

Minutes of Proceedings



LEGISLATIVE COUNCIL

WEDNESDAY, 13 OCTOBER 2021

1.00pm

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Petitions

Hon Dr Brad Pettitt presented a petition from 4,541 petitioners requesting the Legislative Council to oppose the rezoning and development of the public Glen Iris Golf Course in Jandakot into residential use. (Tabled Paper 777).

Hon Dr Brian Walker presented a petition from 542 petitioners requesting the Legislative Council to support the erection of a Royal Australian Air Force memorial in Kings Park. (Tabled Paper 778).

3. Papers

The following Papers were laid on the Table by —

President

Annual Reports —

Governor's Establishment (2020-21) (Date received 12/10/2021) 757

Reports —

Office of the Inspector of Custodial Services — Smoking in Prisons
(September 2021)..... 759

Leader of the House

Annual Reports —

Art Gallery of Western Australia (2020-21) (Date received 12/10/2021) 760

Library of Western Australia (2020-21) (Date received 12/10/2021) 761

National Rail Safety Regulator (2020-21) (Date received 12/10/2021)..... 762

Perth Theatre Trust (2020-21) (Date received 12/10/2021)..... 763

Rottneest Island Authority (2020-21) (Date received 12/10/2021)..... 764

Swan Bells Foundation Inc. (2020-21) (Date received 12/10/2021)..... 765

Tourism Western Australia (2020-21) (Date received 12/10/2021) 766

Western Australian Museum (2020-21) (Date received 12/10/2021) 767

Reports —

Kimberley Ports Authority — Statement of Corporate Intent (2021-22)	774
Midwest Ports — Statement of Corporate Intent (2021-22)	775
Southern Ports — Statement of Corporate Intent (2021-22)	776

Minister for Mental Health*Annual Reports —*

Environmental Protection Authority (2020-21) (Date received 12/10/2021)	768
Keep Australia Beautiful Council (2020-21) (Date received 12/10/2021)	769
State Finances (2020-21) (Date received 12/10/2021)	758
Treasury (2020-21) (Date received 12/10/2021)	770
Water and Environmental Regulation (2020-21) (Date received 12/10/2021)	771
Zoological Parks Authority (2020-21) (Date received 12/10/2021)	772

Reports —

Insurance Commission of Western Australia — Statement of Corporate Intent (2021-22)	773
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4. Amendment to Standing Orders — Removal of Prayers from Formal Business

Hon Sophia Moermond: To move on the next day of sitting —

That Standing Order 14 be amended by:

- (a) deleting item (a); and
- (b) renumbering the remaining items accordingly.

5. Ambulance Ramping Crisis

Motion No. 8 having been called, Hon Dr Steve Thomas, pursuant to notice, moved —

That the Legislative Council calls on the Government to acknowledge and fix the ambulance ramping crisis afflicting our health system.

Debate ensued.

Hon Tjorn Sibma, by leave, tabled a document in relation to the total ramped hours trend, as at 12 October 2021, by St John Ambulance. (Tabled Paper 779).

Debate resumed.

Motion — put.

The Council divided.

Ayes (11)

Hon Martin Aldridge
 Hon Peter Collier
 Hon Donna Faragher
 Hon James Hayward
 Hon Steve Martin
 Hon Sophia Moermond

Hon Tjorn Sibma
 Hon Dr Steve Thomas
 Hon Wilson Tucker
 Hon Dr Brian Walker
 Hon Colin de Grussa (*Teller*)

Noes (19)

Hon Klara Andric
 Hon Dan Caddy
 Hon Stephen Dawson
 Hon Kate Doust
 Hon Sue Ellery
 Hon Peter Foster
 Hon Lorna Harper
 Hon Jackie Jarvis
 Hon Alannah MacTiernan
 Hon Ayor Makur Chuot

Hon Kyle McGinn
 Hon Shelley Payne
 Hon Stephen Pratt
 Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Matthew Swinbourn
 Hon Dr Sally Talbot
 Hon Darren West
 Hon Pierre Yang (*Teller*)

Motion thus negatived.

6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Martin Aldridge in the Chair)

Joint Standing Committee on the Corruption and Crime Commission — Report 2 — If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force

Hon Dr Steve Thomas moved, That the Report be noted.

Debate ensued.

Debate postponed pursuant to SO 110(2A) and (2B).

Interruption pursuant to order.

The Acting President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the —
Joint Standing Committee on the Corruption and Crime Commission — Report 2 — If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force, made progress, and postponed further consideration to the next sitting.

Report adopted.

