



LEGISLATIVE COUNCIL

TUESDAY, 10 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. President's Ruling — Documents Sought to be Tabled by the Leader of the Opposition

The President ruled as follows —

On Wednesday, 4 August 2021 the Leader of the Opposition sought my advice in relation to his intention to seek leave to table certain documents. These documents were correspondence passing between the Leader of the Opposition and the Chair of the Procedure and Privileges Committee relating to the current inquiry on the Review of the Standing Orders.

The Leader of the Opposition acknowledged in his speech that submissions to a parliamentary committee are confidential to the committee until such time as the committee agrees to release it. However, he appears to be under a misapprehension that documentation not published by the Procedure and Privileges Committee may be tabled and published in the Council Chamber because absolute privilege applies to that publication. I note that at this time the Procedure and Privileges Committee has not published any submission or other correspondence received by it related to its inquiry.

The Standing Orders permit committees, and ultimately the House, to control the publication of committee records. The Standing Orders provide that private evidence, which include submissions or any document or record received by a Committee, or Committee material including correspondence sent by a Committee shall not be published by any Committee member or person, unless otherwise ordered by the Committee or the Council. In these circumstances it would be contrary to the Standing Orders for the correspondence to be tabled.

3. Petition

Hon Nick Goiran presented a petition from 2,172 petitioners requesting the Legislative Council to inquire into the *Public Health Amendment (Safe Access Zones) Bill 2021*. (Tabled Paper 440).

4. Ministerial Statement — Badgingarra Sheep Shearing and Woolhandling Camp

The Minister for Agriculture and Food made a Ministerial Statement with respect to a Shearing and Woolhandling Camp held in Badgingarra in July 2021.

5. Paper

The following Paper was laid on the Table by —

Leader of the House

Local Laws —

Local Government Act 1995 (Shire of Laverton Bush Fire Brigades Local Law 2021 G.G. 03/08/2021) 439

6. Standing Committee on Uniform Legislation and Statutes Review — Report 133 — Fair Trading Amendment Bill 2021

Hon Donna Faragher presented Report 133 of the Standing Committee on Uniform Legislation and Statutes Review, *Fair Trading Amendment Bill 2021*. (Tabled Paper 441).

Hon Donna Faragher moved, without notice —

That Recommendation 1 of the Standing Committee on Uniform Legislation and Statutes Review contained in its Report 133, *Fair Trading Amendment Bill 2021*, be adopted and agreed to.

Hon Donna Faragher sought leave to continue her remarks at a later stage of this day's sitting.

Leave granted.

Debate stands adjourned.

7. Standing Committee on Uniform Legislation and Statutes Review — Report 134 — Transport Legislation Amendment (Identity Matching Services) Bill 2021

Hon Donna Faragher presented Report 134 of the Standing Committee on Uniform Legislation and Statutes Review, *Transport Legislation Amendment (Identity Matching Services) Bill 2021*. (Tabled Paper 442).

8. Order of Business

Ordered — That Orders of the Day Nos 9, *Town of Port Hedland Waste Local Law 2020 — Disallowance*, 18, *Curtin University Statute No. 5 — Election of Council Members — Disallowance*, 19, *Mindarie Regional Council Waste Facility Site Amendment Local Law 2020 — Disallowance*, 21, *Shire of Broomehill-Tambellup Activities in Thoroughfares and Public Places and Trading Local Law 2020 — Disallowance*, 22, *Shire of Broomehill-Tambellup Cemeteries Local Law 2020 — Disallowance*, 23, *Shire of Broomehill-Tambellup Fencing Local Law 2020 — Disallowance*, 24, *Shire of Broomehill-Tambellup Health Local Law 2020 — Disallowance*, 25, *Shire of Broomehill-Tambellup Waste Local Law 2020 — Disallowance*, 26, *City of Gosnells Standing Orders Amendment Local Law (Number 2) 2020 — Disallowance*, 30, *Shire of Broome Waste Local Law 2021 — Disallowance*, 32, *Shire of Gingin—Meeting Procedures Amendment Local Law 2021 — Disallowance*, 34, *City of Bayswater Activities in Thoroughfares and Public Places and Trading Local Law 2020 — Disallowance*, 35, *City of Kalamunda Dogs Local Law 2021 — Disallowance*, 36, *City of Kalamunda Extractive Industries Local Law 2021 — Disallowance*, 37, *Shire of Peppermint Grove Activities in Thoroughfares and Public Places and Trading Local Law 2021 — Disallowance*, 38, *Shire of Peppermint Grove Fencing Local Law 2021 — Disallowance*, 39, *Shire of Peppermint Grove Waste Local Law 2021 — Disallowance*, and 40, *Weapons Amendment Regulations 2021 — Disallowance*, be taken after Order of the Day No. 44, *Conservation and Land Management Amendment Bill 2021*. (Leader of the House).

