

Minutes of Proceedings

LEGISLATIVE COUNCIL

THURSDAY, 7 APRIL 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. Statement by President — Standing Committee on Procedure and Privilege Privileges — Report 66 — Person referred to in the Legislative Council — Submission not considered

The President made the following Statement —

I am directed to present for tabling the sixty-sixth report of the Standing Committee on Procedure and Privileges titled *Person referred to in the Legislative Council: Submission not considered*. (Tabled Paper 1216).

This report arises as a result of two submissions received by me in October 2021. The submissions sought redress under Standing Order 113 for comments made during Members' Statements on 31 August 2021. The submissions were considered and referred to the Standing Committee on Procedure and Privileges. The committee met and, pursuant to Standing Order 113(2), reports that it decided not to consider the submissions referred to it as it considered that the subject of the submissions was not sufficiently serious and did not demonstrate that an adverse impact has been caused as a result of statements made in the House.

3. Statement by President — Standing Committee on Procedure and Privileges — Report 65 — Corrections to Report 64: Review of the Standing Orders — Consideration by the Council

The President made the following Statement —

Yesterday the Standing Committee on Procedure and Privileges tabled Report 65 – *Corrections to Report 64: Review of the Standing Orders*, with me pursuant to Standing Order 188(3). Pursuant to Standing Order 188(4) I am required to advise the House accordingly.

Report 65 makes seven corrections to the text of Report 64 as tabled in the Council on 2 September 2021. Three of these corrections relate to the wording of recommendations in Report 64, namely recommendations 5, 25 and 32.

The effect of Report 65 is that the wording of recommendations 5, 25 and 32 as being considered in the motion listed at Order of the Day 19 are as per the corrected form of words. If Members are in any doubt as to the terms of the recommendations that they are

being asked to consider they should refer to today's Business Program which reflects the corrected words.

Members are strongly encouraged to seek the advice of the clerks in advance of the debate on the motion to assist with the orderly consideration of the particular Order of the Day.

4. Statement by President — Joint Standing Committee on the Commissioner for Children and Young People

The President made the following Statement —

I have a letter from the Joint Standing Committee on the Commissioner for Children and Young People.

Dear President, the Joint Standing Committee on the Commissioner for Children and Young People has today resolved to inquire into the most effective ways for Western Australia to address food insecurity for children and young people affected by poverty.

The inquiry will consider —

- (1) the impact of poor nutrition on children and young people and the extent of the problem in Western Australia;
- (2) challenges for children and young people in accessing enough nutritious food;
- (3) the extent to which food relief —
 - (a) is currently accessed by children and young people, including at school and in early childhood education and care settings; and
 - (b) is effective;
- (4) the extent to which food literacy programs aimed at children and young people and/or their parents/carers —
 - (a) are currently accessed;
 - (b) are effective;
- (5) government-funded school lunch programs;
- (6) any other existing or potential initiatives;
- (7) Western Australia's obligations and responsibilities to monitor and address food insecurity as an aspect of child wellbeing.

We are particularly keen to hear about the experiences of Aboriginal and Torres Strait Islander children and the children of refugees and newly arrived migrants.

The committee will report by 30 April 2023.

Yours sincerely R.M.J. Clark, MLA
Chair

5. Statement by President — Parliamentary Research Program

The President made the following Statement —

I wish to provide information about the 2022 parliamentary research program, which is being coordinated by the Parliamentary Education Office. The program is a cooperative arrangement between the Parliament of Western Australia and Western Australian universities, and involves high-performing students undertaking research on topics nominated by members of Parliament. Each of you would have received an invitation yesterday via email to submit topics for research to the Parliamentary Education Office by tomorrow, Friday, 8 April 2022. I have had personal experience both as a student in a similar program and hosting a number of students over the years. I can attest to the value of the program and encourage members to participate in this year's program.

6. Petition

Hon Stephen Pratt presented a petition from 2,525 petitioners requesting the Legislative Council to review the management of the Manning Park section of Beeliam Regional Park. (Tabled Paper 1217).

