



LEGISLATIVE COUNCIL

TUESDAY, 17 AUGUST 2021

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 Bill

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bill —

12 August 2021 — Message No. 16

Metropolitan Region Scheme (Beelihar Wetlands) Bill 2021

Act No.

8 of 2021

3. Petitions

Hon Matthew Swinbourn presented a petition from 438 petitioners requesting the Legislative Council to oppose the total ban on gel blaster toys. (Tabled Paper 461).

Hon Matthew Swinbourn presented a petition from 12 petitioners requesting the Legislative Council to recommend that the Department of Transport, Main Roads Western Australia, Arc Infrastructure and the Public Transport Authority engage with local affected landowners to investigate the proposed realignment of the Southwest Freight Rail Line. (Tabled Paper 462).

Hon Rosetta Sahanna presented a petition from 2,123 petitioners requesting the Legislative Council to make recommendations to the Government in relation to the unsolved murder of Ms Stacey Robyn Thorne on 9 December 2007. (Tabled Paper 463).

4. Ministerial Statement — Statutory Review of the Mental Health Act 2014

The Minister for Mental Health made a Ministerial Statement with respect to the statutory review of the *Mental Health Act 2014*.

5. Ministerial Statement — Western Australia's Biosecurity

The Minister for Agriculture and Food made a Ministerial Statement with respect to funding in the 2021-2022 State Budget to strengthen Western Australia's biosecurity capabilities.

6. Ministerial Statement — Children and Community Services Amendment Bill 2021 — Amended Explanatory Memorandum

The Parliamentary Secretary to the Minister for Child Protection made a Ministerial Statement with respect to an amended explanatory memorandum for the *Children and Community Services Amendment Bill 2021*.

The Parliamentary Secretary to the Minister for Child Protection tabled an amended explanatory memorandum for the Children and *Community Services Amendment Bill 2021*. (Tabled Paper 464).

7. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Australian Criminal Intelligence Commission (2019-20) (Date received 16/08/2021) 455

Local Laws —

Dog Act 1976 (City of Melville Dog Local Law 2021 G.G. 11/08/2021) 456

Regulations —

Shipping and Pilotage Act 1967; Western Australian Marine Act 1982 (Transport Regulations Amendment (Mooring Management) Regulations 2021 G.G. 13/08/2021) 457

Vocational Education and Training Act 1996 (Vocational Education and Training (Colleges) Amendment Regulations 2021 G.G. 13/08/2021)..... 458

Minister for Regional Development

Regulations —

Animal Welfare Act 2002 (Animal Welfare (General) Amendment Regulations 2021 G.G. 13/08/2021) 459

Water Services Act 2012 (Water Services (Water Corporations Charges) Amendment Regulations (No. 2) 2021 G.G. 13/08/2021) 460

8. Order of Business

Ordered — That Orders of the Day Nos 1, *Town of Port Hedland Waste Local Law 2020 — Disallowance*, 3, *Mindarie Regional Council Waste Facility Site Amendment Local Law 2020 — Disallowance*, 9, *City of Gosnells Standing Orders Amendment Local Law (Number 2) 2020 — Disallowance*, 10, *Shire of Broome Waste Local Law 2021 — Disallowance*, 11, *Shire of Gingin— Meeting Procedures Amendment Local Law 2021 — Disallowance*, 13, *City of Kalamunda Dogs Local Law 2021 — Disallowance*, 15, *Shire of Peppermint Grove Activities in Thoroughfares and Public Places and Trading Local Law 2021 — Disallowance*, 16, *Shire of Peppermint Grove Fencing Local Law 2021 — Disallowance*, and 18, *Weapons Amendment Regulations 2021 — Disallowance*, be taken after Order of the Day No. 22, *Conservation and Land Management Amendment Bill 2021*. (Leader of the House).

9. Curtin University Statute No. 5—Election of Council Members — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 2, *Curtin University Statute No. 5—Election of Council Members*, be discharged from the Notice Paper.

Question — put and passed.

