



## LEGISLATIVE COUNCIL

### TUESDAY, 14 MARCH 2023

### 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. 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 —

1 March 2023 — Message No. 7	Act No.
Swan and Canning Rivers Management Amendment Bill 2022	2 of 2023
Teacher Registration Amendment Bill 2022	3 of 2023

#### 3. Petitions

Hon Colin de Grussa presented an E-Petition from 225 petitioners requesting the Legislative Council to inquire into sealing the remainder of the Goldfields Highway (Meekatharra Wiluna Road). (Tabled Paper 2074).

Hon Dr Brad Pettitt presented an E-Petition from 603 petitioners requesting the Legislative Council to support the installation of air conditioning in all cells at Roebourne Regional Prison. (Tabled Paper 2075).

Hon Dr Brad Pettitt presented an E-Petition from 458 petitioners requesting the Legislative Council to recommend to the Government the upholding of recommendation 5 of the Australasian Fire Authorities Council (AFAC) Independent Operational Review of the Wooroloo bushfire in 2021. (Tabled Paper 2076).

#### 4. Statement by President — Hon Wilson Tucker — Deregistration of the Daylight Saving Party

The President made the following Statement —

I have received some correspondence that states —

Dear President

I am writing to inform you that on 20 February 2023, in accordance with the *Electoral Act 1907*, the Electoral Commissioner cancelled the registration of the Daylight Saving Party.

As such I will be sitting as an independent Member of Parliament. I look forward to continuing to represent the Mining and Pastoral Region and advocating for the topic of

daylight saving throughout the remainder of this term of Parliament.

Regards

Hon Wilson Tucker

## 5. Papers

The following Papers were laid on the Table by —

### President

*Auditor General's Papers* —

Opinion on Ministerial Notification — Stamp Duty on the Landgate Building  
Midland (Report No. 15) (February 2023).....2054

*Addendums* —

Commissioner for Children and Young People — Annual Report (2021-22) —  
Erratum.....2055

Corruption and Crime Commission — Annual Report (2021-22) — Erratum.....2056

*Reports* —

Corruption and Crime Commission — A death raises questions at Rockingham  
General Hospital (14 March 2023).....2057

Reports of Interstate and Overseas Travel Undertaken by Members and Officers of  
the Legislative Council on Official Business Funded by the Department of  
the Legislative Council (for the six months ended 31 December 2022) .....2058

### Leader of the House

*Codes* —

Public Sector Management Act 1994 (Public Sector Code of Ethics (2023) G.G. 10/03/2023 ...2059

*Regulations* —

Duties Act 2008 (Duties Amendment Regulations 2023 G.G. 24/02/2023).....2060

Mutual Recognition (Western Australia) Act 2020 (Mutual Recognition (Western Australia)  
(Temporary Exemption) Regulations 2023 G.G. 24/02/2023 and (Mutual Recognition  
(Western Australia) (Temporary Exemption) Amendment  
Regulations 2023 G.G. 24/02/2023) .....2061

Trans-Tasman Mutual Recognition (Western Australia) Act 2007 (Trans-Tasman Mutual  
Recognition (Western Australia) (Temporary Exemption)  
Regulations 2023 G.G. 24/02/2023 and (Trans-Tasman Mutual Recognition (Western  
Australia) (Temporary Exemption) Amendment Regulations 2023 G.G. 24/02/2023) .....2062

### Minister for Emergency Services

*Addendums* —

Western Australian Police Force — Annual Report (2020-21) — Erratum .....2063

*Reports* —

Government Mid-Year Financial Projections Statement (2022-23) (December 2022)...2064

Quarterly Financial Results Reports (2022-23) (December 2022) .....2065

### Minister for Agriculture and Food

*Local Laws* —

Cat Act 2011 (Shire of Esperance Cat Local Law 2022 G.G. 08/03/2023) .....2066

Dog Act 1976 (Shire of Esperance Dog Local Law 2022 G.G. 08/03/2023) .....2067

Local Government Act 1995 (City of Wanneroo Extractive Industries Repeal Local Law 2022 G.G. 28/02/2023).....	2068
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*Regulations —*

