



LEGISLATIVE COUNCIL

TUESDAY, 5 NOVEMBER 2024

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. Message from His Excellency the Governor — Assent to Bills

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bills —

| 29 October 2021 — Message No. 32 | Act No. |
|---|----------------|
| Towing Services Bill 2024 | 37 of 2024 |
| Iron Ore Agreements Legislation Amendment Bill 2024 | 38 of 2024 |
| Building Services (Complaint Resolution and Administration) Amendment Bill 2024 | 39 of 2024 |
| Workers Compensation and Injury Management Amendment (Common Law Election Validation) Bill 2024 | 40 of 2024 |
| Planning and Development Amendment (Metropolitan Region Scheme) Bill 2024 | 41 of 2024 |

3. Petitions

Hon Peter Collier presented an E-petition from 321 petitioners requesting the Legislative Council to urge the Western Australian State Government to support the expansion of Mindarie Senior College to include Years 7–10 to cater to community demand in the local catchment area for public schooling that provides ATAR program pathways. (Tabled Paper 3778).

Hon Dr Steve Thomas presented an E-petition from 490 petitioners requesting the Legislative Council conduct to a public inquiry into the impact that the sheep trade ban is already having on individuals and the Western Australian economy. (Tabled Paper 3779).

Hon Neil Thomson presented an E-petition from 181 petitioners requesting the Legislative Council urge the Government to take immediate action to eradicate the shot hole borer from Western Australia by expediting response times where trees are infected, enable research specific to Western Australia, increase public awareness and better resourcing eradication efforts. (Tabled Paper 3780).

Hon Martin Pritchard presented an E-petition from 122 petitioners requesting the Legislative Council to urge the Government take immediate action to implement a robust system of accountability for healthcare professionals particularly doctors. (Tabled Paper 3781).

Hon Martin Pritchard presented an E-petition from 85 petitioners requesting the Legislative Council urge the Government cancel the 15-year contract with Ramsay Health Care to run the Joondalup Health Campus and conduct a thorough and independent investigation into the professional conduct of medical staff. (Tabled Paper 3782).

4. Papers

The following Papers were laid on the Table by —

President

Annual Reports —

Inspector of Custodial Services, Office of the (2023-24) (Date received 04/11/2024).....3751

Auditor General's Papers —

Office of the Auditor General — Performance Audit — Management of State Agreements (Report No. 3) (October 2024) (Deemed tabled 30/10/2024)3752

Leader of the House

Annual Reports —

Coal Miners Welfare Board (2024) (Date received 25/10/2024).....3753

Jobs, Tourism, Science and Innovation, Department of (2023-24) (Date received 04/11/2024).....3754

National Education and Care Services Freedom of Information Commissioner, Privacy Commissioner and Ombudsman (2022-23) (Date received 01/11/2024).... 3755

Reports —

Building and Energy Western Australia — Progress Report: Local Governments' periodic inspections of private swimming pool safety barriers (2023-24).....3756

Minister for Emergency Services

Local Laws —

Bush Fires Act 1954 (Shire of Kent Bush Fire Brigades Local Law 2024 G.G. 29/10/2024)3757

Minister for Agriculture and Food

Annual Reports —

Western Australian Planning Commission (2023-24) (Date received 01/11/2024).....3758

Annual Reports - Extension of Time —

Planning, Lands and Heritage, Department of (2023-24)3759

Local Laws —

Local Government Act 1995 (Shire of Kent Amendment Local Law 2024 G.G. 29/10/2024)3760

Regulations —

Education and Care Services National Law (WA) Act 2012 (Education and Care Services National Amendment Regulations (No. 2) 2024)3761

Local Government Act 1995 (Local Government Regulations Amendment Regulations (No. 2) 2024).....3762

Parliamentary Secretary to the Attorney General

Addendums —

State Solicitor's Office — Annual Report (2023-24)3763

Annual Reports —

| | |
|--|------|
| Gender Reassignment Board (2023-24) (Date received 05/11/2024) | 3764 |
| Mentally Impaired Accused Review (2023-24) (Date received 05/11/2024)..... | 3765 |
| Prisoners Review Board (2023-24) (Date received 05/11/2024) | 3766 |
| Public Advocate, Office of the (2023-24) (Date received 05/11/2024) | 3767 |

