

**LEGISLATIVE COUNCIL****THURSDAY, 2 SEPTEMBER 2021****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. Standing Committee on Procedure and Privileges — Report 64 — Review of the Standing Orders

The President presented Report 64 of the Standing Committee on Procedure and Privileges, *Review of the Standing Orders*. (Tabled Paper 505).

Hon Dan Caddy moved, without notice —

That Recommendations 1 to 38 contained in Report No. 64 of the Standing Committee on Procedure and Privileges, *Review of Standing Orders*, be adopted and agreed to.

Debate stands adjourned [SO 190].

3. Petition

Hon Dr Brad Pettitt presented a petition from 314 petitioners requesting the Legislative Council to support the retention of the Percy Doyle Reserve as Crown land and its present regional park designation. (Tabled Paper 506).

4. Housing and Homelessness Crisis

Hon Dr Brad Pettitt: To move on the next day of sitting —

That this House:

- (1) Acknowledges that Western Australia is currently facing a housing and homelessness crisis and notes that urgent action is needed to stem the increasing priority public housing waitlist.
- (2) Calls on the Government to make the most of its strong financial position to immediately address this crisis by:
 - (a) prioritising investment to significantly increase public housing stock by building fully-accessible, low carbon homes;
 - (b) immediately spot-purchasing vacant homes; and
 - (c) proactively investing in and supporting innovative measures like MyHome.

5. Research into the use of Cannabis

Non-Government Business No. 1 having been called, Hon Sophia Moermond moved, without notice —

That this House notes the tabling in the Victorian Parliament of its *Legal and Social Issues Committee report into the use of cannabis in Victoria*, and urges the McGowan Government to consider undertaking similar research here in Western Australia.

Debate ensued.

Hon Dr Brian Walker, by leave, tabled the Parliament of Victoria's Legislative Council Legal and Social Issues Committee Report, *Inquiry into the Use of Cannabis in Victoria* (August 2021). (Tabled Paper 507).

Debate resumed.

Motion lapsed.

6. Edith Cowan — Centenary of Election

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

That the Legislative Council notes —

- (a) the centenary of the election of the first woman, Edith Cowan, to any Australian Parliament; and
- (b) the significant progress on the status of women in the WA Parliament and in particular the Legislative Council since Edith Cowan's election and recognises the important journey ahead to achieve further equality.

Debate ensued.

Motion lapsed.

7. Order of Business

Ordered — That Orders of the Day Nos 1, *Town of Port Hedland Waste Local Law 2020 — Disallowance*, 2, *Shire of Broome Waste Local Law 2021 — Disallowance*, 3, *Shire of Gingin—Meeting Procedures Amendment Local Law 2021 — Disallowance*, 4, *City of Kalamunda Dogs Local Law 2021 — Disallowance*, 5, *Shire of Peppermint Grove Activities in Thoroughfares and Public Places and Trading Local Law 2021 — Disallowance*, 6, *Shire of Peppermint Grove Fencing Local Law 2021 — Disallowance*, and 7, *Weapons Amendment Regulations 2021 — Disallowance*, be taken after Order of the Day No. 15, *Dog Amendment (Stop Puppy Farming) Bill 2021*. (Minister for Regional Development).

8. Ticket Scalping Bill 2021

The Order of the Day having been read for the third reading of this Bill.

The Minister for Regional Development representing the Minister for Commerce moved, That the Bill be read a third time.

The Acting President announced that the 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.

9. Children and Community Services Amendment Bill 2021

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

Hon Nick Goiran sought leave of the House to continue his remarks at a later stage of this day's sitting.

Leave granted.

On the motion of Hon Pierre Yang the debate was adjourned to the next sitting.

10. Veterinary Practice Bill 2021

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

The Deputy President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 109.

Debate resumed.

Clause agreed to.

Clauses 110 to 112 agreed to.

Clause 113.

Debate ensued.

The Minister for Agriculture and Food moved —

Page 79, lines 21 to 26 — To delete the lines and insert:

- (1) An inspector may, for either or both of the purposes referred to in section 112(d) and (e), enter veterinary premises at any reasonable time.
- (1A) An inspector may, for investigative purposes, enter veterinary premises or other premises if —
 - (a) the occupier of the premises gives informed consent to the entry; or
 - (b) the entry is authorised under an entry warrant.

Debate ensued.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 114.

The Minister for Agriculture and Food moved —

Page 80, after line 9 — To insert:

- (1A) In this section —
 - relevant purposes** means —
 - (a) in the case of an entry under section 113(1) — either or both of the purposes referred to in section 112(d) and (e); or

(b) in the case of an entry under section 113(1A) — investigative purposes.

