



LEGISLATIVE COUNCIL

THURSDAY, 24 MARCH 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 Public Administration — Inquiry into the delivery of ambulance services in Western Australia — Extension of Reporting Date

The President made the following Statement —

I have some correspondence. The first is from the Standing Committee on Public Administration, and states —

Dear President

The Standing Committee on Public Administration has resolved to amend the date for the tabling of a report on its inquiry into the delivery of ambulance services in Western Australia.

The Committee will now report on the inquiry by the end of May 2022.

Yours sincerely

Hon Pierre Yang

The President tabled a letter from the Standing Committee on Public Administration advising of an extension of reporting date to the inquiry into the delivery of ambulance services in Western Australia. (Tabled Paper 1172).

3. Statement by President — Joint Standing Committee on the Corruption and Crime Commission — Terms of Reference — What next? Beyond a finding of serious misconduct

The President made the following Statement —

I have a second letter, this time from the Joint Standing Committee on the Corruption and Crime Commission. It states —

Dear President

The Joint Standing Committee on the Corruption and Crime Commission has resolved to conduct an inquiry titled What happens next? Beyond a finding of serious misconduct.

The inquiry has the following terms of reference:

The committee will inquire into what happens after a public officer is found to have engaged in serious misconduct including:

- (1) disciplinary and other sanctions imposed by departments, local government, the Western Australia Police Force and other authorities
- (2) unexplained wealth and criminal benefits proceedings initiated by the Corruption and Crime Commission
- (3) criminal prosecutions arising from serious misconduct investigations including prosecuting arrangements, challenges and outcomes
- (4) the roles of the Corruption and Crime Commission, Public Sector Commission, departments, local government, the Western Australia Police Force and other authorities in taking action, overseeing and/or reporting the above outcomes
- (5) measures to improve the effectiveness, transparency and/or oversight of the above.

* 'public officer' includes a public service officer, police officer, member of either House of Parliament, and member, officer or employee of any authority, board, corporation, commission, local government or council of local government.

The committee will report by 30 November 2023.

Mr M. Hughes, MLA

Chair

The President tabled a letter from the Joint Standing Committee on the Corruption and Crime Commission advising the terms of reference of the inquiry entitled, What next? Beyond a finding of serious misconduct. (Tabled Paper 1173).

4. Petition

Hon Martin Aldridge presented a petition from 47 petitioners requesting the Legislative Council to support a full and independent inquiry into the regional electricity network. (Tabled Paper 1174).

5. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Central Regional TAFE (2021) (Date received 23/03/2022)	1161
Curtin University (2021) (Date received 23/03/2022).....	1162
Edith Cowan University (2021) (Date received 23/03/2022).....	1163
Murdoch University (2021) (Date received 23/03/22)	1164
North Metropolitan TAFE (2021) (Date received 23/03/2022)	1165
North Regional TAFE (2021) (Date received 23/03/2022)	1166
South Metropolitan TAFE (2021) (Date received 23/03/2022)	1167
South Regional TAFE (2021) (Date received 23/03/2022)	1168
University on Western Australia (2021) (Date received 23/03/22).....	1169

Reports —

State of Western Australia and Ventia Australia Pty Ltd — Deed of Extension and Variation — Court Security and Custodial Services Contract (2022).....	1170
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Leader of the House on behalf of the Minister for Emergency Services

Reports —

Perth Casino Royal Commission — Final Report (4 March 2022)..... 1171

6. Joint Standing Committee on the Corruption and Crime Commission — Report 4 — The definition of ‘public officer’ in the Corruption, Crime and Misconduct Act 2003 — Parliamentary Inspector’s report

Hon Dr Steve Thomas presented Report 4 of the Joint Standing Committee on the Corruption and Crime Commission, *The definition of ‘public officer’ in the Corruption, Crime and Misconduct Act 2003 — Parliamentary Inspector’s report*. (Tabled Paper 1175).

7. Joint Standing Committee on the Corruption and Crime Commission — Report 5 — Police power of arrest — Parliamentary Inspector’s report

Hon Dr Steve Thomas presented Report 5 of the Joint Standing Committee on the Corruption and Crime Commission, *Police power of arrest — Parliamentary Inspector’s report*. (Tabled Paper 1176).

