



## LEGISLATIVE COUNCIL

**TUESDAY, 14 SEPTEMBER 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. Statement by President — Election of a Senator — Ms Dorinda Cox

The President made the following Statement —

I have the honour to inform you that at a joint sitting of the Houses of Parliament of the State of Western Australia held in Perth on 14 September 2021, the Members of such Houses, sitting and voting together in pursuance of section 15 of the *Commonwealth of Australia Constitution Act*, did choose Dorinda Cox of 14 Harwood Close, Canning Vale, Western Australia, to hold the place vacated by former Senator the Honourable Rachel Siewert.

### 3. Statement by President — Updates to Standing Orders

The President made the following Statement —

Last Thursday the Council agreed to amend a number of the Council's Standing Orders, with many of the changes to come into effect from today. The Council's staff have reprinted the Standing Orders and have updated your binder in the Chamber. If you have removed your copy of the Standing Orders from the Chamber, please see the staff from the Administration Office to update your binder. The new standing orders are also available on the Parliament's website and POWAnet. I thank the Legislative Council staff for the quick turnaround on the new Standing Orders.

Members are reminded that the dinner suspension will be for one hour on Tuesday evenings going forward. The bells will ring at 6.55 pm to reflect these new arrangements. Afternoon tea will be provided on a Wednesday and Thursday, as it is on a Tuesday, however, no formal afternoon tea suspension will occur on those days.

#### 4. Message from His Excellency the Governor — Assent to Bills

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

| <b>9 September 2021 — Message No. 19</b> | <b>Act No.</b> |
|--|----------------|
| Arts and Culture Trust Bill 2021         | 15 of 2021     |
| Family Court Amendment Bill 2021         | 16 of 2021     |
| Ticket Scalping Bill 2021                | 17 of 2021     |

#### 5. Papers

The following Papers were laid on the Table by —

##### **President**

###### *Annual Reports —*

|   |     |
|---|-----|
| Corruption and Crime Commission — Criminal Investigation (Covert Powers)<br>Act 2012 — Australian Crime Commission (2020–21)<br>(Date received 13/09/2021)..... | 542 |
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##### **Leader of the House**

###### *Annual Reports —*

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| Country Housing Authority (2020–21) (Date received 13/09/2021) ..... | 543 |
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###### *Local Laws —*

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| Local Government Act 1995 (City of Fremantle Parking Local Law 2021 G.G. 06/09/2021 and<br>City of Stirling Meeting Procedures Local Law 2021 G.G. 07/09/2021) ..... | 544 |
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###### *Regulations —*

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| Shipping and Pilotage Act 1967 (Navigable Waters Amendment<br>Regulations 2021 G.G. 10/09/2021) .....                                       | 545 |
| Vocational Education and Training Act 1996 (Vocational Education and Training (General)<br>Amendment Regulations 2021 G.G. 10/09/2021)..... | 546 |

##### **Minister for Mental Health**

###### *Annual Reports —*

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| Building Management Authority (2020–21) (Date received 10/09/2021).....  | 547 |
| Police Force, Western Australia — Misuse of Drugs Act 1981 (2019–20)<br>(Date received 13/09/2021).....                        | 548 |
| Police Force, Western Australia — Misuse of Drugs Act 1981 (2020–21)<br>(Date received 13/09/2021).....                        | 549 |
| Police Force, Western Australia — Surveillance Devices Act 1998 (2020–21)<br>(Date received 13/09/2021).....                   | 550 |
| Police Force, Western Australia — Witness Protection (Western Australia)<br>Act 1996 (2020–21) (Date received 13/09/2021)..... | 551 |

###### *Codes —*

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| Human Tissue and Transplant Act 1982 (Non-Coronial Post-Mortem Examinations Code of<br>Practice 2021 G.G. 10/09/2021) ..... | 552 |
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*Proposals —*

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| Conservation and Land Management Act 1984 — Proposal 2021 of excision from State Forest No. 25 and State Forest No. 26 to facilitate the expansion of Wellington National Park..... | 553 |
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*Regulations —*

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| Radiation Safety Act 1975 (Radiation Safety (Transport of Radioactive Substances) Amendment Regulations 2021 G.G. 10/09/2021)..... | 554 |
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**Minister for Regional Development***Annual Reports —*

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| Acacia Prison Services Agreement (2020-21) (Date received 13/09/2021).....                 | 555 |
| Court Security and Custodial Services Contract (2020-21) (Date received 13/09/2021).....   | 556 |
| Energy Disputes Arbitrator (2020-21) (Date received 13/09/2021).....                       | 557 |
| Minerals Research Institute of Western Australia (2020-21) (Date received 13/09/2021)..... | 558 |
| Supervised Release Review Board (2020-21) (Date received 13/09/2021).....                  | 559 |