Regulations —

| | |
|---|------|
| Construction Industry Portable Paid Long Service Leave Act 1985 (Construction Industry Portable Paid Long Service Leave Amendment Regulations 2024) | 3768 |
|---|------|

Schemes —

| | |
|---|------|
| Professional Standards Act 1997 (The Australian Computer Society Incorporated Professional Standards Scheme (2025) G.G. 25/10/2024) | 3769 |
|---|------|

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

| | |
|---|------|
| State Records Commission (2023-24) (Date received 29/10/2024) | 3770 |
|---|------|

Parliamentary Secretary to the Minister for Health*Annual Reports —*

| | |
|--|------|
| National Health Funding Body (2023-24) (Date received 01/11/2024)..... | 3771 |
| National Health Funding Pool (2023-24) (Date received 01/11/2024) | 3772 |
| National Health Practitioner Ombudsman and National Health Practitioner Privacy Commissioner (2023-24) (Date received 01/11/2024)..... | 3773 |
| Voluntary Assisted Dying Board Western Australia (2023-24) (Date received 01/11/2024)..... | 3774 |

Determinations —

| | |
|--|------|
| Therapeutic Goods Act 1989 — Therapeutic Goods (Medical Devices — Information that Must Accompany Application for Inclusion) Amendment Determination (No. 2) 2024..... | 3775 |
|--|------|

Regulations —

| | |
|--|------|
| Medicines and Poisons Act 2014 (Medicines and Poisons Amendment Regulations (No. 3) 2024 and Medicines and Poisons Amendment Regulations (No. 2) 2024) | 3776 |
|--|------|

Rules —

| | |
|---|------|
| Therapeutic Goods Act 1989 — Therapeutic Goods (Authorised Supply) Amendment (SAS Guidance) Rules (No. 2) 2024..... | 3777 |
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5. Standing Committee on Estimates and Financial Operations — Report 93 — Consideration of the 2024-25 Budget Estimates

Hon Peter Collier presented Report 93 of the Standing Committee on Estimates and Financial Operations, *Consideration of the 2024-25 Budget Estimates*. (Tabled Paper 3783).

6. Order of Business

Ordered — That Orders of the Day Nos 1, *Metropolitan Region Scheme Major Amendment 1404/41 — Roe 8 Remainder and Roe 9 (Removal of Primary Regional Roads Reservation) — Disallowance*, 2, *Shire of Mt Marshall Bush Fire Brigades Local Law 2024 — Disallowance*, and 3, *Shire of Meekatharra Health Amendment Local Law 2024 — Disallowance*, be taken after Order of the Day No. 15, *Local Government Amendment Bill 2024*. (Leader of the House).

7. Retirement Villages Amendment Bill 2024

The Order of the Day for the further consideration of this Bill, in Committee of the Whole House, having been read.

The President left the Chair.

In Committee

(Hon Dr Brian Walker in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3.

Debate ensued.

Clause agreed to.

Clause 4.

Debate ensued.

Clauses 5 to 10 agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clauses 12 and 13 agreed to.

Clause 14.

Debate ensued.

Clause agreed to.

Clause 15.

Debate ensued.

Clause agreed to.

Clauses 16 to 19 agreed to.

Clause 20.

Debate ensued.

Clause agreed to.

Clause 22 agreed to.

Clause 23.

Debate ensued.

Hon Louise Kingston, by leave, moved:

1/23 Page 29, after line 21 — To insert:

- (7) Subsection (1) does not apply to an exit entitlement in relation to a resident who has died.

Debate ensued.

Amendment — put and negatived.

Debate resumed.

Hon Louise Kingston, by leave, moved:

2/23 Page 30, line 16 — To delete “some or all” and insert:

part

Debate ensued.

Amendment — put and negatived.

Debate resumed.