Education and Care Services National Law (WA) Act 2012 (Education and Care Services National Amendment Regulations 2023 G.G. 24/02/2023).....	2069
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**Parliamentary Secretary to the Attorney General**

*Rules —*

Supreme Court Act 1935 (Supreme Court Amendment Rules 2023 G.G. 10/03/2023).....	2070
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**Parliamentary Secretary to the Minister for Environment**

*Regulations —*

Environmental Protection Act 1986 (Environmental Protection Regulations Amendment (Prohibited Plastics and Balloons) Regulations 2023 G.G. 24/02/2023).....	2071
Liquor Control Act 1988 (Liquor Control (Ngalingkadji Restricted Area) Amendment Regulations 2023 G.G. 10/03/2023) .....	2072
Swan and Canning Rivers Management Act 2006 (Swan and Canning Rivers Management Amendment Regulations 2023 G.G. 24/02/2023).....	2073

**6. Legal Deposit Amendment Bill 2023**

The Parliamentary Secretary to the Minister for Culture and the Arts: To move on the next day of sitting —

That a Bill for “An Act to amend the *Legal Deposit Act 2012*.” be introduced and read a first time.

**7. Training and Vocational Education**

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

That the Legislative Council acknowledge the State’s strong conditions post-pandemic and commend the McGowan Labor Government for its historic investment in training and vocational education.

**8. Climate Change**

Hon Shelley Payne: To move on the next day of sitting —

That the Legislative Council —

- (a) recognise that climate change has a profound and detrimental impact on the availability of water resources in Western Australia, particularly in the south-west of Western Australia and the Perth metropolitan region; and
- (b) commend the McGowan Labor Government for its leadership in developing policies and initiatives to address these climate change impacts on our precious water resources.

**9. Leave of Absence — Hon Ayor Makur Chuot**

The Leader of the House moved, without notice —

That leave be granted to Hon Ayor Makur Chuot for nine sitting days due to urgent personal business.

Question — put and passed.

## 10. Standing Committee on Procedure and Privileges — Report 69 — Preliminary Review of E-Petitions

The Order of the day having been read for the adjourned debate on the motion of Hon Martin Aldridge as follows —

That Recommendation 1 contained in Report 69 of the Standing Committee on Procedure and Privileges, *Preliminary review of E-Petitions*, be agreed to.

Debate resumed.

Question — put and passed.

## 11. Directors' Liability Reform Bill 2022

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.

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### In Committee

(Hon Martin Aldridge in the Chair)

Postponed Clause 143.

Debate ensued.

Clause agreed to.

Postponed Clause 144 agreed to.

Postponed Clause 145 agreed to.

Title agreed to.

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The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Parliamentary Secretary to the Attorney General moved, without notice —

That the *Directors' Liability Reform Bill 2022* be recommitted for the purposes of reconsidering Clauses 2 and New Clause 145A.

Question — put and passed.

The Deputy President left the Chair.

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### In Committee

(Hon Martin Aldridge in the Chair)

Recommitted Clause 2.

The Parliamentary Secretary to the Attorney General moved —

Page 3, after line 24 — To insert:

(ha) section 145A —

- (i) if the *Swan and Canning Rivers Management Amendment Act 2023* section 7 comes into operation on or before assent day — immediately after section 145 of this Act comes into operation; or

- (ii) otherwise — when the *Swan and Canning Rivers Management Amendment Act 2023* section 7 comes into operation;

Debate ensued.

Amendment — put and passed.

Clause, as amended, agreed to.

Recommitted New Clause 145A.

The Parliamentary Secretary to the Attorney General moved —

Page 56, after line 2 — to insert:

**145A. Section 121A amended**

In section 121A in the Table delete “s. 32(5)” and insert:

s. 32B(2)

Debate ensued.

Amendment — put and passed.

New Clause agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported with amendments.

Ordered — That consideration of the Committee’s Report be made an Order of the Day for the next sitting.

**12. Land and Public Works Legislation Amendment Bill 2022**

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

Debate ensued.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

**In Committee**

(Hon Sandra Carr in the Chair)

Clause 1.

Debate ensued.

**13. Questions Without Notice**

Questions without notice were taken.