10. Shire of Broomehill-Tambellup Activities in Thoroughfares and Public Places and Trading Local Law 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 4, *Shire of Broomehill-Tambellup Activities in Thoroughfares and Public Places and Trading Local Law 2020*, be discharged from the Notice Paper.

Question — put and passed.

11. Shire of Broomehill-Tambellup Cemeteries Local Law 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 5, *Shire of Broomehill-Tambellup Cemeteries Local Law 2020*, be discharged from the Notice Paper.

Question — put and passed.

12. Shire of Broomehill-Tambellup Fencing Local Law 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 6, *Shire of Broomehill-Tambellup Fencing Local Law 2020*, be discharged from the Notice Paper.

Question — put and passed.

13. Shire of Broomehill-Tambellup Health Local Law 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 7, *Shire of Broomehill-Tambellup Health Local Law 2020*, be discharged from the Notice Paper.

Question — put and passed.

14. Shire of Broomehill-Tambellup Waste Local Law 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 8, *Shire of Broomehill-Tambellup Waste Local Law 2020*, be discharged from the Notice Paper.

Question — put and passed.

15. City of Bayswater Activities in Thoroughfares and Public Places and Trading Local Law 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 12, *City of Bayswater Activities in Thoroughfares and Public Places and Trading Local Law 2020*, be discharged from the Notice Paper.

Question — put and passed.

16. City of Kalamunda Extractive Industries Local Law 2021 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 14, *City of Kalamunda Extractive Industries Local Law 2021*, be discharged from the Notice Paper.

Question — put and passed.

17. Shire of Peppermint Grove Waste Local Law 2021 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 17, *Shire of Peppermint Grove Waste Local Law 2021*, be discharged from the Notice Paper.

Question — put and passed.

18. Financial Legislation Amendment Bill 2021

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 Peter Foster in the Chair)

Clause 1.

Debate resumed.

The Minister for Mental Health representing the Treasurer tabled recommendations of the 2012 and 2017 Financial Management Act reviews. (Tabled Paper 465).

Debate resumed.

The Minister for Mental Health representing the Treasurer tabled a document setting out aspects of the Bill not specifically recommended, resulting from the Joint Standing Committee on Audit reviews and drafting process. (Tabled Paper 466).

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clause 7 to 9 agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clause 11.

Debate ensued.

The Minister for Mental Health representing the Treasurer moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

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.

19. Questions Without Notice

Questions without notice were taken.

The Minister for Regional Development representing the Minister for Lands, by leave, incorporated into *Hansard* information in relation to state land divestment sales in 2016-17, 2017-18, 2018-19, 2019-20 and 2020-21, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to staffing levels at metropolitan COVID-19 vaccination sites, in response to a question without notice asked by Hon Tjorn Sibma.

The Leader of the House representing the Premier, by leave, incorporated into *Hansard* information in relation to the Premier's comments that the Government might possibly enact the net-zero emissions by 2050 target into law, in response to a question without notice asked by Hon Tjorn Sibma.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to Midwives Notification System Reference Group's recommended changes to Form 2, in response to a question without notice asked by Hon Nick Goiran.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to health care workers relocating to Western Australia, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Mental Health representing the Minister for Health tabled a list of Government and non-Government schools that currently have a School Health Nurse located on site, including the FTE allocation, in response to question on notice 169 asked by Hon Donna Faragher. (Tabled Paper 467).

20. Veterinary Practice Bill 2021

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

Debate ensued.

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

21. Legislation 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 Steve Martin in the Chair)

Clause 1.
Debate ensued.
Clause agreed to.
Clause 2.
Debate ensued.
Clause agreed to.
Clause 3.
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.

22. Members' Statements

Statements were taken.
The Leader of the House tabled information in relation to Midwives Notification System Reference Group's recommended changes to Form 2, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 468).

23. Adjournment

The Council adjourned at 10.23pm until Wednesday, 18 August 2021 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Martin Aldridge, Hon Neil Thomson and Hon Darren West.

NIGEL PRATT

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council