



LEGISLATIVE COUNCIL

TUESDAY, 22 NOVEMBER 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. Petitions

Hon Stephen Pratt presented a petition from 241 petitioners requesting the Legislative Council inquire about the abandonment and removal of shopping trolleys. (Tabled Paper 1869).

Hon Stephen Pratt presented a petition from 130 petitioners requesting the Legislative Council inquire about the abandonment and removal of shopping trolleys. (Tabled Paper 1870).

3. Ministerial Statement — Carbon Neutral Grain Pilot Project

The for Agriculture and Food on behalf of the Minister for Agriculture and Food made a Ministerial Statement with respect to the new Carbon Neutral Grain Pilot Project.

4. Papers

The following Papers were laid on the Table by —

President

Reports —

Inspector of Custodial Services, Office of the — The use of confinement and management regimes (October 2022).....1852

Public Sector Commission — State of the WA Government Sector Workforce 2021-22 (November 2022).....1853

Leader of the House

Regulations —

Mental Health Act 2014 (Mental Health Amendment Regulations 2022 G.G. 18/11/2022).....1855

Public Transport Authority Act 2003 (Public Transport Authority Amendment Regulations (No. 2) 2022 G.G. 18/11/2022)1856

Transport (Road Passenger Services) Act 2018 (Transport (Road Passenger Services) Amendment Regulations (No. 2) 2022 G.G. 18/11/2022).....1857

Minister for Emergency Services

Regulations —

Conservation and Land Management Act 1984 (Conservation and Land Management Amendment Regulations (No. 4) 2022 G.G. 18/11/2022).....	1858
Firearms Act 1973 (Firearms Amendment Regulations (No. 2) 2022 G.G. 18/11/2022).....	1859
Liquor Control Act 1988 (Racing and Gaming Regulations Amendment (Liquor Control) Regulations (No. 4) 2022 G.G. 18/11/2022)	1860
Police Act 1892 (Police Force Amendment Regulations 2022 G.G. 18/11/2022).....	1861

Parliamentary Secretary to the Attorney General

Annual Reports —

State Coroner, Office of the (2021-22) (Date received 17/11/2022)	1862
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Regulations —

Electoral Act 1907 (Electoral Amendment Regulations 2022 G.G. 18/11/2022).....	1863
Industrial Relations Act 1979 (Industrial Relations (General) Amendment Regulations 2022 G.G. 18/11/2022)	1864
Prisons Act 1981 (Prisons Amendment Regulations (No. 2) 2022 G.G. 18/11/2022).....	1865
Prisons Act 1981; Sentence Administration Act 2003 (Corrective Services Regulations Amendment (Firearms) Regulations 2022 G.G. 18/11/2022)	1866
Prohibited Behaviour Orders Act 2010; Restraining Orders Act 1997 (Attorney General Regulations Amendment (Firearms) Regulations 2022 G.G. 18/11/2022).....	1867

Rules —

Magistrates Court (Civil Proceedings) Act 2004 (Magistrates Court (Civil Proceedings) Amendment Rules (No. 2) 2022 G.G. 18/11/2022).....	1868
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5. Shire of Meekatharra 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 Meekatharra Health Local Law 2021* published in the *Gazette* on 29 August 2022 and tabled in the Council on 20 September 2022 under the *Health (Miscellaneous Provisions) Act 1911*, be and is hereby disallowed. **Matter of Privilege**

Hon Martin Aldridge, pursuant to Standing Order 93, raised a matter of privilege in relation to an answer to a question without noticed.

Statement by President

The President made the following Statement —

Thank you, honourable member. I will consider your request and take advice and report back to the house as soon as I am able to.

7. Auditor General Amendment Bill 2022

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

Point of Order

Leader of the House representing the Premier raised the following Point of Order —

I am conscious of the time. I do not want to hold it up now. However, I find myself in an extraordinary position where I am being told that the committee has released certain information and has taken it deliberately to the opposition, but not to the Minister with carriage of the bill or, as far as I am advised—I went and checked—to the government in any other form. There was another Minister dealing with this in the other House, for example, so I went to check. Has anybody been communicated with, by direct provision, of the advice that the Auditor General commissioned? This is the first time I am hearing about this subsequent letter released today, directly to a member of the opposition and not to the government. I find myself in an extraordinary position. In more than 20 years in the Parliament, I have not seen something like this. Maybe there is nothing untoward here and communication is en route or something, but it is not being provided to me.

