



LEGISLATIVE COUNCIL

TUESDAY, 15 JUNE 2021

2.00pm

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Members' Survey

The President made the following Statement —

Today, the Clerk emailed you links to complete the annual performance surveys for the Department of the Legislative Council and the Parliamentary Services Department. Copies of these surveys have been distributed in the chamber and to Members' offices. These surveys are critical in assisting the departments to provide better services to you, and the results will be incorporated into the 2020–21 Annual Reports.

It would be appreciated if you would take a few minutes to complete the surveys online or in hard copy by Friday, 25 June 2021.

3. Message from His Excellency the Governor — Assent to Bill

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

8 June 2021 — Message No. 6

Treasurer's Advance Authorisation Bill 2021

Act No.

2 of 2021

4. Petitions

Hon Kyle McGinn presented a petition from 1,874 petitioners requesting the Legislative Council to support the continuation of the current meal services provided by the Kalgoorlie-Boulder Council, instead of outsourcing the Commonwealth Home Care Support program to Amana Living. (Tabled Paper 271).

Hon Matthew Swinbourn presented a petition from 2,941 petitioners requesting the Legislative Council to urgently recommend that the Government investigate a moratorium on subdivision development in high bushfire prone areas until the formal Government review into the Woorooloo bushfires is complete and necessary changes made to the current planning guidelines. (Tabled Paper 272).

5. Ministerial Statement — World Elder Abuse Awareness Day

The Parliamentary Secretary to the Minister for Seniors and Ageing made a Ministerial Statement with respect to World Elder Abuse Awareness Day.

6. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Opinion on Ministerial Notification — Port Agreements (Report No. 27) (June 2021)
(Deemed tabled 11/06/2021)..... 259

Western Australian Public Sector Financial Statements — Better Practice Guide
(Report No. 28) (June 2021) (Deemed tabled 14/06/2021)..... 260

Reviews —

Inspector of Custodial Services, Office of the — Older Prisoners (April 2021)..... 261

Leader of the House

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Western Australian Institute of Sport (WAIS) (2020) (Date received 04/06/2021) 263

Documents —

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Bill 2021 — Supplementary Information..... 264

Local Laws —

Dog Act 1976 (Shire of Corrigin Dogs Local Laws 2021 G.G. 09/06/2021) 265

Local Government Act 1995 (City of Albany Jetties, Bridges, Boat Pens and Swimming
Structures Amendment Local Law 2021 G.G. 08/06/2021)..... 266

Orders —

Local Government Act 1995 (Local Government (COVID-19 Response) Amendment
Order 2021 G.G. 01/06/2021)..... 267

Regulations —

Jetties Act 1926; Marine and Harbours Act 1981; Shipping and
Pilotage Act 1967 (Transport Regulations Amendment (Fees and Charges)
Regulations 2021 G.G. 04/06/2021) 268

Parliamentary Secretary to the Attorney General

Rules —

Supreme Court Act 1935 (Supreme Court Amendment Rules (No. 2) 2021 G.G. 01/06/2021) 269

Parliamentary Secretary to the Minister for Fisheries

Orders —

Fish Resources Management Act 1994 (Prohibition on Fishing (Lalang-garram/Camden
Sound Marine Park) Joint Authority Order 2021 G.G. 11/06/2021, (Prohibition on Fishing
(Lalang-garram/Camden Sound Marine Park) Order 2021 G.G. 11/06/2021, Prohibition
on Fishing (Lalang-garram/Horizontal Falls Marine Park) Joint Authority
Order 2021 G.G. 11/06/2021 and (Prohibition on Fishing (Lalang-garram/Horizontal Falls
Marine Park) Order 2021 G.G. 11/06/2021) 270

7. Ambulance Ramping Crisis

Hon Dr Steve Thomas: To move on the next day of sitting —

That the Legislative Council calls on the Government to acknowledge and fix the ambulance ramping crisis afflicting our health system.

8. Machinery of Government — Outcomes

Hon Dr Steve Thomas: To move on the next day of sitting —

That the Legislative Council calls on the Government to identify the costs, savings and outcomes of its Machinery of Government changes implemented on 1 July 2017.

9. Contribution of Western Australia Police

Hon Peter Collier: To move on the next day of sitting —

That this House –

- (1) Recognises the valuable contribution of WA Police to the State.
- (2) Encourages the Labor Government to recognise the significant pressures on all areas of the police force due to factors including –
 - (a) COVID-19;
 - (b) substance abuse throughout the community;
 - (c) cost of living pressures for officers, particularly those serving in remote and regional areas of the State; and
 - (d) increased domestic violence cases,
 and calls upon the Government to provide the appropriate salary and conditions accordingly.

10. Family and Domestic Violence

Hon Sandra Carr: To move on the next day of sitting —

That this House notes –

- (a) the public interest that has been generated from the recently aired ‘See What You Made Me Do’ television series aired on SBS about peoples’ experiences of family and domestic violence; and
- (b) the efforts of the McGowan Government to address this issue in the community through a significant increase in funding, awareness, and legislative reform.