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

The Leader of the House representing the Minister for Planning tabled a response to a question without notice asked by Hon Dr Brad Pettitt. (Tabled Paper 2077).

The Minister for Emergency Services tabled a response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 2078).

The Leader of the House representing the Minister for Education tabled a response to question on notice 1253 asked by Hon Donna Faragher. (Tabled Paper 2079).

The Leader of the House representing the Minister for Transport, in accordance with Standing Order 108(2), advised that an answer to question on notice 1225 asked by Hon Dr Steve Thomas will be provided on 15 March 2023.

The Leader of the House representing the Minister for Transport, in accordance with Standing Order 108(2), advised that an answer to question on notice 1238 asked by Hon Wilson Tucker will be provided on 15 March 2023.

The Minister for Emergency Services representing the Minister for State Development, Jobs and Trade, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Emergency Services representing the Minister for State Development, Jobs and Trade, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Emergency Services tabled a response to question on notice 1230 asked by Hon Martin Aldridge. (Tabled Paper 2080).

The Minister for Emergency Services tabled a response to question on notice 1232 asked by Hon Martin Aldridge. (Tabled Paper 2081).

The Minister for Emergency Services, in accordance with Standing Order 108(2), advised that an answer to question on notice 1231 asked by Hon Martin Aldridge will be provided on 15 March 2023.

The Parliamentary Secretary representing the Minister for Environment tabled a response to question on notice 1247 asked by Hon Dr Brad Pettitt. (Tabled Paper 2082).

#### **14. Land and Public Works Legislation Amendment Bill 2022**

Resumption of consideration of this Bill in Committee of the Whole House (*see item 12 above*).

The President left the Chair.

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#### **In Committee**

(Hon Martin Aldridge in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2 agreed to.

Clause 3.

Debate ensued.

Clause agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clauses 5 to 8 agreed to.

Clause 9.

Debate ensued.

Clause agreed to.

Clause 10.  
Debate ensued.  
Clause agreed to.  
Clause 11 agreed to.  
Clauses 12 and 13 agreed to.  
Clause 14.  
Debate ensued.  
Clause agreed to.  
Clauses 15 and 16 agreed to.  
Clause 17.  
Debate ensued.  
Clause agreed to.  
Clause 18.  
Debate ensued.  
Clause agreed to.  
Clauses 19 to 21 agreed to.  
Clause 22.  
Debate ensued.  
Clause agreed to.  
Clause 23.  
Debate ensued.  
Clause agreed to.  
Clause 24 agreed to.  
Clause 25.  
Debate ensued.  
Clause agreed to.  
Clauses 26 and 27 agreed to.  
Clause 28.  
Debate ensued.  
Clause agreed to.  
Clause 29 agreed to.  
Clause 30.  
Debate ensued.  
Clause agreed to.  
Clause 31 agreed to.  
Clauses 32 and 33 agreed to.  
Clause 34.  
Debate ensued.  
Clause agreed to.  
Clause 35.  
Debate ensued.  
Clause agreed to.  
Clause 36 agreed to.

Clauses 37 to 39 agreed to.

Clause 40.

Debate ensued.

Clause agreed to.

Clause 41.

Debate ensued.

Clause agreed to.

Clauses 42 to 51 agreed to.

Clause 52.

Debate ensued.

Clause agreed to.

Clauses 53 to 55 agreed to.

Clause 56.

Debate ensued.

Clause agreed to.

Clauses 57 and 58 agreed to.

Clause 59.

Debate ensued.

Clause agreed to.

Clauses 60 to 68 agreed to.

Clause 69.

Debate ensued.

Clause agreed to.

Clauses 70 to 151 agreed to.

Title agreed to.

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The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Agriculture and Food representing the Minister for Lands moved, That the Bill be read a third time.

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.

Debate ensued.

Question — put and passed.

Bill read a third time and passed.

## **15. Order of Business**

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

## **16. Members' Statements**

Statements were taken.



**17. Adjournment**

The Council adjourned at 10.06pm until Wednesday, 15 March 2023 at 1.00pm.

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

Attendance: Present all Members except Hon Ayor Makur Chuot (*leave*) and Hon Kyle McGinn.

**PAUL GRANT**

Acting Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council