9. City of Bunbury Public Places and Local Government Property Local Law 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Martin Pritchard moved, without notice —

That, Order of the Day No. 1, *City of Bunbury Public Places and Local Government Property Local Law 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

10. Boxing Contest Rules 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Martin Pritchard moved, without notice —

That, Order of the Day No. 2, *Boxing Contest Rules 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Kickboxing Contest Rules 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Martin Pritchard moved, without notice —

That, Order of the Day No. 3, *Kickboxing Contest Rules 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

12. MMA Contest Rules 2019 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Martin Pritchard moved, without notice —

That, Order of the Day No. 4, *MMA Contest Rules 2019 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

13. Muay Thai Contest Rules 2020 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Martin Pritchard moved, without notice —

That, Order of the Day No. 5, *Muay Thai Contest Rules 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

14. Road Traffic (Towing of Vehicles) Regulations 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, *Road Traffic (Towing of Vehicles) Regulations 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

15. City of Greater Geraldton Public Places and Local Government Property 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, *City of Greater Geraldton Public Places and Local Government Property Local Law 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

16. Shire of Coolgardie 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 Coolgardie Waste Local Law 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

17. City of Belmont Consolidated 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. 10, *City of Belmont Consolidated Local Law 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

18. Consumer Goods (Products Containing Button/Coin Batteries) Safety Standard 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. 11, *Consumer Goods (Products Containing Button/Coin Batteries) Safety Standard 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

19. Consumer Goods (Button/Coin Batteries) Information Standard 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, *Consumer Goods (Button/Coin Batteries) Information Standard 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

20. Consumer Goods (Button/Coin Batteries) Safety Standard 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. 13, *Consumer Goods (Button/Coin Batteries) Safety Standard 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

21. Consumer Goods (Products Containing Button/Coin Batteries) Information Standard 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. 14, *Consumer Goods (Products Containing Button/Coin Batteries) Information Standard 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

22. City of Bayswater 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. 15, *City of Bayswater Waste Local Law 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

23. Bush Fires Amendment Regulations 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. 16, *Bush Fires Amendment Regulations 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

24. National Disability Insurance Scheme (Worker Screening) Regulations 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, *National Disability Insurance Scheme (Worker Screening) Regulations 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

25. City of Cockburn Parking and Parking Facilities Amendment No. 1 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. 20, *City of Cockburn Parking and Parking Facilities Amendment No. 1 Local Law 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

26. Town of Cottesloe Local Government (Meetings Procedure) 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. 27, *Town of Cottesloe Local Government (Meetings Procedure) Local Law 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

27. City of Rockingham 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. 28, *City of Rockingham Fencing Local Law 2020 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

28. City of Canning Dog 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. 29, *City of Canning Dog Local Law 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

29. Town of Victoria Park Fencing 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. 31, *Town of Victoria Park Fencing Local Law 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

30. Racing Bets Levy Amendment Regulations 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. 33, *Racing Bets Levy Amendment Regulations 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

31. Public Health Amendment (Safe Access Zones) Bill 2021

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

The President made the following Statement —

We are about to commence debate on the *Public Health Amendment (Safe Access Zones) Bill 2021*. This Bill by its policy content may evoke emotive contributions, responses and views. Some of those views will be contentious to some Members and not to others.

I remind Members there are a wide range of views on this matter and ask that each of you consider all contributions to this debate with respect as you consider this Bill in each of its stages.

Debate ensued.

32. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Housing, by leave, incorporated into *Hansard* a table detailing the wait list for Government Regional Officers' Housing stock for each Government department, in response to a question without notice asked by Hon Colin de Grussa.

The Parliamentary Secretary to the Minister for Community Services, by leave, incorporated into *Hansard* a list of contracted homeless services in regional Western Australia, in response to a question without notice asked by Hon Steve Martin.

The Leader of the House representing the Minister for Ports tabled documents in relation to the Fremantle Port Authority's application for a license amendment, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 443).

The Leader of the House representing the Minister for Housing tabled documents in relation to Government Regional Officers' Housing stock in 2016, 2017, 2018, 2019 and 2020 in various regions, in response to question on notice 150 asked by Hon Peter Collier. (Tabled Paper 444).

The Leader of the House representing the Minister for Transport tabled supplementary information in relation to the *Metropolitan Region Scheme (Beeliar Wetlands) Bill 2021*, in response to questions asked during Committee of the Whole House by Hon Neil Thomson and Hon Nick Goiran. (Tabled Paper 445).

The Minister for Mental Health representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 146 asked by Hon Dr Steve Thomas will be provided on 19 August 2021.

33. Public Health Amendment (Safe Access Zones) Bill 2021

Debate resumed on the second reading of this Bill (*see item 31 above*).

Question — put.

The Council divided.

Ayes (27)

Hon Martin Aldridge
 Hon Dan Caddy
 Hon Sandra Carr
 Hon Peter Collier
 Hon Stephen Dawson
 Hon Colin de Grussa
 Hon Sue Ellery
 Hon Donna Faragher
 Hon Peter Foster
 Hon Lorna Harper
 Hon Alannah MacTiernan
 Hon Steve Martin
 Hon Kyle McGinn
 Hon Sophia Moermond

Hon Shelley Payne
 Hon Dr Brad Pettitt
 Hon Stephen Pratt
 Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Rosie Sahanna
 Hon Tjorn Sibma
 Hon Matthew Swinbourn
 Hon Dr Sally Talbot
 Hon Wilson Tucker
 Hon Dr Brian Walker
 Hon Darren West
 Hon Pierre Yang (*Teller*)

Noes (3)

Hon James Hayward
 Hon Neil Thomson

Hon Nick Goiran (*Teller*)

Question thus passed.

Bill read a second time.

The Deputy President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 1.

Debate ensued.

The Minister for Mental Health representing the Minister for Health tabled a report by the Department of Health entitled *Safe access zones – A proposal for reform in Western Australia*. (Tabled Paper 446).

Debate resumed.

Interruption pursuant to order.

34. Members' Statements

Statements were taken.

Hon Peter Collier, by leave, tabled the capability statement of the Soldier and Sirens program. (Tabled Paper 447).

35. Adjournment

The Council adjourned at 10.20pm until Wednesday, 11 August 2021 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Klara Andric, Hon Kate Doust and Hon Jackie Jarvis.

NIGEL PRATT

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council