7. Papers

The following Papers were laid on the Table by —

President

Documents —

Amended Annual Schedule of Allocation of Motions on Notice 2022.....1208

Amended Non-Government Business Schedule and Private Members Business Schedule 20221209

Reports —

Corruption and Crime Commission — A final review of recommendations made following reports on dangerous drugs in Western Australian hospitals (7 April 2022).....1210

Corruption and Crime Commission — Misconduct within the Department of Communities relating to country building projects (7 April 2022)1211

Leader of the House

Reports —

Government of Western Australia — Creating a Safer WA for Children and Young People — Progress report on Western Australia's implementation of the Royal Commission into Institutional Responses to Child Sexual Abuse (2021)1212

Minister for Regional Development

Notices —

Financial Management Act 2006 (section 82) — Notice from the Minister for Forestry regarding Legislative Council Question without Notice No. 84 asked by the Hon Dr Steve Thomas1213

Financial Management Act 2006 (section 82) — Notice from the Minister for Forestry regarding Legislative Council Question without Notice No. 202 asked by the Hon James Hayward.....1214

Parliamentary Secretary to the Minister for Culture and the Arts

Annual Reports —

Western Australian Institute of Sport (WAIS) (2021) (Date received 06/04/2022)1215

8. Shire of Carnarvon Public Places and Local Government Property Local Law 2021 — 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 *Shire of Carnarvon Public Places and Local Government Property Local Law 2021* published in the *Gazette* on 15 December 2021 and tabled in the Legislative Council on 15 February 2022 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 1013).

9. Aged Care Sector

Hon Dan Caddy: To move on the next day of sitting —

That this House condemns the Morrison Government for its failure to provide any support for the aged care sector in the recent Federal Budget.

10. Non-Government Business — Schedule

The Leader of the House moved, without notice —

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

Question — put and passed.

11. Private Members' Business — Schedule

The Leader of the House moved, without notice —

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

Question — put and passed.

12. Initiatives to Reduce Carbon Emissions

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

That this House notes:

- (a) the worthwhile work underway on Western Australia's Sectoral Emissions Reduction Strategies (expected to be released late 2023) and the longer-term aspiration for net zero by 2050;
- (b) that Western Australia's current actions to reduce carbon emissions this decade are not consistent with the recommendations of the IPCC, the Paris Agreement, and the latest climate science, all of which demonstrate emissions need to reduce by 50 percent of 2005 levels by 2030; and
- (c) Western Australia has exceptional local and global economic opportunities that can be enabled by early actions to achieve a net zero economy; and

calls on this Government to:

- (1) Accelerate its ambition this decade on climate action so Western Australia's whole of economy carbon emissions reduction actions are consistent with the climate science.
- (2) As a priority, immediately increase investment in a range of climate action at scale initiatives in renewable energy, clean energy storage, energy efficiency, and electrified houses and transport that will reduce carbon emissions quickly and cost effectively in Western Australia.
- (3) Identify funding opportunities to ensure that low and middle income households can access and benefit from these initiatives.
- (4) Commit to transparent and timely annual reporting on Western Australia's greenhouse gas emissions, including by sectors, consistent with IPCC reporting.

Debate ensued.

Hon Dr Brian Walker, by leave, tabled a document entitled *The role of hemp in recommendation of degraded lands and potential of industrial hemp*. (Tabled Paper 1218).

Debate resumed.

Hon Tjorn Sibma, by leave, tabled a document entitled *Megadroughts and pluvials in South West Australia 1350-2017 CE* (2 May 2021). (Tabled Paper 1219).

Debate resumed.

Motion lapsed.

13. Western Australia's Fashion Industry

Private Members' Business No. 1 having been called, Hon Ayor Makur Chuot moved, without notice —

That this House:

- (a) recognises the valuable contribution of Western Australia's fashion industry to the State in relation to culture and the arts, trade and tourism; and
- (b) commends the McGowan Government's ongoing commitment to Western Australian jobs, innovation, and entrepreneurship, and encourages the further development of Western Australia's fashion industry.

Debate ensued.

Motion lapsed.

14. Order of Business

Ordered — That Orders of the Day Nos 1, *City of Vincent Local Government Property Local Law 2021 — Disallowance*, and 2, *Shire of Broome Waste Local Law 2021* be taken after Order of the Day No. 8, *Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill 2021*. (Minister for Emergency Services).

15. Firearms Amendment Bill 2021

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.

In Committee

(Hon Dr Brian Walker in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 to 5 agreed to.

Clause 6.

Debate ensued.

16. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Health tabled documents in relation to the locations of Mother Baby Units in Western Australian hospitals, in response to a question without notice asked by Hon Donna Faragher. (Tabled Paper 1220).

The Minister for Emergency Services representing the Minister for Environment, by leave, incorporated into *Hansard* information in relation to the Department of Biodiversity, Conservation and Attractions and fire management guidelines, in response to a question without notice asked by Hon Dr Brad Pettitt.

The Leader of the House representing the Minister for Housing, by leave, incorporated into *Hansard* information in relation to GROH properties in Western Australia, in response to a question without notice asked by Hon Steve Martin.

The Leader of the House on behalf of the Minister representing the Minister for Community Services, by leave, incorporated into *Hansard* information in relation to sexual harassment complaints made against members of the corporate executive leadership team within the Department of Communities, in response to a question without notice asked by Hon Peter Collier.

The Leader of the House representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to hotel rooms currently being used by the Department of Health for the purposes of quarantine, in response to a question without notice asked by Hon Dr Steve Thomas.

The Leader of the House, by leave, incorporated into *Hansard* information in relation to the WA Country Health Service requesting police to enforce section 114 of the *Liquor Control Act* in Kununurra on 26 March 2022, in response to a question without notice asked by Hon Neil Thomson.

The Leader of the House representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the Government announcement that exposure sites will no longer be published on the wa.gov.au website as of 1 April 2022, in response to a question without notice asked by Hon Wilson Tucker.

The Minister for Emergency Services representing the Treasurer, by leave, incorporated into *Hansard* information in relation to currently operational special purpose accounts as at 4 April 2022, in response to a question without notice asked by Hon Dr Steve Thomas.

The Parliamentary Secretary to the Minister for Disability Services representing the Minister for Mines and Petroleum, by leave, incorporated into *Hansard* information in relation to the Perth Mint retailing jewellery, in response to a question without notice asked by Hon Dr Steve Thomas.

17. Statement by President — 40th Anniversary of the Establishment of the First Legislative Council Standing Committee

The President made the following Statement —

Today is the 40th anniversary of the establishment of the first Legislative Council standing committee.

On 7 April 1982, the Standing Committee on Government Agencies was appointed by the Council and tasked with inquiring into the activities of government agencies. It was the forerunner to the current Standing Committee on Public Administration.

Surprisingly, the motion to create the standing committee, which had been recommended by a report of a select committee, was not supported by all Council Members. Four Members from across the Chamber voted against the motion. During a sometimes heated debate the proposal was referred to as a publicity stunt and one Member even went so far as to compare it to the Spanish Inquisition.

The committee was extremely busy during its first year and tabled its first committee report in November 1982. Interestingly, the first report of the committee contained a long list of agencies that were exempt from the committee's jurisdiction. The report highlighted the need for agencies to be accountable and the committee detailed the ways they would be improving government agency accountability.

In addition to its work on accountability, the committee also commenced an inquiry into the acquisition and resumption of land for public purposes, and examined the system of occupational regulation by a number of statutory boards.

The creation of this first standing committee 40 years ago paved the way for the establishment of the current Council committee system of seven very active standing committees which are supported by a highly professional staff. The Legislative Council's committee system is much lauded, and copied, amongst the Westminster-based parliaments and continues to provide an important parliamentary oversight function.

18. Firearms Amendment Bill 2021

Resumption of consideration of this Bill in Committee of the Whole House (*see item 15 above*).

The President left the Chair.

In Committee

(Hon Steve Martin in the Chair)

Clause 6.

Debate resumed.

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.

19. Members' Statements

Statements were taken.

Hon Stephen Pratt, by leave, tabled a letter in relation to the petition regarding the Beeliar Regional Park. (Tabled Paper 1221).

20. Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021

The President reported the receipt of Message No. 61 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House moved, That the Bill be read a second time.

The Leader of the House tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1222).

Debate stands adjourned.

21. Adjournment

The Council adjourned at 6.00pm until Tuesday, 10 May2022 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon James Hayward, Hon Jackie Jarvis, Hon Sophia Moermond (*suspended*), Hon Rosetta Sahanna (*leave*), Hon Matthew Swinbourn, Hon Dr Sally Talbot and Hon Darren West.

SAM HASTINGS

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council

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