

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 210

TUESDAY, 18 AUGUST 2020

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, 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 —

13 August 2020 — Message No. 30

Act No.

Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement
Amendment Bill 2020

No. 32 of 2020

3. Petitions

Hon Adele Farina presented a petition from 786 petitioners requesting the Legislative Council to order the Standing Committee on Public Administration to inquire into all aspects of the State Government's buy back and regional assistance schemes for taxi licence owners to identify inequities between the two schemes. (Tabled Paper 4117).

Hon Colin Holt presented a petition from 474 petitioners requesting the Legislative Council to recommend that the State Government withdraw the current biosecurity levy from the Shire of Boyup Brook, and initiate an inquiry into the outcome of community consultation and the level of support received for a biosecurity levy in the Shire, ensuring community consultation is adequate and residents are supportive of the biosecurity levy before implementation. (Tabled Paper 4118).

4. Papers

The following Papers were laid on the Table by —

President

Addendums —

Corruption and Crime Commission — Report into Misconduct Risks with Access to
Confidential Information in the Office of the Auditor General (April 2020) 4106

Reports —

Corruption and Crime Commission — Report into Misconduct Risks with Access to
Confidential Information in the Office of the Auditor General (August 2020)
(Version 2)..... 4107

Leader of the House*Regulations —*

Local Government Act 1995 (Local Government (Rules of Conduct) Amendment Regulations 2020 G.G. 14/08/2020).....	4108
State Administrative Tribunal Act 2004 (State Administrative Tribunal Amendment Regulations (No. 2) 2020 G.G. 14/08/2020).....	4109

Minister for Environment*Proposals —*

Land Administration Act 1997 — Submission No. 6/2020 — Amendment to Class A Reserve No. 26650 to facilitate upgrades to South Coast Highway in the City of Albany.....	4110
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Regulations —

Environmental Protection Act 1986 (Environmental Protection Amendment Regulations 2020 G.G. 14/08/2020).....	4111
State Superannuation Act 2000 (State Superannuation Amendment Regulations 2020 G.G. 14/08/2020).....	4112

Response to Reports —

Select Committee on Personal Choice and Community Safety — Community Safety: for the Greater Good, but at What Cost? (Final Report)	4113
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Minister for Regional Development*Regulations —*

Biosecurity and Agriculture Management Act 2007 (Biosecurity and Agriculture Management (Agricultural Chemical Record Keeping) Regulations 2020 G.G. 14/08/2020).....	4114
Pearling Act 1990 (Pearling (General) Amendment Regulations 2020 G.G. 14/08/2020).....	4115
Plumbers Licensing Act 1995 (Plumbers Licensing and Plumbing Standards Amendment Regulations 2020 G.G. 14/08/2020).....	4116

5. Standing Committee on Public Administration — Report 31 — Coming home safely: WorkSafe and the workplace culture in Western Australia

Hon Adele Farina presented Report 31 of the Standing Committee on Public Administration, *Coming home safely: WorkSafe and the workplace culture in Western Australia*. (Tabled Paper 4119).

6. Business of the House — Public Health Amendment (COVID-19 Response) Bill 2020 — Time Limits

The Leader of the House advised the Council that the *Public Health Amendment (COVID-19 Response) Bill 2020* was COVID-19 related business, and pursuant to Temporary Order (6), set maximum time limits to apply to the debate.

7. Public Health Amendment (COVID-19 Response) Bill 2020

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 President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate ensued.

8. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Child Protection tabled documents in relation to State Government funded programs for Aboriginal mothers, in response to a question without notice asked by Hon Alison Xamon. (Tabled Paper 4120).

The Minister for Environment, by leave, incorporated into *Hansard* information in relation to the community and key stakeholder consultation that has occurred in the Shark Bay region within the last two years in regards to the 'Plan for our Parks' process, in response to a question without notice asked by Hon Ken Baston.

The Leader of the House representing the Premier tabled a letter from the Department of Health to the Premier, dated 17 August 2020, in relation to Phase 4 of COVID-19 restrictions and the proposed cancellation of the Perth Royal Show, in response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 4121).