Deputy President's Ruling

The Deputy President ruled as follows —

I am coming up to speed on this matter, as I have not been in the chair for the entire period of the debate. I understand the point. I am not sure exactly what the point of order is. However, if I can say this, any member is entitled to seek leave to table a document. It is up to the chamber whether or not leave is granted. I understand that the only caution that is given in this regard is that if the Leader of the Opposition does seek to table a document, which I understand is an email between him and a member of staff from the committee, is that that email may disclose contact information for the staff. The Leader of the Opposition might have regard to that if he seeks that course of action.

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Peter Foster in the Chair)

Clause 1.

Debate ensued.

Hon Dr Steve Thomas, by leave, tabled a letter from the Office of the Auditor General to the Standing Committee on Estimates and Financial Operations. (Tabled Paper 1871).

8. Questions Without Notice

Questions without notice were taken.

The Minister for Education, by leave, incorporated into *Hansard* a list of schools categorised as rural, regional or remote schools in relation to the Regional Incentive Framework, in response to a question without notice asked by Hon Colin de Grussa.

The Leader of the House, by leave, incorporated into *Hansard* a table of funding provided through the child health nurses service agreement with the Salvation Army for the periods 1 July 2017 to 20 June 2023, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Emergency Services tabled the Department of Fire and Emergency Services standard administrative procedure 3.5.A Total Fire Bans (TFB) (Version 5.0), in response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 1872).

The Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services tabled, a correction to the answer provided to question on notice 993 asked by Hon Tjorn Sibma. (Tabled Paper 1873).

The Leader of the House representing the Minister for Housing; Lands; Homelessness; Local Government tabled, a list of stakeholders briefed on proposed amendments to the *Land Administration Act 1992* during the drafting of the proposed *Land and Public Works Legislation Bill 2022*, in response to question on notice 1053 asked by Hon Wilson Tucker. (Tabled Paper 1874).

The Leader of the House representing the Minister for Health; Mental Health, in accordance with Standing Order 108(2), advised that answers to questions on notice 976 and 995 asked by Hon Tjorn Sibma will be provided on 24 November 2022.

The Leader of the House representing the Minister for Housing, in accordance with Standing Order 108(2), advised that answers to questions on notice 1049, 1050 and 1051 asked by Hon Dr Brad Pettitt will be provided by 23 November 2022.

The Minister for Emergency Services representing the Minister for Finance; Aboriginal Affairs; Racing and Gaming; Citizenship; Multicultural Affairs tabled, documents in relation to the Minister's gift register between 1 July 2021 and 30 June 2022, in response to question on notice 992 asked by Hon Tjorn Sibma. (Tabled Paper 1875).

The Minister for Emergency Services representing the Minister for Environment; Climate Action tabled, table of fees and area in hectares of the *Conservation and Land Management Act 1984* land cleared by Alcoa in each of the last 10 years, in response to question on notice 1045 asked by Hon Dr Brad Pettitt. (Tabled Paper 1876).

The Minister for Emergency Services representing the Minister for Environment tabled the Pinjarra Cogeneration Plant preliminary decommissioning plans (No. 2) and the Wagerup Refinery preliminary decommissioning plan, in response to question on notice 1046 asked by Hon Dr Brad Pettitt. (Tabled Paper 1877).

The Parliamentary Secretary to the Minister for Corrective Services, by leave, incorporated into *Hansard* information in relation to staffing at Banksia Hill Detention Centre, in response to a question without notice asked by Hon Peter Collier.

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 1037 asked by Hon Dr Steve Thomas will be provided by 1 December 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 1044 asked by Hon Dr Brad Pettitt will be provided by 1 December 2022.

9. Auditor General Amendment Bill 2022

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

The President left the Chair.

In Committee

(Hon Jackie Jarvis in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clause 7.

Debate ensued.

Clause agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Leader of the House representing the Premier, 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.

Debate ensued.

Question — put and passed.

Bill read a third time and passed.

10. Working with Children (Criminal Record Checking) Amendment Bill 2022

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

Debate resumed.

Clause 14.

Debate resumed.

Clause agreed to.

Clause 15.

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.

11. Members' Statements

Statements were taken.

12. Adjournment

The Council adjourned at 9.56pm until Wednesday, 23 November 2022 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon James Hayward (*suspended*), Hon Alannah MacTiernan, Hon Kyle McGinn and Hon Rosetta Sahanna.

SAM HASTINGS

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council

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