



LEGISLATIVE COUNCIL

THURSDAY, 15 JUNE 2023

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. Petition

Hon Stephen Pratt presented an E-Petition from 6,195 petitioners requesting the Legislative Council to amend the *Cat Act 2011* to confine cats to premises. (Tabled Paper 2291).

3. Papers

The following Papers were laid on the Table by —

Leader of the House

Reports —

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| Government of Western Australia — Quarterly Financial Results Report 2022-23 (March 2023)..... | 2287 |
| Report of Overseas Air Travel Undertaken by Ministers, Parliamentary Secretaries and Government Officers on Official Business for the three months ended 30 September 2022 | 2288 |

Minister for Agriculture and Food

Leases —

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| CALM Lease No. 2147/100 — Between the Conservation and Land Management Executive Body and Perth Dinghy Sailing Club Inc. for the purpose of sailing clubhouse and purposes incidental to within Matilda Bay Reserve 17375 | 2289 |
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Reports —

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| Department of Communities — Carers Advisory Council — Carers Recognition Act 2004 Compliance Report (2021-22)..... | 2290 |
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4. Shire of Wyalkatchem Bush Fire Brigades Local Law 2022 — 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 Wyalkatchem Bush Fire Brigades Local Law 2022* published in the *Gazette* on 13 March 2023 and tabled in the Legislative Council on 21 March 2023 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 2095)

5. Shire of Wyalkatchem Cats Local Law 2022 — 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 Wyalkatchem Cats Local Law 2022* published in the *Gazette* on 13 March 2023 and tabled in the Legislative Council on 21 March 2023 under the *Cat Act 2011*, be and is hereby disallowed. (Tabled Paper 2094)

6. Shire of Wyalkatchem Public Places and Local Government Property Local Law 2022 — 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 Wyalkatchem Public Places and Local Government Property Local Law 2022* published in the *Gazette* on 13 March 2023 and tabled in the Legislative Council on 21 March 2023 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 2095)

7. City of Subiaco Waste Local Law 2022 — 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 *City of Subiaco Waste Local Law 2022* published in the *Gazette* on 14 March 2023 and tabled in the Legislative Council on 21 March 2023 under the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled Paper 2098)

8. Implementation of the Aboriginal Cultural Heritage Act regulations

Hon Neil Thomson: To move on the next day of sitting —

That this House —

- (a) shares the extraordinary level of concern expressed by the community about how unprepared the State is in the implementation of the Aboriginal Cultural Heritage Act regulations with a record number of signatures received on an electronic petition in a very short time frame;
- (b) notes the expression of anxiety and concern of landowners and small and medium businesses sector, including pastoralists and graziers, farmers and any contractors or individuals who might need to carry out ground disturbing activity after 1 July 2023 regarding their ability to comply with the new regulations;
- (c) notes the deep concern that the Department of Planning' Lands and Heritage's Permit System will only be operational on 1 July, meaning applicants will need to cease work while they wait for approvals to be processed after 1 July 2023;
- (d) notes the concern that no Local Aboriginal Cultural Heritage Services (LACHS) are yet registered and the associated concerns expressed by

traditional owners about implementation of the new laws and challenges establishing LACHS;

- (e) notes that many in the community, including landowners in the metropolitan area, have not been aware of the changes and their obligations under the new Act and this cohort are only now just becoming aware of how the new laws might impact on them; and
- (f) calls on the Cook Government to delay the promulgation of the regulations by at least six months to alleviate anxiety in the community, reduce the risk of business disruption, establish functioning and tested systems, ensure LACHS are properly resourced and functioning, and provide better advice to all parties that are affected, including residential land owners who have blocks greater than 1,100m².

9. Electoral Amendment Bill 2023

Non-Government Business No. 1 having been called, Hon Dr Brad Pettitt pursuant to notice, moved —

That a Bill for “An Act to amend the *Electoral Act 1907*.” be introduced and read a first time.

Question — put and passed.

Bill read a first time.

Hon Dr Brad Pettitt moved, That the Bill be read a second time.

Hon Dr Brad Pettitt tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2292).

Debate stands adjourned.

10. Political Donations Reform

Non-Government Business No. 2 having been called, Hon Dr Brad Pettitt moved, without notice —

That this House —

- (a) notes the State Government’s unrealised commitments related to political donations reform in both the 2017 State Election and the *Electoral Amendment Act 2020*; and
- (b) calls on this Government to at a bare minimum, legislate their own commitments to reform political donations laws by —
 - (i) developing an online disclosure register for political donations;
 - (ii) lowering the political donations declaration threshold to \$1,000;
 - (iii) closing the disclosure loophole by removing the option for political parties and associated entities to lodge a Commonwealth return to satisfy State requirements;
 - (iv) banning foreign political donations;
 - (v) reviewing disclosure arrangements for third-party fundraising bodies;
 - (vi) capping electoral expenditure during elections; and
 - (vii) implementing quarterly reporting requirements.

Debate ensued.

Interruption pursuant to order.

11. Hon Mark McGowan

Private Members' Business No. 1 having been called, Hon Klara Andric moved, without notice —

That the Legislative Council acknowledges the retirement of the Hon Mark McGowan, former Premier and Member for Rockingham, and his significant contribution to Western Australia.

Debate ensued.

Motion lapsed.

12. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Esperance Cat Local Law — Disallowance*, and 2, *Shire of Esperance Dog Local Law — Disallowance*, be taken after Order of the Day No. 10, *Sport and Entertainment Trust Bill 2023*. (Leader of the House).

13. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2023–2024

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Emergency Services representing the Treasurer as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 2203A-E (2023–2024 Budget Statements), laid upon the Table of the House on 11 May 2023.

Debate resumed.

On the motion of Hon Peter Foster the debate was adjourned to the next sitting.

14. Government Trading Enterprises Bill 2022

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

The Acting President left the Chair.

In Committee

(Hon Dr Brian Walker in the Chair)

Clause 141.

Debate resumed.

Clause agreed to.

Clauses 142 to 147 agreed to.

Clause 148.

Debate ensued.

Clause agreed to.

Clause 149 agreed to.

Clause 150.

Debate ensued.

Clause agreed to.

Clause 151.

Debate ensued.

Clause agreed to.

Clauses 152 to 303 agreed to.

Schedule 1 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Emergency Services representing the Treasurer 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.

Question — put and passed.

Bill read a third time and passed.

15. Main Roads Amendment Bill 2023

The Acting President reported the receipt of Message No. 112 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Minister for Emergency Services representing the Minister for Transport tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2293).

Debate stands adjourned.

16. Legal Deposit Amendment Bill 2023

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.

Leave was granted to proceed forthwith to the third reading.

The Parliamentary Secretary to the Minister for Culture and the Arts moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

17. Mining Amendment Bill 2023

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

18. Questions Without Notice

Questions without notice were taken.

The Minister for Agriculture and Food representing the Minister for Early Childhood Education, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Donna Faragher.

The Leader of the House representing the Minister for Aboriginal Affairs tabled a response to a question without notice asked by Hon Dr Brad Pettitt. (Tabled Paper 2294).

The Leader of the House representing Minister for Education, 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.

19. Mining Amendment Bill 2023

Debate resumed on the second reading of this Bill (*see item 17 above*).

Interruption pursuant to order.

20. Members' Statements

Statements were taken.

21. Adjournment

The Council adjourned at 5.40pm until Tuesday, 20 June 2023 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Rosetta Sahanna and, Hon Wilson Tucker.

SAM HASTINGS
Clerk of the Legislative Council

HON ALANNA CLOHESY MLC
President of the Legislative Council