Debate ensued.

Amendment — put and passed.

The Minister for Agriculture and Food moved —

Page 80, lines 10 and 11 — To delete “section 113(1) may, for investigative purposes,” and insert:

section 113(1) or (1A) may, for relevant purposes,

Debate ensued.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 115.

Debate ensued.

Clause agreed to.

Clauses 116 to 128 agreed to.

Clause 129.

Debate ensued.

Clause agreed to.

Clause 130 agreed to.

Clause 131.

Debate ensued.

Clause agreed to.

Clause 132.

Debate ensued.

Clause agreed to.

Clauses 133 to 149 agreed to.

Clause 150.

The Minister for Agriculture and Food moved —

Page 105, lines 3 to 6 — To delete the lines.

Debate ensued.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 151.

Debate ensued.

Clause agreed to.

Clause 152.

Debate ensued.

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

New Clause 152.

The Minister for Agriculture and Food moved —

Page 107, after line 19 — To insert:

152. Membership of Board

- (1) In this section —

professional body means each of the following —

 - (a) the Western Australian Division of the Australian Veterinary Association Ltd or another body prescribed for the purposes of this paragraph;
 - (b) the Western Australian Division of the Veterinary Nurses Council of Australia Inc. or another body prescribed for the purposes of this paragraph.
- (2) The Board consists of 8 members appointed by the Minister.
- (3) A person is eligible to be appointed to the Board only if the person's principal place of residence is in this State.
- (4) Of the Board members —
 - (a) 3 must be WA veterinarians who between them have the experience, skills or qualifications the Minister considers appropriate to effectively carry out the functions of the Board under this Act; and
 - (b) 1 must be a WA veterinarian who is elected by WA veterinarians in accordance with the regulations; and
 - (c) 1 must be a veterinary nurse who is elected by veterinary nurses in accordance with the regulations; and
 - (d) 1 must be a person who is both —
 - (i) a WA veterinarian; and
 - (ii) an officer of the department of the Public Service principally assisting in the administration of the *Biosecurity and Agriculture Management Act 2007*;

and
 - (e) 1 must be a person who has knowledge of and experience in representing the interests of consumers; and
 - (f) 1 must be a legal practitioner.
- (5) Before making an appointment for the purposes of subsection (4)(a), the Minister must invite each professional body to recommend to the Minister persons the professional body considers suitable for appointment.
- (6) The Minister must consider any recommendation made in response to an invitation under subsection (5), but may appoint a person for the purposes of subsection (4)(a) whether or not the person is recommended by a professional body.
- (7) Subsection (4)(b) and (c) are subject to section 165A.
- (8) The regulations may provide for and regulate the conduct of elections for the purposes of subsection (4)(b) and (c).

New Clause agreed to.

Clause 153.

The Minister for Agriculture and Food moved —

Page 107, line 21 — To delete “Board members must elect” and insert:

Minister must appoint

Debate ensued.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 154.

Debate ensued.

The Minister for Agriculture and Food moved —

Page 107, after line 30 — To insert:

(3A) However, subsection (3) does not require —

- (a) a person appointed as a deputy of a Board member referred to in section 152(4)(b) to be elected as provided for in that paragraph; or
- (b) a person appointed as a deputy of a Board member referred to in section 152(4)(c) to be elected as provided for in that paragraph.

Amendment — put and passed.

Clause, as amended, agreed to.

Clauses 155 to 164 agreed.

Clause 165.

Debate ensued.

Clause agreed to.

New Clause 165A.

The Minister for Agriculture and Food moved —

Page 115, after line 8 — To insert:

165A. Minister may fill vacancy in office of elected member in certain circumstances

(1) In this section —

elected member means a Board member appointed for the purposes of a relevant provision;

relevant provision means section 152(4)(b) or (c).

(2) If the office of an elected member becomes vacant under section 165(2), the Minister may appoint a person, being a person who is eligible to be elected, as a Board member for the balance of the term of the elected member.

- (3) Subsection (4) applies if at the time an election is due to be held for the purposes of a relevant provision —
 - (a) no election is held; or
 - (b) no candidates are nominated for the election.
- (4) The Minister may appoint a person, being a person who is eligible to be elected, as a Board member for the purposes of the relevant provision.

Debate ensued.

New Clause agreed to.

Clauses 166 to 213 agreed to.

Clause 214.

Debate ensued.

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

New Clause 214.