*Regulations —*

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|---|-----|
| Fair Trading Act 2010 (Fair Trading (Retirement Villages Interim Code) Regulations (No. 2) 2021 G.G. 10/09/2021)..... | 560 |
| Retirement Villages Act 1992 (Retirement Villages Amendment Regulations (No. 2) 2021 G.G. 10/09/2021).....            | 561 |

**Parliamentary Secretary to the Attorney General***Annual Reports —*

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| Burswood Park Board (2020-21) (Date received 13/09/2021).....                    | 562 |
| Small Business Development Corporation (2020-21) (Date received 13/09/2021)..... | 563 |

*Regulations —*

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|--|-----|
| Children's Court of Western Australia Act 1988; District Court of Western Australia Act 1969 (Attorney General Regulations Amendment (Fees) Regulations 2021 G.G. 10/09/2021)..... | 564 |
| Criminal Procedure Act 2004 (Criminal Procedure Amendment Regulations (No. 2) 2021 G.G. 10/09/2021).....   | 565 |
| State Administrative Tribunal Act 2004 (State Administrative Tribunal Amendment Regulations (No. 4) 2021 G.G. 10/09/2021).....   | 566 |

**6. Order of Business**

Ordered — That Orders of the Day Nos 1, *City of Kalamunda Dogs Local Law 2021 — Disallowance*, and 2, *Weapons Amendment Regulations 2021 — Disallowance*, be taken after Order of the Day No. 12, *Administration Amendment Bill 2021*. (Leader of the House).

**7. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2021–2022**

The Order of the Day having been read for the adjourned debate on the motion of the Minister for Finance representing the Treasurer as follows —

That pursuant to Standing Order 69(1) the Legislative Council take note of Tabled Paper 534A-D (2021–2022 Budget Statements), laid upon the Table of the House on 9 September 2021.

Debate ensued.

Hon Dr Steve Thomas, by leave, tabled a chart in relation to the iron ore price in Western Australia as at 13 September 2021. (Tabled Paper 567).

Debate resumed.

Hon Dr Steve Thomas, by leave, tabled a chart in relation to iron ore royalty income for the Western Australian State Government from 1998–1999 to 2020–2021 financial years. (Tabled Paper 568).

Debate resumed.

## **8. Questions Without Notice**

Questions without notice were taken.

The Minister for Mental Health representing the Treasurer tabled a breakdown of COVID-19 recovery initiatives by type and agency, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 569).

The Minister for Regional Development representing the Minister for Water, by leave, incorporated into *Hansard* a table detailing other initiatives to receive Royalties for Regions funding which have subsequently reduced the Royalties for Regions funding for the Country Water Pricing Subsidy, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Mental Health representing the Minister for Environment tabled a breakdown of the FTE's, by job description and level relating to Service Four (Environmental Regulation), to be recruited by the Department of Water and Environmental Regulation, in response to a question without notice asked by Hon Tjorn Sibma. (Tabled Paper 570).

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the cost and location of additional ventilators purchased in preparedness for the COVID-19 pandemic, in response to a question without notice asked by Hon Steve Martin.

## **9. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2021–2022**

Debate resumed on the motion of the Minister for Mental Health representing the Treasurer (*see item 7 above*).

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

## **10. Children and Community Services Amendment Bill 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.

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### **In Committee**

(Hon Peter Foster in the Chair)

Clause 1.

Debate ensued.

The Parliamentary Secretary to the Minister for Child Protection tabled non-legislative recommendations from the statutory review of the Act. (Tabled Paper 571).

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3 agreed to.

Clause 4.

Debate ensued.

The Parliamentary Secretary to the Minister for Child Protection moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

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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.

### **11. Order of Business**

Ordered — That Order of the Day No. 1, City of Kalamunda Dogs Local Law 2021 — Disallowance, be taken forthwith. (Leader of the House).

### **12. City of Kalamunda Dogs Local Law 2021 — Disallowance**

The Order of the Day having been called for the motion of Hon Lorna Harper moved as follows —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Kalamunda Dogs Local Law 2021* published in the *Gazette* on 16 April 2021 and tabled in the Legislative Council on 4 May 2021 under the *Dog Act 1976*, be and is hereby disallowed.

Debate ensued.

Question — put and passed.

### **13. Order of Business**

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

### **14. Members' Statements**

Statements were taken.

### **15. Finance Legislation Amendment (Emergency Relief) Bill 2021**

The President reported the receipt of Message No. 35 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Minister for Mental Health representing the Minister for Finance tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 572).

Debate stands adjourned.

**16. Adjournment**

The Council adjourned at 9.56pm until Wednesday, 15 September 2021 at 1.00pm.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Dr Sally Talbot.

**NIGEL PRATT**

Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council

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