



LEGISLATIVE COUNCIL

TUESDAY, 20 SEPTEMBER 2022

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 — Presentation of Address of Condolence and Address of Congratulation

The President made the following Statement —

I advise that on Thursday, 15 September 2022 I attended His Excellency the Governor at Government House with the Speaker of the Legislative Assembly and the Clerks of each House.

I presented to His Excellency the Governor, for presentation to His Majesty the King, the Legislative Council's Address of Condolence for Her Majesty Queen Elizabeth the Second and the Address of Congratulation for His Majesty King Charles the Third.

3. Death of Her Majesty Queen Elizabeth II — Motion of Condolence

The Deputy Leader of the House moved, without notice —

That this House expresses its profound sorrow and sincere condolences on the death of Her Majesty Queen Elizabeth the Second and pays tribute to her remarkable life and devotion to public duty.

The motion was supported by Members, including the President, and carried in silence; Members standing in their places.

4. Messages from His Excellency the Governor — Assent to Bills

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

3 September 2022 — Message No. 21

Bail Amendment Bill 2022

Act No.

29 of 2022

14 September 2022 — Message No. 23

Civil Procedure (Representative Proceedings) Bill 2021

Act No.

30 of 2022

5. Petitions

Hon Dr Brad Pettitt presented a petition from 4,692 petitioners requesting the Legislative Council to recommend the retention of zoning of the Mount Claremont Fields. (Tabled Paper 1590).

Hon Dr Brad Pettitt presented an E-Petition from 13,449 petitioners requesting the Legislative Council to recommend that the State Government ban Greyhound racing. (Tabled Paper 1591).

6. Ministerial Statement — Ministers Representation in the Legislative Assembly

The Minister for Emergency Services made a Ministerial Statement with respect to the appointment of the Member for Swan Hills, Jessica Shaw as the Parliamentary Secretary to the Deputy Premier; Minister for State Development; Jobs and Trade; Tourism; Commerce; Science.

The Minister for Emergency Services tabled the allocation of Ministerial Portfolios in the Legislative Assembly as at 23 August 2022. (Tabled Paper 1592).

7. Papers

The following Papers were laid on the Table by —

President

Annual Reports — Extension of Time

Commissioner for Children and Young People — Annual Reports (2021-22) (Date received 01/09/2022)	1529
Governor's Establishment — Annual Reports (2021-22) (Date received 01/09/2022)	1530
Inspector of Custodial Services, Office of the — Annual Reports (2021-22) (Date received 06/09/2022)	1531

Annual Reports —

Parliamentary Inspector of the Corruption and Crime Commission (2021-22) (Date received 15/09/2022)	1532
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Reports —

Corruption and Crime Commission — A report on corrupt procurement practices and conduct in the Department of Communities (20 September 2022)	1533
Inspector of Custodial Services, Office of the — 2021 Court Custody Centres and Fiona Stanley Hospital Secure Facility (Report No. 143) (July 2022)	1534

Minister for Emergency Services on behalf of the Leader of the House

Annual Reports —

Chief Psychiatrist (2021-22) (Date received 16/09/2022)	1535
Coastal Shipping Commission (2021-22) (Date received 15/09/2022)	1536
Country Housing Authority (2021-22) (Date received 19/09/2022)	1537
Health and Disability Services Complaints Office (2021-22) (Date received 15/09/2022) ...	1538
Health Support Services (2021-22) (Date received 16/09/2022)	1539
Local Government Advisory Board (2021-22) (Date received 15/09/2022)	1540
Local Government Standard Panel (2021-22) (Date received 15/09/2022)	1541
Metropolitan Cemeteries Board (2021-22) (Date received 19/09/2022)	1542
Mid West Ports Authority (2021-22) (Date received 19/09/2022)	1543
Postgraduate Medical Council (2021-22) (Date received 15/09/2022)	1544
Quadriplegic Centre (2021-22) (Date received 14/09/2022)	1545

