



LEGISLATIVE COUNCIL

THURSDAY, 18 NOVEMBER 2021

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 James Hayward presented a petition from 118 petitioners requesting the Legislative Council to oppose the proposal for mandatory vaccinations. (Tabled Paper 894).

3. Ministerial Statement — Polyphagous Shot-Hole Borer

The Minister for Agriculture and Food made a Ministerial Statement with respect to the detection of a polyphagous shot-hole borer in East Fremantle.

4. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

WA's COVID-19 Vaccine Roll-out (Report No. 8) (2021-22)..... 890

Minister for Regional Development on behalf of the Leader of the House

Annual Reports —

Construction Training Fund (2020-21) (Date received 18/11/2021)..... 891

Housing Authority (2020-21) (Date received 17/11/2021)..... 892

Reports —

State of the WA Government Sector Workforce (2020-21)..... 893

5. Joint Standing Committee on the Commissioner for Children and Young People — Report 2 — Report Review 2020-21: Examination of selected reports by the Commissioner for Children and Young People

Hon Neil Thomson presented Report 2 of the Joint Standing Committee on the Commissioner for Children and Young People, *Report Review 2020-21: Examination of selected reports by the Commissioner for Children and Young People*. (Tabled Paper 895).

6. Joint Standing Committee on the Commissioner for Children and Young People — Report 3 — The merits of appointing a commissioner for Aboriginal children and young people

Hon Neil Thomson presented Report 3 of the Joint Standing Committee on the Commissioner for Children and Young People, *The merits of appointing a commissioner for Aboriginal children and young people*. (Tabled Paper 896).

7. Standing Committee on Estimates and Financial Operations — Report 84 — Inquiry into the financial administration of homelessness services in Western Australia — Terms of reference

Hon Peter Collier presented Report 84 of the Standing Committee on Estimates and Financial Operations, *Inquiry into the financial administration of homelessness services in Western Australia — Terms of reference*. (Tabled Paper 897).

8. City of Fremantle Parking Local Law 2021 — Disallowance

Hon Stephen Pratt: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Fremantle Parking Local Law 2021* published in the *Gazette* on 6 September 2021 and tabled in the Legislative Council on 14 September 2021 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 544).

9. City of Stirling Meeting Procedures Local Law 2021 — Disallowance

Hon Stephen Pratt: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Stirling Meeting Procedures Local Law 2021* published in the *Gazette* on 7 September 2021 and tabled in the Legislative Council on 14 September 2021 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 544).

10. Non-Coronial Post-Mortem Examinations Code of Practice 2021 — Disallowance

Hon Stephen Pratt: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Non-Coronial Post-Mortem Examinations Code of Practice 2021* published in the *Gazette* on 10 September 2021 and tabled in the Legislative Council on 14 September 2021 under the *Human Tissue and Transplant Act 1982*, be and is hereby disallowed. (Tabled Paper 552).

11. Transparency and Accountability

Non-Government Business No. 1 having been called, Hon Colin de Grussa moved, without notice —

That the Legislative Council expresses its concern at the Labor Government's continued lack of transparency and accountability in relation to decision making, board appointments and the financial management of its agencies.

Debate ensued.

Motion lapsed.

12. Investment in Mental Health

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

- (a) acknowledges that the issue of mental health is everyone's business; that all employers, workers, communities and governments must take responsibility for shaping a society in which good mental health is prioritised;
- (b) notes that many extrinsic factors, including work, workplace culture, home environment, social, sexual, ethnic minority or economic status, make some people more likely to experience poorer mental health outcomes;
- (c) notes that the McGowan Government has invested an additional \$495 million in the 2021-2022 budget, to new and ongoing mental health services; and
- (d) acknowledges that those recent investments in mental health will benefit many people with mental health issues, and continue to provide high quality mental health care outcomes for anyone who needs it.

Debate ensued.

Motion lapsed.

13. Order of Business

Ordered — That Orders of the Day Nos 1, *Biodiversity Conservation (Exemptions) Amendment Order 2021 — Disallowance*, and 3, *Serpentine-Jarrahdale Bush Fire Brigades Local Law 2021 — Disallowance*, be taken after Order of the Day No. 11, *Administration Amendment Bill 2021*. (Leader of the House).

