



LEGISLATIVE COUNCIL

THURSDAY, 27 MAY 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. Petitions

Hon Dr Steve Thomas presented a petition from 810 petitioners requesting the Legislative Council to recommend the removal of rocks blocking vehicle beach access to Hooley Road, Boranup. (Tabled Paper 225).

Hon Dr Brad Pettitt presented a petition from 170 petitioners requesting the Legislative Council to oppose the rezoning of Lot 5780 Down Road, Albany for motor sport activities. (Tabled Paper 226).

3. Paper

The following Paper was laid on the Table by —

President

Reports —

Corruption and Crime Commission — Review of a police use of force incident in Northbridge on 10 November 2019 (27 May 2021)..... 224

4. Attorney General to direct the Coroner

Hon Nick Goiran: To move on the next day of sitting —

That this House —

- (1) Expresses its deep regret at the deaths of Aishwarya Aswath and Cohen Fink and tenders its profound sympathy to members of their respective families in their bereavement.
- (2) Notes that section 22(1)(d) of the *Coroners Act 1996* empowers the Attorney General to direct a coroner, that holds jurisdiction to investigate a death, to hold an inquest if the death appears to be a Western Australian death.
- (3) Further notes that the Attorney General has declined to exercise this power of direction.
- (4) Calls on the Attorney General to —
 - (a) urgently reconsider his decision not to direct that inquests occur in these two cases; and

- (b) outline the criteria by which he determines when and for whom he will utilise this statutory power.

5. Joint Standing Committee on the Corruption and Crime Commission in this 41st Parliament

Hon Nick Goiran: To move on the next day of sitting —

That this House —

- (1) Acknowledges the ongoing important role undertaken by the Joint Standing Committee on the Corruption and Crime Commission in this 41st Parliament.
 - (2) Notes that the Standing Orders of the Legislative Assembly apply, as far as they are able, to the work of the Committee and that —
 - (a) pursuant to Standing Order 270 committee deliberations will be conducted in closed session; and
 - (b) pursuant to Standing Order 271(2) no member of the Committee nor any other person may publish or disclose evidence not taken in public including documentary evidence received by the Committee unless that evidence has been reported to the Assembly or that disclosure has been authorised, on motion, by the Committee.
 - (3) Notes the comments of Mr Matthew Hughes MLA on 13 May 2020.
 - (4) Notes the content of Legislative Assembly Message No. 9 received on 26 May 2021.
 - (5) Emphasises its expectation that all members serving on any parliamentary committee in this 41st Parliament will respect and adhere to the Standing Orders under which their committee is operating under; and
- acquaints the Legislative Assembly accordingly.

6. Palliative Care

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

That this Council —

- (a) acknowledges that this week is National Palliative Care Week and recognises the theme “Palliative Care *it's more than you think*”;
- (b) notes that on 19 November 2020 the Joint Select Committee on Palliative Care in Western Australia tabled its final report;
- (c) expresses concern that priorities continue to be misplaced as a consequence of the Minister for Health’s ongoing mismanagement of the health system; and
- (d) calls on the Government to table forthwith its response to the Joint Select Committee’s 56 findings and 25 recommendations.

Debate ensued.

Motion lapsed.

7. Western Australia’s Renewable Hydrogen Industry

Private Members’ Business No. 1 having been called, Hon Shelley Payne moved, without notice —

That this House supports the McGowan Government’s initiatives to create a renewable hydrogen industry in Western Australia.

Debate ensued.

Motion lapsed.

8. Order of Business

Ordered — That Orders of the Day Nos 1, *City of Bunbury Public Places and Local Government Property Local Law 2020 — Disallowance*, 2, *Boxing Contest Rules 2020 — Disallowance*, 3, *Kickboxing Contest Rules 2020 — Disallowance*, 4, *MMA Contest Rules 2019 — Disallowance*, and 5, *Muay Thai Contest Rules 2020 — Disallowance*, be taken after Order of the Day No. 8, *Treasurer's Advance Authorisation Bill 2021*. (Leader of the House).