7. Order of Business

Ordered — That Order of the Day No. 1, *Weapons Amendment Regulations 2021 — Disallowance*, be taken after Order of the Day No. 21, *Select Committee into Cannabis and Hemp*. (Leader of the House).

8. 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 Mental Health 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 resumed.

9. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Fisheries tabled an environmental assessment of shellfish farming in Albany for June 2020, March 2021 and July 2021, in response to a question without notice asked by Hon Colin de Grussa. (Tabled Paper 780).

The Leader of the House representing the Minister for Housing, by leave, incorporated into *Hansard* a breakdown, by region, of Government Regional Officer Housing properties tenanted as at 1 October 2021, in response to a question without notice asked by Hon Steve Martin.

The Minister for Mental Health representing the Minister for Police; Road Safety, in accordance with Standing Order 108(2), advised that an answer to question on notice 285 asked by Hon Sophia Moermond will be provided by 26 October 2021.

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 286 asked by Hon Martin Aldridge will be provided by 28 October 2021.

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 289 asked by Hon James Hayward will be provided by 28 October 2021.

The Minister for Mental Health representing the Minister for Health tabled documents in relation to incidences of code alerts and severity assessment codes in all public hospitals during 2019–20, in response to question on notice 160 asked by Hon Martin Aldridge. (Tabled Paper 781).

The Minister for Mental Health representing the Minister for Health tabled documents in relation to COVID-19 protocol breaches and the provision of portable isolations rooms at Geraldton Regional Hospital, in response to question on notice 231 asked by Hon Martin Aldridge. (Tabled Paper 782).

The Minister for Mental Health representing the Minister for Finance tabled the project financial summary for the Dongara Health Centre redevelopment, in response to question on notice 280 asked by Hon Martin Aldridge. (Tabled Paper 783).

The Minister for Mental Health representing the Minister for Health tabled a list of schools that have had their access to school health nurses reduced as a result of the redeployment of school health nurses to COVID-19 vaccination clinics, in response to question on notice 253 asked by Hon Donna Faragher. (Tabled Paper 784).

The Minister for Mental Health representing the Minister for Health tabled documents in relation to maternity bypasses in the metropolitan area for the months of June, July and August 2021, in response to question on notice 274 asked by Hon Steve Martin. (Tabled Paper 785).

10. 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 8 above*).

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

11. Order of Business

Ordered — That Order of the Day No. 21, *Select Committee into Cannabis and Hemp*, be taken forthwith. (Leader of the House).

12. Select Committee into Cannabis and Hemp

The Order of the Day having been called, Hon Dr Brian Walker, pursuant to notice, moved —

- (1) A Select Committee to be known as the Cannabis and Hemp Select Committee, is established.
- (2) The Select Committee is to inquire into and report on the potential to amend the current legislation and regulations which apply to cannabis and hemp in Western Australia, with particular reference to —
 - (a) the current barriers to pharmaceutical and nutraceutical use of cannabinoid products;
 - (b) medicinal cannabis, its prescription, availability and affordability; and
 - (c) the potential benefits and risks of permitting industrial hemp for human consumption.
- (3) The Select Committee shall consist of five members, namely: Hon Dr Brian Walker (Chair); Hon Matthew Swinbourn (Deputy Chair); Hon Jackie Jarvis; Hon Lorna Harper and Hon James Hayward.
- (4) The Select Committee may table interim reports, and is to table its final report by no later than 12 months after the committee has been established.

Debate ensued.

Question — put and passed.

13. Order of Business

Ordered — That Order of the Day No. 8, *Children and Community Services Amendment Bill 2021*, be taken forthwith. (Leader of the House).

14. Children and Community Services Amendment Bill 2021

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

The Acting President left the Chair.

In Committee

(Hon Steve Martin in the Chair)

Clause 53.

Debate ensued.

Interruption pursuant to order.

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.

15. Members' Statements

Statements were taken.

16. Appropriation (Recurrent 2021–22) Bill 2021

The President reported the receipt of Message No. 36 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Leader of the House on behalf of the Minister for Mental Health representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 786).

Debate stands adjourned.

17. Appropriation (Capital 2021–22) Bill 2021

The President reported the receipt of Message No. 37 from the Legislative Assembly forwarding the Bill for concurrence.

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

The Leader of the House on behalf of the Minister for Mental Health representing the Treasurer tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 787).

Debate stands adjourned.

18. Adjournment

The Council adjourned at 6.41pm until Thursday, 14 October 2021 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Sandra Carr and Hon Rosetta Sahanna.

PAUL GRANT

Deputy Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council