The Minister for Environment tabled the *Department of Water and Environmental Regulation Pollution Response Unit Action Report* in relation to the Cleanaway Materials Recovery Facility, South Guildford, in response to a question without notice asked by Hon Tim Clifford. (Tabled Paper 4122).

The Minister for Environment representing the Minister for Energy, by leave, incorporated into *Hansard* information in relation to disconnections and hardship utility grant scheme payments for each calendar month of 2020 for each energy retailer in Western Australia, in response to a question without notice asked by Hon Peter Collier.

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to the number of jobs issued to replace windows damaged in schools, the estimated number of windows replaced, and the cost of repairs for calendar years 2018, 2019 and 2020, in response to a question without notice 721 asked by Hon Jacqui Boydell.

The Leader of the House representing the Minister for Child Protection tabled a list of abolished position titles for individuals who accepted a voluntary severance as part of the amalgamation of the Department for Child Protection and the Department of Communities, in response to question on notice 2986 asked by Hon Nick Goiran. (Tabled Paper 4123).

The Minister for Environment representing the Minister for Road Safety tabled the Road Safety Council Meeting submission, dated 10 September 2019, and the Road Trauma Trust Account Funding Continuation Proposal for 2020-2021, in response to question on notice 2975 asked by Hon Martin Aldridge. (Tabled Paper 4124).

The Parliamentary Secretary representing the Minister for Regional Development, by leave, incorporated into *Hansard* information in relation to the Display Tender RFP7/2019 Sale of Woody Biomass from Mine Site Clearing & Thinning of Mine Site Regeneration issued by the Forest Products Commission in 2019, in response to a question without notice asked by Hon Diane Evers.

9. COVID-19 Response and Economic Recovery Omnibus Bill 2020

The President reported the receipt of Message No. 213 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House on behalf of the Minister for Environment representing the Minister for Planning moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House on behalf of the Minister for Environment representing the Minister for Planning advised the Council that the *COVID-19 Response and Economic Recovery Omnibus Bill 2020* was COVID-19 related business, and pursuant to Temporary Order 6, set maximum time limits to apply to the debate.

The Leader of the House on behalf of the Minister for Environment representing the Minister for Planning moved, That the Bill be read a second time.

The Leader of the House on behalf of the Minister for Environment representing the Minister for Planning tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 4125).

On the motion of Hon Pierre Yang the debate was adjourned to a later stage of this day's sitting.

10. Public Health Amendment (COVID-19 Response) Bill 2020

Resumption of consideration of this Bill in Committee of the Whole House (*see item 7 above*).

The President left the Chair.

In Committee

(Hon Dr Steve Thomas in the Chair)

Clause 1.

Debate resumed.

The Parliamentary Secretary to the Minister for Health tabled a Department of Health information sheet regarding paying for hotel quarantine in Western Australia. (Tabled Paper 4126).

The Parliamentary Secretary to the Minister for Health tabled frequently asked questions regarding quarantine in Western Australia. (Tabled Paper 4127).

Debate resumed.

The Parliamentary Secretary to the Minister for Health tabled the *Emergency Management Act 2005 – Quarantine (Closing the Border) Directions* relevant to the Bill. (Tabled Paper 4128).

Debate resumed.

Clause agreed to.

Clause 2.

Hon Nick Goiran moved —

Page 2, after line 8 — To insert:

- (2) However, if no day is fixed under subsection (1)(b) before the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, this Act is repealed on the day after that period ends.

Debate ensued.

Amendment — put and passed.

Clause, as amended, agreed to.

Clause 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5 agreed to.

Clause 6.

Debate ensued.

Hon Nick Goiran moved —

Page 4, lines 6 to 8 — To delete the lines.

Debate ensued.

Amendment — put.

The Committee divided.

