



LEGISLATIVE COUNCIL

WEDNESDAY, 15 DECEMBER 2021

1.00pm

1. Meeting of Council

The Council assembled at 1.00pm 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 a petition from 115 petitioners requesting the Legislative Council to consider Department of Communities Housing in Karawara. (Tabled Paper 994).

Point of Order

Hon Donna Faragher raised the following Point of Order —

I seek some clarification from you, President, with regard to today's petition that was tabled by Hon Stephen Pratt. It may well be within the Standing Orders, but normally we hear the text of the petition as well as the prayer at the end. I did not hear that. That may be covered in the Standing Orders, but I seek your clarification, because it is unusual.

President's Ruling

The President ruled as follows —

Indeed, it is in the Standing Orders. Standing Order 102(3)(b) states that Members presenting the petition shall read the text of the petition or a summary of that text, and that is indeed what the honourable Member did. At times, given the length of the text of some petitions, Members are encouraged to read the summary. The honourable Member was quite correct in providing a summary.

3. Ministerial Statement — Work Health and Safety Regulations – Exposure Drafts Available in December 2021

The Minister for Industrial Relations made a Ministerial Statement with respect to the drafting of regulations for the *Work Health and Safety Act 2020*.

4. Papers

The following Papers were laid on the Table by —

President

Documents —

Annual Schedule of allocation of Motions on Notice (2022).....	991
Non-Government Business and Private Members' Business Schedule (2022).....	992

Parliamentary Secretary to the Attorney General

Reports —

Department of Justice Strategic Reform — Statutory Review of the Coroners Act 1990 (WA) (Final Report) (July 2021) 993

5. Non-Government Business — 2022 Schedule

The Leader of the House moved, without notice —

That, pursuant to Standing Order 111(4), the schedule for Non-Government business tabled by the President be adopted.

Debate ensued.

Question — put and passed.

6. Private Members' business — 2022 Schedule

The Leader of the House moved, without notice —

That, pursuant to Standing Order 112(4), the schedule for Private Members' business tabled by the President be adopted.

Question — put and passed.-

7. Order of Business

Ordered — That Orders of the Day Nos 1, *Biodiversity Conservation (Exemptions) Amendment Order 2021 — Disallowance*, 2, *Serpentine-Jarrahdale Bush Fire Brigades Local Law 2021 — Disallowance*, 3, *City of Fremantle Parking Local Law 2021 — Disallowance*, 4, *City of Stirling Meeting Procedures Local Law 2021 — Disallowance*, 5, *Non-Coronial Post-Mortem Examinations Code of Practice 2021 — Disallowance*, 6, *Shire of Waroona Health Local Law 2021 — Disallowance*, and 7, *City of Canning Local Government Property and Public Places Local Law 2021 — Disallowance*, be taken after Order of the Day No. 24, *Industrial Relations Legislation Amendment Bill 2021*. (Leader of the House).

8. 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.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Dr Sally Talbot in the Chair)

Clause 1.

Debate ensued.

The Leader of the House representing the Minister for Local Government tabled a document entitled *Comparison between the 2020 and 2021 Bills*. (Tabled Paper 995).

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 to 6 agreed to.

Clause 7.

Debate ensued.

Clause agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9 agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clause 12 agreed to.

Clause 13.

Debate ensued.

Clause agreed to.

Clause 14.

Debate ensued.

Clause agreed to.

Clause 15 agreed to.

Clause 16.

Debate ensued.

Clause agreed to.

Clauses 17 to 22 agreed to.

Clause 23.

Debate ensued.

Clause agreed to.

Clauses 24 to 34 agreed to.

Clause 35.

Debate ensued.

Clause agreed to.

Clauses 36 to 41 agreed to.

Clause 42.

Debate ensued.

Clause agreed to.

Clauses 43 to 62 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Leader of the House representing the Minister for Local Government 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.

Bill read a third time and passed.

9. Industrial Relations Legislation Amendment Bill 2021

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

10. Questions Without Notice

Questions without notice were taken.

11. President's Ruling — Actions of Parliamentary Secretary in private matter — SO 104 and SO 46

The President ruled as follows —

Yesterday during Questions without Notice I advised the House that I would rule on whether a question without notice asked by Hon Colin de Grussa to the Minister for Agriculture and Food was in order.

The question was:

Is the Minister aware of reports that her Parliamentary Secretary has been dumping grain in an unused CBH Group open bulkhead without permission, causing major headaches for other growers and CBH; and will the minister commit to looking into this?

Pursuant to Standing Order 104(a) questions to Ministers and Parliamentary Secretaries must relate to:

- public affairs with which the Minister or Parliamentary Secretary are connected
- to proceedings in the Council
- or to any matter of administration for which the Minister or Parliamentary Secretary is responsible.

Having regard to the phrasing of the question it is not apparent to me that the question falls within any of those matters. Therefore, in my view the question was not in order.

12. Statement by President — Chamber Etiquette — Electronic Devices

The President made the following Statement —

I am giving serious consideration to putting into practice that which former President Barry House put into practice for a breach of etiquette of the House; that is, when mobile phones make noise in the House, those phones or other devices will be confiscated for the length of the sitting day.

13. Personal Explanation

Hon Darren West, by leave, made a personal explanation in relation to question without notice that was asked by Hon Colin de Grussa that implied that he had dumped grain at a CBH facility without permission.

14. Personal Explanation

The Minister for Regional Development, by leave, made a personal explanation in relation to question without notice 1171 asked by Hon Colin de Grussa.

15. Industrial Relations Legislation Amendment Bill 2021

Debate resumed on the second reading of this Bill (*see item 9 above*).

Hon Nick Goiran moved, without notice —

That the *Industrial Relations Legislation Amendment Bill 2021* be discharged and referred to the Standing Committee on Legislation for consideration and report by no later than 15 February 2022.

Debate ensued.

Question — put.

The Council divided.

Ayes (6)

Hon Martin Aldridge
Hon Donna Faragher
Hon Nick Goiran

Hon Steve Martin
Hon Neil Thomson
Hon Colin de Grussa (*Teller*)

Noes (20)

Hon Klara Andric
Hon Dan Caddy
Hon Sandra Carr
Hon Stephen Dawson
Hon Sue Ellery
Hon Peter Foster
Hon Lorna Harper
Hon Jackie Jarvis
Hon Alannah MacTiernan
Hon Ayor Makur Chuot

Hon Kyle McGinn
Hon Sophia Moermond
Hon Shelley Payne
Hon Stephen Pratt
Hon Martin Pritchard
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Dr Brian Walker
Hon Darren West
Hon Pierre Yang (*Teller*)

Question thus negated.

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Steve Martin in the Chair)

Clause 1.

Debate ensued.

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.

16. Members' Statements

Statements were taken.

17. Adjournment

The Council adjourned at 6.28pm until Thursday, 16 December 2021 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon James Hayward, Hon Samantha Rowe (*leave*) and Hon Rosetta Sahanna.

PAUL GRANT

Acting Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council