

# Minutes of Proceedings



## LEGISLATIVE COUNCIL

**THURSDAY, 2 DECEMBER 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 Peter Collier on behalf of Hon Donna Faragher presented a petition from 4,642 petitioners requesting the Legislative Council to oppose the closure of through traffic at the level crossing on Robinson Road, Bellevue. (Tabled Paper 952).

Hon Sophia Moermond presented a petition from 72 petitioners requesting the Legislative Council to oppose the introduction of the *Aboriginal Cultural Heritage Bill 2021* in its current form. (Tabled Paper 953).

### 3. Ministerial Statement — Mira Mar Landslide Report

The Minister for Regional Development made a Ministerial Statement with respect to an independent geotechnical report into the Albany Mira Mar landslide.

### 4. Paper

The following Paper was laid on the Table by —

#### President

*Reports —*

Corruption and Crime Commission — A Report into WA Police Force's identification and management of at risk officers (2 December 2021) .....951

### 5. Shire of Waroona Health Local Law 2021 — Disallowance

Hon Lorna Harper: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Waroona Health Local Law 2021* published in the *Gazette* on 15 September 2021 and tabled in the Legislative Council on 12 October 2021 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 706).

## **6. City of Canning Local Government Property and Public Places Local Law 2021 — Disallowance**

Hon Lorna Harper: To move on the next day of sitting —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Canning Local Government Property and Public Places Local Law 2021* published in the *Gazette* on 4 October 2021 and tabled in the Legislative Council on 12 October 2021 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 706).

## **7. Support for Western Australian Farmers**

Non-Government Business No. 1 having been called, Hon Dr Steve Thomas moved, without notice —

That this House:

- (a) notes the prospective record grain crop in Western Australia this season despite the Minister for Agriculture's suggestion that yield should be sacrificed for tree planting;
- (b) notes how hard our farmers are working to bring in this crop despite the Government's failure to reach agreement on quarantine facilities at Bladin Village in the Northern Territory;
- (c) notes the Minister for Agriculture has again proposed her solution to labour shortages that farmers simply pay staff more; and
- (d) notes the shortfall in regional investment and support hindering the agricultural, forestry and regional development sectors, partly due to the substitution of the Royalties for Regions fund back into the consolidated account.

Debate ensued.

*Motion lapsed.*

## **8. Order of Business**

Ordered — That Orders of the Day Nos 1, *Biodiversity Conservation (Exemptions) Amendment Order 2021 — Disallowance*, 2, *Serpentine-Jarrahdale Bush Fire Brigades Local Law 2021 — Disallowance*, 3, *City of Fremantle Parking Local Law 2021 — Disallowance*, 4, *City of Stirling Meeting Procedures Local Law 2021 — Disallowance*, and 5, *Non-Coronial Post-Mortem Examinations Code of Practice 2021 — Disallowance*, be taken after Order of the Day No. 11, *Dog Amendment (Stop Puppy Farming) Bill 2021*. (Minister for Regional Development).

## **9. Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021**

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

The Parliamentary Secretary to the Attorney General tabled a copy of an opinion from Mr Tom Percy QC published in *The West Australian* newspaper. (Tabled Paper 954).

Debate resumed.

Question — put and passed.

Bill read a second time.

The Deputy President left the Chair.

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**In Committee**

(Hon Martin Aldridge in the Chair)

Clause 1.

Debate ensued.

The Parliamentary Secretary to the Attorney General tabled a comparison of the *Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2020* and the *Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021*. (Tabled Paper 955).

Debate resumed.

**10. Questions Without Notice**

Questions without notice were taken.

The Minister for Mental Health representing the Minister for Police, by leave, incorporated into *Hansard* a list of services claimable by former police officers under the post-service medical benefits scheme, in response to a question without notice asked by Hon Peter Collier.

The Minister for Education and Training, by leave, incorporated into *Hansard* a table depicting the number of government school students in the years 2020 and 2021 (to date) accessing specialist services from the School Special Educational Needs in the areas of disability, medical and mental health, and sensory, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* an answer in relation to water contamination at Sir Charles Gardiner Hospital, in response to a question without notice asked by Hon Steve Martin.

The Minister for Regional Development tabled corrected information; Collie Industry Attraction and Development Fund, a full list of projects and their respective funds allocation, in relation to question on notice 1029 asked by Hon Dr Steve Thomas. (Tabled Paper 956).

The Minister for Regional Development tabled corrected information; Collie Futures Fund, a full list of projects and their respective funds allocation, in relation to question on notice 1043 asked by Hon Dr Steve Thomas. (Tabled Paper 957).

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

Resumption of consideration of this Bill in Committee of the Whole House (*see item 9 above*).

The President left the Chair.

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**In Committee**

(Hon Jackie Jarvis in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

*Interruption pursuant to order.*

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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.

**12. Members' Statements**

Statements were taken.

Hon Dr Steve Thomas, by leave, tabled a document setting out the reasons behind the petition for public access to Bellevue Terrace to remain open. (Tabled Paper 958).

**13. Adjournment**

The Council adjourned at 5.25pm until Tuesday, 7 December 2021 at 2.00pm.

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

Attendance: Present all Members except Hon Sandra Carr, Hon Colin de Grussa, Hon Donna Faragher, Hon James Hayward, Hon Samantha Rowe (*leave*) and Hon Rosetta Sahanna (*leave*).

**PAUL GRANT**

Deputy Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council