Reproductive Technology Council Western Australia (2021-22) (Date received 16/09/2022)	1546
Southern Ports Authority (2021-22) (Date received 19/09/2022)	1547
<i>Documents —</i>	
Recommendation regarding application of the Future Health Research and Innovation Account monies during current (2022-23) and future financial Years (30 August 2022)	1548
<i>Local Laws —</i>	
Health (Miscellaneous Provisions) Act 1911 (Shire of Meekatharra Health Local Law 2021 G.G. 29/08/2022)	1549
Local Government Act 1995 (City of Armadale Local Government Property Amendment Local Law 2021 G.G. 13/09/2022 and City of Rockingham Fencing Amendment Local Law 2022 G.G. 13/09/2022)	1550
Local Government Act 1995 (Shire of Meekatharra Local Government Property and Public Places Local Law 2021 G.G. 29/08/2022 City of Fremantle Parking Amendment Local Law 2022 G.G. 02/09/2022 and City of Kalamunda Dogs Local Law 2022 G.G. 06/09/2022)	1551
<i>Proposals —</i>	
Land Administration Act 1997 — Submission No. 01/2022 — proposed easement in Class A Reserve 18324 Yokine Regional Open Space for the purpose of a drainage pumping station and associated infrastructure	1552
Minister for Emergency Services	
<i>Annual Reports —</i>	
Building Management Authority (2021-22) (Date received 15/09/2022)	1553
Burswood Park Board (2020-21) (Date received 19/09/2022)	1554
<i>Leases —</i>	
CALM Lease No. 1879/97 — Between the Conservation and Land Management Executive Body and Dwellingup Caravan Park located in State Forest No. 23 and 14	1555
<i>Regulations —</i>	
Liquor Control Act 1988 (Racing and Gaming Regulations Amendment (Liquor Control) Regulations (No. 3) 2022 G.G. 09/09/2022)	1556
Minister for Regional Development	
<i>Annual Reports —</i>	
Agricultural Produce Commission (2021-22) (Date received 13/09/2022)	1557
Animal Resources Authority (2021-2022) (Date received 12/09/2022)	1558
ChemCentre (2021-22) (Date received 12/09/2022)	1559
Forest Products Commission (2021-22) (Date received 20/09/2022)	1560
Gascoyne Development Commission (2021-22) (Date received 15/09/2022)	1561
Kimberley Development Commission (2021-22) (Date received 16/09/2022)	1562
Landcare Trust (2021-22) (Date received 19/09/2022)	1563
Peel Development Commission (2021-22) (Date received 19/09/2022)	1564
Pilbara Development Commission (2021-22) (Date received 19/09/2022)	1565

Primary Industries and Regional Development, Department of — Criminal Investigation (Covert Powers) Act 2012 — Assumed Identities (2021-22) (Date received 12/09/2022)	1566
Primary Industries and Regional Development, Department of — Criminal Investigation (Covert Powers) Act 2012 — Witness Identity Protection Certificates (2021-22) (Date received 12/09/2022)	1567
Regional Development Trust (2021-22) (Date received 19/09/2022)	1568
Rural Business Development Commission (2021-22) (Date received 20/09/2022)	1569
Veterinary Practice Board (2021-22) (Date received 13/09/2022)	1570

Parliamentary Secretary to the Attorney General

Annual Reports —

Construction Industry Long Service Leave Scheme (2021-22) (Date received 14/09/2022)	1571
CBD Courts Project Contract (2021-22) (Date received 20/09/2022)	1572
Court Security and Custodial Services Contract (2021-22) (Date received 16/09/2022)	1573
Energy Disputes Arbitrator (2021-22) (Date received 20/09/2022)	1574
Energy Policy (2021-22) (Date received 20/09/2022)	1575
Gold Corporation (2021-22) (Date received 16/09/2022)	1576
Horizon Power (2021-22) (Date received 14/09/2022)	1577
Minerals Research Institute of Western Australia (2021-22) (Date received 14/09/2022)	1578
Registrar WA, Industrial Relations Commission, Department of (2021-22) (Date received 14/09/2022)	1579
Synergy (2021-22) (Date received 14/09/2022)	1580
Western Power (2021-22) (Date received 14/09/2022)	1581
Workcover WA (2021-22) (Date received 14/09/2022)	1582

Regulations —

Children's Court of Western Australia Act 1988 (Children's Court Amendment Regulations 2022 G.G. 09/09/2022)	1583
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Parliamentary Secretary to the Minister for Culture and the Arts

Annual Reports —

Library of Western Australia (2021-22) (Date received 20/09/2022)	1584
National Trust (2021-22) (Date received 20/09/2022)	1585
Swan Bells Foundation Inc. (2021-22) (Date received 20/09/2022)	1586
Western Australian Museum (2021-22) (Date received 20/09/2022)	1587

Parliamentary Secretary to the Minister for Disability Services

Annual Reports —

Small Business Development Corporation (2021-22) (Date received 19/09/2022)	1588
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Management Plans —

Fish Resources Management Act 1994 (Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment 2022 G.G. 06/09/2022)	1589
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8. Special Adjournment

Deputy Leader of the House moved, without notice —

That the Council at its rising on Wednesday, 21 September 2022 adjourn until Tuesday, 11 October 2022 at 2.00pm.

Question — put and passed.

9. Casino Legislation Amendment (Burswood Casino) Bill 2022

The Order of the Day having been read for the third reading of this Bill.

The Minister for Emergency Services representing the Minister for Racing and Gaming moved, That the Bill be read a third time.

The President announced that the Deputy 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.

10. Mining 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 President left the Chair.

In Committee

(Hon Steve Martin in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clauses 7 to 9 agreed to.

Clause 10.

Debate ensued.

11. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to student teachers being given special permission to teach, in response to a question without notice asked by Hon James Hayward.