Hon Louise Kingston, by leave, moved:

3/23 Page 31, line 1 to page 33, line 16 — To delete the lines.

Debate ensued.

Amendment — put and negatived.

Debate resumed.

Question, That the clause stand as printed — put and passed.

Clauses 24 to 27 agreed to.

Clause 28.

Debate ensued.

Clause agreed to.

Clause 29 agreed to.

Clause 30.

Debate ensued.

Clause agreed to.

Clauses 31 to 58 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Commerce, by leave, moved, That the Bill be read a third time.

Debate ensued.

The Acting 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.

8. Industrial Relations Legislation Amendment Bill 2024

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

Debate resumed.

9. Questions Without Notice

Questions without notice were taken.

The Minister for Emergency Services representing the Minister for Corrective Services, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Dr Brad Pettitt.

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Donna Faragher.

The Minister for Emergency Services representing the Minister for Corrective Services, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Dr Brad Pettitt.

The Parliamentary Secretary to the Attorney General, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Emergency Services, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Martin Aldridge.

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

10. Industrial Relations Legislation Amendment Bill 2024

Debate resumed on the second reading of this Bill (*see item 8 above*).

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Stephen Pratt in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 and 4 agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clauses 7 to 10 agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clauses 12 to 15 agreed to.

Clause 16.

Debate ensued.

Clause agreed to.

Clause 17.

Debate ensued.

Clause agreed to.

Clauses 18 to 32 agreed to.

Clause 33.

Debate ensued.

Hon Dr Steve Thomas, by leave, moved:

1/33 Page 30, after line 29 — To insert:

- (h) whether the official has been the subject of a complaint of bullying, abuse or harassment under a law of the Commonwealth, a State, a Territory or a foreign country, including a complaint made to the Fair Work Commission or the Western Australian Industrial Relations Commission.

Debate ensued.

Amendment — put.

The Committee divided.

Ayes (7)

Hon Martin Aldridge
Hon Peter Collier
Hon Louise Kingston
Hon Steve Martin

Hon Dr Steve Thomas
Hon Neil Thomson
Hon Nick Goiran (*Teller*)

Noes (17)

Hon Klara Andric
Hon Dan Caddy
Hon Sandra Carr
Hon Stephen Dawson
Hon Sue Ellery
Hon Jackie Jarvis
Hon Kyle McGinn
Hon Shelley Payne
Hon Stephen Pratt

Hon Martin Pritchard
Hon Samantha Rowe
Hon Rosie Sahanna
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West
Hon Pierre Yang
Hon Peter Foster (*Teller*)

Amendment thus negatived.

Debate resumed.

Interruption pursuant to order.

11. Family Court Amendment (Commonwealth Reforms) Bill 2024

The President reported the receipt of Message No. 187 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Attorney General moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Parliamentary Secretary to the Attorney General moved, That the Bill be read a second time.

The Parliamentary Secretary to the Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3784).

Debate stands adjourned.

12. Gambling Legislation Amendment Bill 2024

The President reported the receipt of Message No. 188 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Minister for Emergency Services representing the Minister for Racing and Gaming tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3785).

Debate stands adjourned.

13. Road Traffic (Authorisation to Drive) Amendment (Driving Restrictions) Bill 2024

The President reported the receipt of Message No. 189 from the Legislative Assembly forwarding the Bill for concurrence.

Leader of the House representing the Minister Assisting the Minister for Transport moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

Leader of the House representing the Minister Assisting the Minister for Transport moved, That the Bill be read a second time.

Leader of the House representing the Minister Assisting the Minister for Transport tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3786).

Debate stands adjourned.

14. Young Offenders and Prisons Legislation Amendment Bill 2024

The President reported the receipt of Message No. 190 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Minister for Emergency Services representing the Minister for Corrective Services tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3787).

Debate stands adjourned.

15. Adjournment

The Council adjourned at 9.32pm until Wednesday, 6 November 2024 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ben Dawkins, Hon Kate Doust, Hon Lorna Harper and Hon Tjorn Sibma.

SAM HASTINGS

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council

DRAFT