14. City of Canning Fencing Local Law 2021 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Stephen Pratt moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 2, *City of Canning Fencing Local Law 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

15. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 2021

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

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon James Hayward in the Chair)

Clause 1.

Debate ensued.

Leader of the House representing the Minister for Emergency Services tabled SafeWA App statistics from December 2020 to September 2021. (Tabled Paper 898).

Debate resumed.
 Clause agreed to.
 Clauses 2 to 9 agreed to.
 Title agreed to.

The President resumed the Chair.
 Bill reported without amendment.
 Report adopted.

The Leader of the House representing the Minister for Emergency Services moved, That the Bill be read a third time.

The 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.

Debate ensued.

16. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Public Sector Management, by leave, incorporated into *Hansard* information a list of the number of SES positions for the years 2016-17, to 2020-21, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Agriculture and Food tabled a report entitled *Ecosystems service of biological pest control in Australia, the role of non-crop habitats within landscapes*, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 899).

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the number of SafeWA App login scans per month for January 2021 to October 2021, in response to a question without notice asked by Hon Peter Collier.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to Western Australia's Safe Transition Plan, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Mental Health representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to questions on notice 289 asked by Hon James Hayward will be provided by 30 November 2021.

The Minister for Regional Development representing the Minister for Lands tabled documents in relation to the regional land booster incentive in Western Australia, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 900).

17. Statement by President — Standing Committee on Estimates and Financial Operations — Inquiry into the financial administration of homelessness services in Western Australia — Substitution of Member

The President made the following Statement —

I have correspondence from the Chair of the Standing Committee on Estimates and Financial Operations —

Dear President

Substitution of Committee Members

I am writing to you in relation to the Estimates and Financial Operations Committee's inquiry into the financial administration of homelessness services in Western Australia, initiated by the Committee on 17 November 2021.

Pursuant to Standing Order 163, the Committee also resolved on 17 November 2021 to order the substitution of the following Committee Members for the duration of the inquiry:

- Hon Nick Goiran MLC will be substituted by Hon Steve Martin MLC
- Hon Samantha Rowe MLC will be substituted by Hon Dan Caddy MLC

Yours sincerely

Hon Peter Collier MLC

Chair

18. Statement by President — Conventions, Courtesies and Etiquette in the House

The President made the following Statement —

As the first year of the 41st Parliament draws to an end, I thought it timely to remind Members of some of the conventions of this place, and the courtesies and standards of etiquette for this House. These are for the benefit of all Members and the efficient functioning of the Chamber.

I draw your attention to Procedural Note No. 2 relating to the conventions and courtesies of the House. It would be beneficial to all Members if they reacquainted themselves with this advice, particularly the following sections of the Note:

- Movement in the Chamber;
- Receiving the call;
- No injections or disruptions; and
- Use of electronic devices.

I would also like to take this opportunity to remind Members that it is not appropriate to consume food and drink, other than water, in the Chamber.

A summary of the usual etiquettes to be observed in the Council is included in Members' Standing Orders. If Members do not have this document, please advise Chamber Staff who will provide one.

19. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 2021

Debate resumed on the third reading of this Bill (*see item 15 above*).

Question — put and passed.

Bill read a third time and passed.

20. Order of Business

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

21. Members' Statements

Statements were taken.

22. Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021

The Deputy President reported the receipt of Message No. 47 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Attorney General moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Parliamentary Secretary to the Attorney General moved, That the Bill be read a second time.

The Parliamentary Secretary to the Attorney General tabled a report by the Western Australia Police Force entitled *Justification of the Provisions of Part 3 of the Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021*. (Tabled Paper 901).

The Parliamentary Secretary to the Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 902).

Debate stands adjourned.

23. Adjournment

The Council adjourned at 5.48pm until Tuesday, 30 November 2021 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Sandra Carr, Hon Lorna Harper, Hon Samantha Rowe and Hon Rosetta Sahanna.

NIGEL PRATT

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council