9. Address-In-Reply

The Order of the Day having been read for the adjourned debate on the Address-in-Reply. Debate resumed.

On the motion of Hon Colin de Grussa the debate was adjourned to the next sitting.

10. Order of Business

Ordered — That Bills for Introduction be taken forthwith. (Leader of the House).

11. Agricultural Produce Commission Amendment Bill 2021

The Minister for Agriculture and Food, pursuant to notice, moved —

That a Bill for "An Act to amend the *Agricultural Produce Commission Act 1988*." be introduced and 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 227).

Debate stands adjourned.

12. Joint Standing Committee on Delegated Legislation

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 7

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution –

"(1) That –

- (a) the terms contained in Legislative Council Message No. 1 for the establishment of the Joint Standing Committee on Delegated Legislation be agreed to; and
- (b) the members for South Perth, Scarborough, Churchlands and Nedlands be appointed as members of the Committee.

(2) That the Legislative Council be acquainted accordingly."

Hon M.H. Roberts

Speaker

Legislative Assembly Chamber

Perth, 26 May 2021

The Leader of the House moved, without notice —

That the following Members be appointed to the Joint Standing Committee on Delegated Legislation —

- Hon Lorna Harper;
- Hon James Hayward;
- Hon Stephen Pratt; and
- Hon Martin Pritchard,

and that the Legislative Assembly be acquainted accordingly.

Question — put and passed.

13. Order of Business

Ordered — That Order of the Day No. 7, *COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2021*, be taken forthwith. (Leader of the House).

14. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2021

The Order of the Day for the further consideration of this Bill, in Committee of the Whole House, having been read.

The Deputy President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 3.

Debate resumed.

Clause agreed to.

Clauses 4 to 9 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 Emergency Services 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.

Question — put and passed.

Bill read a third time and passed.

15. Supply Bill 2021

The Deputy President reported the receipt of Message No. 11 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Mental Health representing the Treasurer moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Mental Health representing the Treasurer moved, That the Bill be read a second time.

The Minister for Mental Health representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 228).

Debate stands adjourned.

16. Order of Business

Ordered — That Order of the Day No. 6, *Address-in-Reply*, be taken forthwith. (Leader of the House).

17. Address-In-Reply

Debate resumed on the Address-in-Reply (*see item 9 above*).

On the motion of Hon Colin de Grussa the debate was adjourned to the next sitting.

18. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to school attendance rates for Aboriginal children, in response to a question without notice asked by Hon Neil Thomson.

The Minister for Agriculture and Food tabled a photograph in relation to the State Barrier Fence Esperance Extension (April 2020), in response to a question without notice asked by Hon Colin de Grussa. (Tabled Paper 229).

The Leader of the House representing the Minister for Housing, by leave, incorporated into *Hansard* information in relation to waiting times for public housing, in response to question without notice 130 asked by Hon Colin de Grussa.

The Leader of the House representing the Minister for Housing, by leave, incorporated into *Hansard* information in relation to the average waiting times for public housing, in response to question without notice 139 asked by Hon Steve Martin.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the St John of God Midland Public Hospital budget for 2021-22, in response to question without notice 133 asked by Hon Donna Faragher.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the budget for the St John of God Midland Public Hospital, in response to question without notice 155 asked by Hon Dr Brian Walker.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the coronavirus vaccination rate, in response to question without notice 154 asked by Hon Wilson Tucker.

The Minister for Mental Health representing the Treasurer, by leave, incorporated into *Hansard* information in relation to the land tax assistance package, in response to question without notice 149 asked by Hon Colin de Grussa.

19. Order of Business

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

20. Members' Statements

Statements were taken.

21. Adjournment

The Council adjourned at 5.24pm until Tuesday, 1 June 2021 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Kate Doust.

NIGEL PRATT

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council