Ayes (12)

Hon Peter Collier
 Hon Nick Goiran
 Hon Rick Mazza
 Hon Michael Mischin
 Hon Simon O'Brien
 Hon Robin Scott

Hon Tjorn Sibma
 Hon Charles Smith
 Hon Aaron Stonehouse
 Hon Dr Steve Thomas
 Hon Colin Tincknell
 Hon Ken Baston (*Teller*)

Noes (18)

Hon Martin Aldridge
 Hon Jacqui Boydell
 Hon Robin Chapple
 Hon Tim Clifford
 Hon Alanna Clohesy
 Hon Stephen Dawson
 Hon Colin de Grussa
 Hon Sue Ellery
 Hon Diane Evers

Hon Adele Farina
 Hon Laurie Graham
 Hon Kyle McGinn
 Hon Martin Pritchard
 Hon Matthew Swinbourn
 Hon Dr Sally Talbot
 Hon Darren West
 Hon Alison Xamon
 Hon Pierre Yang (*Teller*)

Amendment thus negated.

Debate resumed.

Question, That the clause stand as printed — put and passed.

Clause 7 agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9 agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clauses 11 and 12 agreed to.

Clause 13.

Debate ensued.

Clause agreed to.

Clause 14.

Debate ensued.

The Parliamentary Secretary to the Minister for Health moved, That the Chair report progress and seek to sit again at a later stage of this day's sitting.

Question — put and passed.

The Deputy 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 at a later stage of this day's sitting.

Ordered — That the Committee of the Whole House sit again at a later stage of this day's sitting.

11. Business of the House

The Leader of the House moved, without notice —

That, pursuant to the COVID-19 Temporary Order, the House —

- (a) sit beyond 9.45pm until the question on the Third Reading of the *Public Health Amendment (COVID-19 Response) Bill 2020* is put and determined; and
- (b) take Members' Statements at a time ordered by the House.

Question — put and passed.

12. Order of Business

Ordered — That Order of the Day No. 32, *Public Health Amendment (COVID-19 Response) Bill 2020* be taken forthwith. (Leader of the House).

13. Public Health Amendment (COVID-19 Response) Bill 2020

Resumption of consideration of this Bill in Committee of the Whole House (*see item 10 above*).

The Deputy President left the Chair.

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In Committee

(Hon Simon O'Brien in the Chair)

Clause 14.

Debate resumed.

The Parliamentary Secretary to the Minister for Health tabled a comparison of quarantine fees for Western Australia, Queensland and Northern Territory as at 17 July 2020. (Tabled Paper 4129).

Debate resumed.

Hon Nick Goiran moved —

Page 12, line 25 — To delete “the date of” and insert:

receiving

Debate ensued.

Amendment — put.

The Committee divided.

Ayes (19)

Hon Martin Aldridge
Hon Jacqui Boydell
Hon Robin Chapple
Hon Tim Clifford
Hon Peter Collier
Hon Colin de Grussa
Hon Diane Evers
Hon Nick Goiran
Hon Rick Mazza
Hon Michael Mischin

Hon Simon O'Brien
Hon Robin Scott
Hon Tjorn Sibma
Hon Charles Smith
Hon Aaron Stonehouse
Hon Dr Steve Thomas
Hon Colin Tincknell
Hon Alison Xamon
Hon Ken Baston (*Teller*)

Noes (10)

Hon Alanna Clohesy
Hon Stephen Dawson
Hon Sue Ellery
Hon Adele Farina
Hon Laurie Graham

Hon Kyle McGinn
Hon Martin Pritchard
Hon Matthew Swinbourn
Hon Darren West
Hon Pierre Yang (*Teller*)

Amendment thus passed.
Clause, as amended, agreed to.
Clauses 15 and 16 agreed to.
Title agreed to.

The President resumed the Chair.
Bill reported with amendments.
The Parliamentary Secretary to the Minister for Health moved, That the report be adopted.
Report adopted.
The Parliamentary Secretary to the Minister for Health moved, That the Bill be read a third time.
The 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.

14. Order of Business

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

15. Members' Statements

Statements were taken.

16. Adjournment

The Council adjourned at 10.12pm until Wednesday, 19 August 2020 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Donna Faragher and Hon Alannah MacTiernan.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council