The Minister for Agriculture and Food moved —

Page 137, after line 24 — To insert:

214. Initial membership of new Board

- (1) In this section —

former elected member means a person who, immediately before transition day, held office as a member of the former Board under section 5(1)(b) of the repealed Act;

transition period means the period beginning on transition day and ending on the day before the day on which the Minister appoints a Board member for the purposes of section 152(4)(c).
- (2) Despite section 152(2) and (4)(c), during the transition period the new Board consists of 7 members appointed by the Minister.
- (3) Those Board members are —
 - (a) the Board members appointed for the purposes of section 152(4)(a), (d), (e) and (f); and
 - (b) the Board member appointed under subsection (4)(a).
- (4) The Minister must appoint —
 - (a) a former elected member as a Board member; and
 - (b) a former elected member as a deputy of the Board member referred to in paragraph (a).
- (5) The former elected member appointed under subsection (4)(a) is taken to be the Board member appointed for the purposes of section 152(4)(b).
- (6) The former elected member appointed under subsection (4)(b) is taken to be a deputy appointed under section 154(1).
- (7) An election for the purposes of section 152(4)(c) must be held as soon as practicable after transition day.

New Clause agreed to.

Clauses 215 to 236 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported with amendments.

The Minister for Agriculture and Food, by leave, moved, That the report be adopted.

Report adopted.

The Minister for Agriculture and Food moved, without notice —

That so much of Standing Orders be suspended so as to enable the *Veterinary Practice Bill 2021* to be read a third time.

The motion requiring the concurrence of an absolute majority.

Question — put.

The Acting President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

The Minister for Agriculture and Food 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.

11. Dog Amendment (Stop Puppy Farming) Bill 2021

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

Debate ensued.

Hon James Hayward, by leave, tabled a report, *Dog Amendment (Stop Puppy Farming) Bill 2021*, Animal Care Australia Report — *Ban Puppy Factories not Puppy Breeding* (November 2020). (Tabled Paper 508).

Debate resumed.

12. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to the Department of Education's Statewide Speech and Language Outreach Service, in response to a question without notice asked by Hon Donna Faragher.

The Leader of the House representing the Minister for Housing, by leave, incorporated into *Hansard* information in relation to the Government Regional Officers' Housing program, in response to a question without notice asked by Hon Wilson Tucker.

The Parliamentary Secretary to the Attorney General tabled the final report of the Law Reform Commission of Western Australia, *Maintenance and Champerty in Western Australia (Project 110)*, in response to a question without notice asked by Hon Donna Faragher on behalf of Hon Nick Goiran. (Tabled Paper 509).

The Leader of the House on behalf of the Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the Health Care Worker Immunisation Policy, in response to a question without notice asked by Hon Martin Aldridge.

The Leader of the House on behalf of the Minister for Mental Health representing the Minister for Environment tabled documents in relation to an Ungani Facility site inspection (20 August 2013), Buru Energy Ltd amended licence, Blina Production Facility EP129 Inspection Report (April 2016) and Buru Energy Ltd licence, in response to question on notice 205 asked by Hon Dr Brad Pettitt. (Tabled Paper 510).

13. Statement by President — Edith Cowan — Election Centenary Gift Cards

The President made the following Statement —

Further to debate in the Chamber today, as we know, 100 years ago Edith Cowan became the first woman to be elected to an Australian Parliament. It is said that she gifted a gumnut brooch to her campaign committee, a symbol that represented finally cracking the tough nut that was entering Parliament as a woman.

To mark the centenary, Parliament has partnered with renowned Western Australian watercolour artist Philippa Nikulinsky, AM, to develop a gift card set featuring watercolour paintings of various eucalypt species found in Western Australia. Ms Nikulinsky has a longstanding relationship with Parliament. A number of her paintings take pride of place on the walls in the Members' dining room corridor.

These artworks are a very popular feature of the Parliament House art tours, which now run twice a month. The Edith Cowan election centenary gift cards are exclusive to the Western Australian Parliament and studio Nikulinsky, and can be purchased from reception services.

14. Dog Amendment (Stop Puppy Farming) Bill 2021

Debate resumed on the second reading of this Bill (*see item 11 above*).

Interruption pursuant to order.

15. Members' Statements

Statements were taken.

The Minister for Regional Development tabled a document in relation to the *Dog Amendment (Stop Puppy Farming) Bill 2021*, Australian Veterinary Association Opinion on Puppy Farming. (Tabled Paper 511).

16. Adjournment

The Council adjourned at 5.33pm until Tuesday, 7 September 2021 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Klara Andric, Hon Peter Foster and Hon Kyle McGinn.

PAUL GRANT

Deputy Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council