

Minutes of Proceedings



LEGISLATIVE COUNCIL

THURSDAY, 19 OCTOBER 2023

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. Papers

The following Papers were laid on the Table by —

Minister for Agriculture and Food on behalf of the Minister for Emergency Services

Documents —

Recommendation regarding application of the Future Health Research and Innovation Account monies during current (2023-24) and future financial years (18/09/2023).....2731

Minister for Agriculture and Food

Annual Reports —

Housing Authority (2022-23) (Date received 19/10/2023)2732

Parliamentary Secretary to the Attorney General

Annual Reports —

Office of the Public Advocate (2022-23) (Date received 19/10/2023)2735

Reports —

Commissioner for Children and Young People — Talking about vaping: WA young people's views and experiences of e-cigarettes — Key findings from the WA Commissioner for Children and Young People's 'Talking about vaping' survey 2023.....2733

Parliamentary Secretary to the Minister for Training

Annual Reports —

Water and Environmental Regulation (2022-23) (Date received 18/10/2023).....2734

3. **Shire of Murray Bush Fire Brigades Local Law 2023 — 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 Murray Bush Fire Brigades Local Law 2023* published in the *Gazette* on 25 August 2023 and tabled in the Legislative Council on 29 August 2023 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 2452).

4. **City of Bayswater Health Local Law 2023 — 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 Bayswater Health Local Law 2023* published in the *Gazette* on 25 August 2023 and tabled in the Legislative Council on 29 August 2023 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 2452).

5. **Western Australia Health System**

Hon Martin Aldridge: To move on the next day of sitting —

That the Legislative Council —

- (a) expresses our gratitude to frontline healthcare workers, healthcare providers and non-government organisations for their outstanding contribution to the health of all Western Australians through recent periods of great uncertainty; and
- (b) notes the McGowan and now Cook Labor Government's mismanagement of the health system, which has been plunged into crisis after crisis and has resulted in numerous devastating and preventable incidents; record-ambulance ramping; and all-time low staff morale.

6. **Native Timber Industry Closure Impact Assessment Committee**

Hon Louise Kingston: To move on the next day of sitting —

- (1) A Select Committee to be known as the Native Timber Industry Closure Impact Assessment Committee is established.
- (2) The Select Committee is to inquire into and report on —
 - (a) the direct economic and social impact of the closure of the native timber commercial logging industry;
 - (b) the indirect economic and social impact of the closure of the native timber commercial logging industry;
 - (c) the Forest Products Commission's ability to meet remaining contractual obligations for the delivery of native timber sawlog supplies;
 - (d) the Western Australian Government's softwood plantation investment plan and its ability to fill short-term demand following the closure of the native timber commercial logging industry; and
 - (e) the effectiveness of the State Government's Native Forest Transition plan, including but not limited to business, workforce, industry, and community.
- (3) The Select Committee is to report no later than 12 months after the motion is agreed to.
- (4) The Select Committee shall consist of no fewer than four members.

7. Consultation processes — Government failure

Non-Government Business No. 1 having been called, Hon Colin de Grussa moved, without notice —
That this House —

- (a) recognises the pivotal role of genuine consultation with the public in delivering improved outcomes for both communities and Government;
- (b) notes recent examples of flawed and failed consultation processes by the Cook Labor Government as instances where genuine good faith consultation did not occur; and
- (c) calls upon the Cook Labor Government to take immediate corrective measures and commit to open and transparent consultation processes to ensure the best outcomes for our State.

Debate ensued.

Motion lapsed.

8. Management of plastics

Private Members' Business No. 1 having been called, Hon Dr Sally Talbot moved, without notice —
That the Legislative Council commends the Cook Labor Government's ongoing commitment to innovation and leadership in the management of plastics including the strategic reduction, reuse and management of plastic waste in Western Australia.

Debate ensued.

Motion lapsed.

9. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Westonia Fencing Local Law 2023 — Disallowance*, 2, *Shire of Westonia Westonia Historical Precinct Local Law 2023 — Disallowance*, 3, *Shire of Westonia Shipping and/or Sea Container Local Law 2023 — Disallowance*, 4, *City of Gosnells Bush Fire Brigade Local Law 2023 — Disallowance*, and 6, *Shire of Esperance Cemeteries Local Law 2023 — Disallowance*, be taken after Order of the Day No. 9, *School Education Amendment Bill 2023*. (Leader of the House).