8. Joint Standing Committee on the Corruption and Crime Commission — Report 6 — The Corruption and Crime Commission’s unexplained wealth function — The review by the Honourable Peter Martino

Hon Dr Steve Thomas presented Report 6 of the Joint Standing Committee on the Corruption and Crime Commission, *The Corruption and Crime Commission’s unexplained wealth function — The review by the Honourable Peter Martino*. (Tabled Paper 1177).

9. Standing Committee on Environment and Public Affairs — Report 58 — Overview of Petitions 2 June 2021 to 2 December 2021

Hon Peter Foster presented Report 58 of the Standing Committee on Environment and Public Affairs, *Overview of Petitions 2 June 2021 to 2 December 2021*. (Tabled Paper 1178).

10. Shire of Broome Waste Local Law 2021 — Disallowance

Hon Martin Pritchard: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Broome Waste Local Law 2021* published in the *Gazette* on 9 December 2021 and tabled in the Legislative Council on 14 December 2021 under the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled Paper 983).

11. Emergency Declarations to Manage COVID-19

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

That in relation to the McGowan Government’s extended use since March 2020 of emergency declarations made under the *Emergency Management Act 2005* and the *Public Health Act 2016* across Western Australia to manage COVID-19, and the related use of extraordinary powers and directions, including, but not limited to, the present *COVID Transition (Level 2 Public Health and Social Measures) Direction (No. 2)*, the Government must —

- (a) explain how Western Australia is still in a “state of emergency”;
- (b) explain why both emergency declarations have been recently extended, and how the multitude of COVID directions which stem from those declarations are justified;

- (c) provide all written advice that the Minister for Emergency Services and Minister for Health have relied upon in extending (each fortnight) the above declarations;
- (d) commit to tabling the justification for each future emergency declaration extension granted; and
- (e) describe at which point the Government will revoke the emergency declarations, and at which point each of the present COVID directions will be reviewed or repealed

Debate ensued.

Motion lapsed.

12. Government Investment in Regional Western Australia

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

That this House commends the McGowan Labor Government for its record investment into regional Western Australia and its commitment to regional jobs, industry and businesses through the 2021-22 Budget, COVID-19 \$5.5 billion Recovery Fund, and the Regional Economic Development Grants.

Debate ensued.

Motion lapsed.

13. Order of Business

Ordered — That Order of the Day No. 1, *City of Vincent Local Government Property Local Law 2021 — Disallowance*, be taken after Order of the Day No. 3, *Transfer of Land Amendment Bill 2021*. (Leader of the House).

14. Forest Products Amendment Bill 2021

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 Peter Foster in the Chair)

Clause 1.

Debate ensued.

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 Western Australian Rally Vehicle Registration Scheme, in response to a question without notice asked by Hon James Hayward.

The Minister for Regional Development representing the Minister for Energy tabled a letter for the Minister for Energy to the Chair of Western Power in relation to the independent review into outages on the South West Interconnected System between 24 and 28 December 2021, in response to question on notice 568 asked by Hon Martin Aldridge. (Tabled Paper 1179).

16. Forest Products Amendment Bill 2021

Resumption of consideration of this Bill in Committee of the Whole House (*see item 14 above*).
The President left the Chair.

In Committee

(Hon Jackie Jarvis in the Chair)

Clause 1.

Debate resumed.

Clause 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. Mutual Recognition (Western Australia) Amendment Bill 2021

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 56

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Mutual Recognition (Western Australia) Amendment Bill 2021* without amendment.

Mr S.J. Price

Deputy Speaker

Legislative Assembly Chamber

Perth, 24 March 2022

19. Railway (METRONET) Amendment Bill 2022

The President reported the receipt of Message No. 57 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Minister for Transport moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Minister for Transport moved, That the Bill be read a second time.

The Leader of the House representing the Minister for Transport tabled the *Report on the Planned Construction of the Armadale Line and Byford Rail Extension*. (Tabled Paper 1180).

The Leader of the House representing the Minister for Transport tabled a map of the proposed Claisebrook to Mundijong Section. (Tabled Paper 1181).

The Leader of the House representing the Minister for Transport tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1182).

Debate stands adjourned.

20. Soil and Land Conservation Amendment Bill 2021

The President reported the receipt of Message No. 58 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Minister for Agriculture and Food tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1183).

Debate stands adjourned.

21. Adjournment

The Council adjourned at 6.10pm until Tuesday, 5 April 2022 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Stephen Dawson, Hon Lorna Harper, Hon Sophia Moermond and Hon Rosetta Sahanna.

SAM HASTINGS

Acting Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council