The Minister for Emergency Services; Innovation & ICT; Medical Research; Volunteering, in accordance with Standing Order 108(2), advised that an answer to question on notice 855 asked by Hon Martin Aldridge will be provided on 21 September 2022.

The Minister for Regional Development representing the Minister for Water; Forestry; Youth, in accordance with Standing Order 108(2), advised that an answer to question on notice 864 asked by Hon Martin Aldridge will be provided on 21 September 2022.

The Parliamentary Secretary to the Minister for Energy, by leave, incorporated into *Hansard* residential disconnections and applications to the hardship utility grant scheme, in response to a question without notice asked by Hon Dr Steve Thomas.

The Parliamentary Secretary to the Attorney General, in accordance with Standing Order 108(2), advised that an answer to question on notice 780 asked by Hon Dr Brian Walker will be provided on 21 September 2022.

The Parliamentary Secretary to the Attorney General, in accordance with Standing Order 108(2), advised that answers to questions on notice 782, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 828 and 841 asked by Hon Nick Goiran will be provided on 21 September 2022.

The Parliamentary Secretary to the Attorney General, in accordance with Standing Order 108(2), advised that an answer to question on notice 858 asked by Hon Martin Aldridge will be provided on 21 September 2022.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Minister for Public Sector Management, in accordance with Standing Order 108(2), advised that an answer to question on notice 776 asked by Hon Martin Aldridge will be provided on 21 September 2022.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of Leader of the House representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 793 asked by Hon Martin Aldridge will be provided on 13 October 2022.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of Leader of the House representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 865 asked by Hon Martin Aldridge will be provided on 13 October 2022.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Minister for Housing tabled documents in relation to the number of owned, occupied and vacant social housing homes in 2016-17 to 2021-22, in response to question on notice 690 asked by Hon Steve Martin. (Tabled Paper 1593).

The Minister for Regional Development tabled documents in relation to daily itineraries for the Minister for Regional Development in 2021 and 2022, in response to question on notice 797 asked by Hon Martin Aldridge. (Tabled Paper 1594).

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of Leader of the House representing the Minister for Housing tabled documents in relation to public housing waitlist and vacancy rate in North West Central electorate as at 30 June 2022, in response to question on notice 766 asked by Hon Colin de Grussa. (Tabled Paper 1595).

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of Leader of the House representing the Minister for Housing; Lands; Homelessness; Local Government tabled the *Local Government Profiles Management Report 2021*, in response to question on notice 779 asked by Hon Dr Brian Walker. (Tabled Paper 1596).

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Premier tabled the aircraft safety standards for Government Ministers in response to question on notice 798 asked by Hon Martin Aldridge. (Tabled Paper 1597).

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Premier tabled an answer to question 1(e) asked of the Standing Committee on Estimates and Financial Operations for the 2022-23 Budget Estimates, in response to question on notice 799 asked by Hon Martin Aldridge. (Tabled Paper 1598).

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Leader of the House representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to questions on notice 793 and 865 asked by Hon Martin Aldridge will be provided on 13 October 2022.

12. Mining Amendment Bill 2021

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

The President left the Chair.

In Committee

(Hon Jackie Jarvis in the Chair)

Clause 10.

Debate resumed.

Clause agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clauses 12 to 14 agreed to.

Clause 15.

Debate ensued.

Clause agreed to.

Clauses 16 and 17 agreed to.

Clause 18.

Debate ensued.

Clause agreed to.

Clauses 19 to 21 agreed to.

Clause 22.

Debate ensued.

Clause agreed to.

Clauses 23 to 26 agreed to.

Clause 27.

Debate ensued.

Clause agreed to.

Clause 28 agreed to.

Clause 29.

Debate ensued.

Clause agreed to.

Clauses 30 to 33 agreed to.

Clause 34.
 Debate ensued.
 Clause agreed to.
 Clauses 35 to 39 agreed to.
 Clause 40.
 Debate ensued.
 Clause agreed to.
 Clause 41.
 Debate ensued.
 Clause agreed to.
 Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Parliamentary Secretary to the Minister for Mines and Petroleum moved, That the Bill be read a third time.

The Acting President announced that the Deputy 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.

13. Health Services Amendment Bill 2021

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

Hon Nick Goiran, by leave, tabled the Australian health regulation key legal instruments and agencies published by the *Sydney Morning Herald* on 23 August 2022. (Tabled Paper 1599).

Debate resumed.

Interruption pursuant to order.

14. Members' Statements

Statements were taken.

15. Adjournment

The Council adjourned at 10.18pm until Wednesday, 21 September 2022 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Sue Ellery, Hon Ayor Makur Chuot and Hon Rosetta Sahanna.

SAM HASTINGS
 Clerk of the Legislative Council

HON ALANNA CLOHESY MLC
 President of the Legislative Council