motion of Hon Neil Thomson, That the Report be noted.

Interruption pursuant to order.

The Acting President resumed the Chair.

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

- (1) Joint Standing Committee on the Corruption and Crime Commission — Report 1 — *Annual Report 2020–21*, made progress, and postponed further consideration to the next sitting.
- (2) Joint Standing Committee on the Commissioner for Children and Young People — Report 1 — *Annual Report 2020–21*, made progress, and seeks to sit again.

Report adopted.

10. Order of Business

Ordered — That Orders of the Day Nos 1, *Biodiversity Conservation (Exemptions) Amendment Order 2021 — Disallowance*, and 2, *Serpentine-Jarrahdale Bush Fire Brigades Local Law 2021 — Disallowance*, be taken after Order of the Day No. 8, *Dog Amendment (Stop Puppy Farming) Bill 2021*. (Leader of the House).

11. Legislative Council — Member COVID-19 Vaccinations

Order of the Day No. 29 having been called, the Leader of the House, pursuant to notice, moved —
That –

- (1) In order to protect the health and safety of Members and parliamentary staff and to give effect to the Chief Health Officer's published health advice, this House requires Members of the Legislative Council attending the Chamber, Parliament House or the Legislative Council Committee Office to be fully vaccinated during a lockdown or similar restrictions.
- (2) Members must provide proof of their first and second COVID-19 vaccine doses, or proof of a valid exemption, to the Clerk by 31 January 2022.
- (3) Unless otherwise ordered, any Member who has not complied with the requirements set out in paragraph (2) is determined to have failed to comply with an order of the House and therefore is suspended from attending the Chamber, Parliament House and the Legislative Council Committee Office during a lockdown or similar restrictions.
- (4) If a Member who is suspended under paragraph (3) provides proof of their first and second COVID-19 vaccine doses, or proof of a valid exemption, to the Clerk, their suspension is immediately lifted.
- (5) For the purposes of this resolution:
 - (a) 'COVID-19 vaccine' means a vaccine to protect a person against SARS-CoV-2 that has been registered or provisionally registered by the Therapeutic Goods Administration;
 - (b) 'proof of their first and second COVID-19 vaccine doses' means forms of evidence approved by the Chief Health Officer; and
 - (c) 'proof of a valid exemption' means forms of evidence approved by the Chief Health Officer.
- (6) The Clerk:
 - (a) must ensure all information provided under this resolution remains confidential and is stored securely; and
 - (b) must destroy all information provided under this resolution at the end of the session or an earlier time determined by the House.
- (7) The House may agree to further resolutions to:
 - (a) vary or amend this resolution; or
 - (b) provide for arrangements for sittings in 2022 based on health advice.

Debate ensued.

Hon Sophia Moermond moved to amend the motion as follows —

To insert after 6(b) —

- (c) must ensure that any Member unable to attend Parliament during a lockdown, be it the result of regional border closures, their COVID-19 vaccination status, or any other valid reason, has the ability to participate fully in the deliberations of the House via secure online means, such as have been introduced in other Australian Parliaments in recent months.

Debate ensued.

12. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Public Sector Management tabled advice and information from the Public Sector Commission to public sector agencies regarding COVID-19 mandatory vaccination requirements, in response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 947).

The Minister for Regional Development representing the Minister for Lands tabled documents in relation to the land description of licence area for the section 91 licence issued to Province Resources, in response to a question without notice asked by Hon Neil Thomson. (Tabled Paper 948).

The Minister for Mental Health representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 336 asked by Hon Martin Aldridge will be provided by 7 December 2021.

The Minister for Regional Development representing the Minister for Commerce, by leave, incorporated into *Hansard* information in relation to a formal accreditation system for fire bunkers, in response to a question without notice asked by Hon Dr Brian Walker.

13. Legislative Council — Member COVID-19 Vaccinations

Debate resumed on the amendment of Hon Sophia Moermond to the motion of the Leader of the House (*see item 11 above*).

Amendment — put and negatived.

Debate resumed.

The Leader of the House tabled a document regarding COVID-19 mandatory vaccinations. (Tabled Paper 949).

Debate resumed.

Motion — put.

The Council divided.

Ayes (23)

Hon Martin Aldridge
Hon Klara Andric
Hon Dan Caddy
Hon Peter Collier
Hon Stephen Dawson
Hon Colin de Grussa
Hon Sue Ellery
Hon Peter Foster
Hon Lorna Harper
Hon Jackie Jarvis
Hon Alannah MacTiernan
Hon Ayor Makur Chuot

Hon Steve Martin
Hon Kyle McGinn
Hon Shelley Payne
Hon Stephen Pratt
Hon Martin Pritchard
Hon Tjorn Sibma
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Dr Steve Thomas
Hon Wilson Tucker
Hon Pierre Yang (*Teller*)

Noes (2)

Hon Sophia Moermond

Hon Dr Brian Walker (*Teller*)

Motion thus passed.

14. Members' Statements

Statements were taken.

Hon Neil Thomson, by leave, tabled an Office of Public Affairs media statement regarding the Department of Commerce adding eleven Chinese entities implicated in human rights abuses in Xinjiang to the entity list (July 2020). (Tabled Paper 950).

15. Adjournment

The Council adjourned at 6.48pm until Thursday, 2 December 2021 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Sandra Carr, Hon Kate Doust, Hon Donna Faragher, Hon James Hayward, Hon Samantha Rowe (*leave*) and Hon Rosetta Sahanna (*leave*).

PAUL GRANT

Deputy Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council