11. Order of Business

Ordered — That Orders of the Day Nos 1, *City of Bunbury Public Places and Local Government Property Local Law 2020 — Disallowance*, 2, *Boxing Contest Rules 2020 — Disallowance*, 3, *Kickboxing Contest Rules 2020 — Disallowance*, 4, *MMA Contest Rules 2019 — Disallowance*, and 5, *Muay Thai Contest Rules 2020 — Disallowance*, be taken after Order of the Day No. 11, *Sunday Entertainments Repeal Bill 2021*. (Leader of the House).

12. Address-in-Reply

The Order of the Day having been read for the adjourned debate on the Address-in-Reply.

Debate resumed.

Question — put and passed.

The Leader of the House moved, without notice —

That the Address-in-Reply be presented to His Excellency the Governor by the President and such Members as may desire to accompany her.

Question — put and passed.

13. Order of Business

Ordered — That Orders of the Day No. 9, *Supply Bill 2021*, be taken after Order of the Day No. 7, *Building and Construction Industry (Security of Payment) Bill 2021*. (Leader of the House).

14. Building and Construction Industry (Security of Payment) Bill 2021

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

The Minister for Regional Development representing the Minister for Commerce tabled a report by Deloitte Access Economics entitled *Cost Benefit Analysis of Security of Payment Reform for the Building and Construction Industry (July 2020)*. (Tabled Paper 273).

Debate resumed.

Question — put and passed.

Bill read a second time.

15. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Transport, by leave, incorporated into *Hansard* information in relation to the pass/fail rate of practical driving assessments conducted by the Department of Transport at each testing location, in response to a question without notice asked by Hon James Hayward.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to COVID-19 vaccinations in Western Australia, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the capacity of Albany Health Campus, in response to a question without notice asked by Hon James Hayward.

The Parliamentary Secretary representing the Attorney General, in accordance with Standing Order 108(2), advised that an answer to question on notice 53 asked by Hon Tjorn Sibma will be provided on 16 June 2021.

The Parliamentary Secretary representing the Attorney General, in accordance with Standing Order 108(2), advised that answers to questions on notice 92 to 105 asked by Hon Nick Goiran will be provided on 16 June 2021.

16. Building and Construction Industry (Security of Payment) Bill 2021

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

The President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 1.

Debate ensued.

The Minister for Regional Development representing the Minister for Commerce tabled a summary of changes made to the *Building and Construction Industry (Security of Payment) Bill 2021*. (Tabled Paper 274).

Debate resumed.

The Minister for Regional Development representing the Minister for Commerce tabled a summary of the consultation undertaken in drafting the *Building and Construction Industry (Security of Payment) Bill 2021* including a list of stakeholders invited to comment. (Tabled Paper 275).

Debate resumed.

The Minister for Regional Development representing the Minister for Commerce tabled a corrected version of the summary of changes made to the *Building and Construction Industry (Security of Payment) Bill 2021*. (Tabled Paper 276).

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 to 5 agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clause 7 agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9.

Debate ensued.

Clause agreed to.

Clauses 10 to 14 agreed to.

Clause 15.

Debate ensued.

Clause agreed to.

Clause 16.

Debate ensued.

Clause agreed to.

Clauses 17 to 22 agreed to.

Clause 23.

Debate ensued.

Clause agreed to.

Clause 24.

Debate ensued.

Clause agreed to.

Clause 25.

Debate ensued.

Clause agreed to.

Clause 26 agreed to.

Clause 27.

Debate ensued.

Clause agreed to.

Clause 28 agreed to.
Clause 29.
Debate ensued.
Clause agreed to.
Clauses 30 to 32 agreed to.
Clause 33.
Debate ensued.
Clause agreed to.
Clause 34 agreed to.
Clause 35.
Debate ensued.
Clause agreed to.
Clauses 36 to 43 agreed to.
Clause 44.
Debate ensued.
Clause agreed to.
Clauses 45 to 49 agreed to.
Clause 50.
Debate ensued.
Clause agreed to.
Clauses 51 to 53 agreed to.
Clause 54.
Debate ensued.
Clause agreed to.
Clauses 55 to 61 agreed to.
Clause 62.
Debate ensued.
Clause agreed to.
Clauses 63 to 73 agreed to.
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.

17. Members' Statements

Statements were taken.

18. Protection of Information (Entry Registration Information Relating to COVID-19 and Other Infectious Diseases) Bill 2021

The President reported the receipt of Message No. 14 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Parliamentary Secretary representing the Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 277).

Debate stands adjourned.

19. Adjournment

The Council adjourned at 10.26pm until Wednesday, 16 June 2021 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Shelley Payne and Hon Rosetta Sahanna.

PAUL GRANT

Deputy Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council