10. City of Swan Parking Local Law 2023 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Martin Pritchard moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 5, *City of Swan Parking Local Law 2023 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Liquor Control Amendment (Banned Drinkers Register) Bill 2023

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 Deputy President left the Chair.

In Committee

(Hon Steve Martin in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 9 agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clauses 11 to 14 agreed to.

Clause 15.

Debate ensued.

12. Questions Without Notice

Questions without notice were taken.

The Minister for Agriculture and Food representing the Minister for Early Childhood Education, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Donna Faragher.

The Leader of the House on behalf of the Minister for Emergency Services representing the Minister for Police, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Martin Aldridge.

13. Statement by President — Staff Appointments

The President made the following Statement —

I wish to advise Members of a number of recent staff appointments.

At the commencement of the next sitting week, you will hear an unfamiliar voice as I am announced by our new Usher of the Black Rod, Mr Daniel Beresford-Long. Mr Beresford-Long will be the Legislative Council's nineteenth Usher of the Black Rod since the establishment of Responsible Government in 1890.

Mr Beresford-Long joins us from Landgate where he has held senior management roles focused on governance, policy, innovation and business analytics.

In a modern context, the Usher of the Black Rod undertakes two roles. In this House, they serve as the personal attendant to the Governor when on the Parliamentary Precinct and they enforce the directions of the President to ensure order. The Usher also plays an important corporate role for the Department of the Legislative Council, assisting in the areas of compliance, project management and delivery of strategic projects.

The Usher of the Black Rod role periodically rotates with the Advisory Officer (Procedure) role. I am pleased to advise that Ms Renae Jewell has been appointed to the Advisory Officer (Procedure) role. Renae first joined Parliament in 2004 and has worked across the two Chamber departments in various roles. She has most recently undertaken the roles of Parliamentary Officer (Procedure) and Deputy Usher of the Black Rod in the Legislative Council's Procedure Office. I am sure that Members will attest to the quality of service that Renae always delivers.

The Department is fortunate to have attracted talented and dedicated staff to these important roles. I wish Renae and Daniel well as they work collaboratively with the Clerk to deliver the Department's high level of service to Members and the broader community.

14. Statement by President — Parliamentary Service Awards

The President made the following Statement —

On Friday, 13 October 2023, a morning tea was held in the parliamentary courtyard for the annual staff recognition awards. The awards recognise parliamentary employees who have served more than five years with the Parliament of Western Australia.

It is my pleasure to announce that this year marks a number of milestone achievements.

Mr Joe Fenech from the Parliamentary Services Department, Building Services, was recognised for 45 years of parliamentary service.

Joe has been described by his colleagues as having an inability to panic; he is cheerful and calmly pragmatic in the face of urgency. He has been known to say “at least we know the alarm works” when one is sounding loudly. Joe’s composure and ability to observe the obvious are some of those qualities that have endeared him to his colleagues and have seen him through a long and successful career. Congratulations, Joe.

Another milestone achievement in the 35 years’ service category was awarded to this Chamber’s own Brian Conn.

Brian commenced his parliamentary service with catering in January 1988 and quickly became the steward to Presidents Hon Clive Griffiths, Hon George Cash, Hon John Cowdell and Hon Nick Griffiths. Later, Brian began to assist the Chamber staff during question time, and was then appointed to the Procedure Office permanently as a Parliamentary Officer.

Brian’s sense of humour, dependability and easy-going manner have made him a much-loved member of the Legislative Council’s staff and I congratulate him on his 35 years of service.

On behalf of all Members, I thank Brian and Joe for their long and dedicated service to the Legislative Council and the Parliament and congratulate them on their awards.

15. Liquor Control Amendment (Banned Drinkers Register) Bill 2023

Resumption of consideration of this Bill in Committee of the Whole House (*see item 11 above*).

The President left the Chair.

In Committee

(Aldridge in the Chair)

Clause 15.

Debate resumed.

Interruption pursuant to order.

The President resumed the Chair.

The 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.

16. Members’ Statements

Statements were taken.

17. Duties Amendment (Off-the-Plan Concession and Foreign Persons Exemptions) Bill 2023

The President reported the receipt of Message No. 128 from the Legislative Assembly forwarding the Bill for concurrence.

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 Finance moved, That the Bill be read a second time.

The Minister for Finance tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2736).

Debate stands adjourned.

18. Adjournment

The Council adjourned at 5.36pm until Tuesday, 7 November 2023 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Stephen Dawson, Hon Steve Martin and Hon Kyle McGinn.

SAM HASTINGS

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council