



LEGISLATIVE COUNCIL

THURSDAY, 24 FEBRUARY 2022

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. Petition

Hon Neil Thomson presented a petition from 70 petitioners requesting the Legislative Council to implement an urgent independent engineering and flood modelling assessment for flood mitigation at Carnarvon. (Tabled Paper 1084).

3. Papers

The following Papers were laid on the Table by —

Leader of the House

Reports —

Ministerial office staffing as at 28 October 2021.....1082

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

Reports —

Economic Regulation Authority — Report on the effects of the container deposit scheme on beverage prices in Western Australia (Final Report) (February 2022).....1083

4. Joint Standing Committee on the Corruption and Crime Commission — Report 3 — 'A GOOD YEAR' — The work of the Parliamentary Inspector of the Corruption and Crime Commission

Hon Dr Steve Thomas presented Report 3 of the Joint Standing Committee on the Corruption and Crime Commission, '*A GOOD YEAR*' — *The work of the Parliamentary Inspector of the Corruption and Crime Commission*. (Tabled Paper 1085).

5. Regional Electricity Network

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

That this House recognises the vulnerability of the electricity network in regional Western Australia and calls on the State Government to:

- (a) apologise to regional families, businesses and communities who have been impacted by frequent power outages;
- (b) identify what actions it is taking to improve network resilience and performance;
- (c) improve the extended outage payment to ensure equity in its application and relevance to the outage experienced; and
- (d) support an independent inquiry that examines the performance of Western Power and Horizon Power in providing safe and reliable power.

6. COVID-19 in 2022

Hon Dr Steve Thomas: To move on the next day of sitting —

That this House:

- (a) notes this State's lack of preparedness for the inevitable outbreak of COVID-19 in 2022 and the spread of the Omicron strain;
- (b) notes the constant changing of the State's COVID-19 rules by the State Government, and that the lack of consistency is damaging to the business community in particular;
- (c) notes the lack of openness and accountability of the Government in making these changes, including not making the information used to make the decisions and thresholds and trigger points freely available;
- (d) notes that this arrogant willingness to keep the community in the dark is unnecessary and unjustified, as the vast majority of the community is mature enough to assess the situation rationally; and
- (e) calls on the McGowan Government to stop treating the Western Australian community with contempt, and provide them with consistent, clear and manageable rules for COVID-19 and release all supporting data and information used to justify them and all thresholds for future actions.

7. Environmental Development in Western Australia

Non-Government Business No. 1 having been called, Hon Tjorn Sibma moved, without notice —

That this House affirms the need for the Government to:

- (a) ensure that its agencies, systems and processes encourage environmentally, socially and economically responsible development throughout Western Australia;
- (b) avoid adopting policies which are economically and socially destabilising and confer questionable environmental benefits;
- (c) expedite changes to its environmental approvals system (and other approvals systems) necessary for attracting investment; and
- (d) deliver, quickly, on its various commitments made over recent years to streamline and reform approvals systems.

Debate ensued.

Motion lapsed.

8. Renewable Hydrogen

Private Members' Business No. 1 having been called, Hon Dan Caddy moved, without notice —
That this House:

- (a) recognises that renewable hydrogen will play a key role in diversifying the State's decarbonised economy and by doing so will create local jobs across our regions;
- (b) commends the McGowan Government on its commitment to creating the investment environment for Western Australia to become a significant producer, exporter and user of renewable hydrogen; and
- (c) acknowledges that there are currently over 30 renewable hydrogen projects and proposals, covering many aspects of the hydrogen supply chain, in Western Australia.

Debate ensued.

Motion lapsed.

9. City of Stirling Meeting Procedures Local Law 2021 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 1, *City of Stirling Meeting Procedures Local Law 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

10. City of Wanneroo Animals Local Law 2021 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Lorna Harper moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 2, *City of Wanneroo Animals Local Law 2021 — Disallowance*, be discharged from the Notice Paper.

Question — put and passed.

11. Transport Legislation Amendment (Identity Matching Services) 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 1.

Debate resumed.

The Leader of the House tabled the Department of Transport's Identity Matching Services summary and infographic (August 2021). (Tabled Paper 1086).

Debate resumed.

Clause agreed to.

Clause 2 agreed to.

Clauses 3 to 5 agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clauses 7 to 9 agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clause 11 agreed to.

Clause 12.

Debate ensued.

Hon Donna Faragher moved —

Page 13, lines 2 to 4 — To delete “that is likely to result in serious harm to a person to whom the information relates”

Debate ensued.

Amendment — put.

The Committee divided.

Ayes (8)

Hon Martin Aldridge
Hon Peter Collier
Hon Donna Faragher
Hon James Hayward

Hon Steve Martin
Hon Neil Thomson
Hon Wilson Tucker
Hon Dr Steve Thomas (*Teller*)

Noes (16)

Hon Klara Andric
Hon Dan Caddy
Hon Sandra Carr
Hon Kate Doust
Hon Sue Ellery
Hon Lorna Harper
Hon Jackie Jarvis
Hon Alannah MacTiernan

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

Amendment thus negatived.

Debate resumed.

The Leader of the House representing the Minister for Transport moved —

Page 13, after line 14 — To insert:

11K. Tabling amendments to intergovernmental agreement

If the intergovernmental agreement (other than a Schedule that does not relate to this State) is amended, the Minister must cause a copy of the amendment to be laid before each House of Parliament within 14 sitting days of the House after the amendment is made.

Debate resumed.

Amendment — put and passed.

Debate ensued.

Clause, as amended, agreed to.

Clauses 13 to 23 agreed to.

Clause 24.

Debate ensued.

The Leader of the House representing the Minister for Transport moved —

Page 21, after line 16 — To insert:

17C. Tabling amendments to intergovernmental agreement

If the intergovernmental agreement (other than a Schedule that does not relate to this State) is amended, the Minister must cause a copy of the amendment to be laid before each House of Parliament within 14 sitting days of the House after the amendment is made.

Amendment — put and passed.

Clause, as amended, agreed to.

Clauses 25 and 26 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported with amendments.

The Leader of the House representing the Minister for Transport, by leave, moved, That the report be adopted.

Report adopted.

The Leader of the House representing the Minister for Transport moved, without notice —

That so much of Standing Orders be suspended so as to enable the *Transport Legislation Amendment (Identity Matching Services) Bill 2021* to be read a third time.

The motion requiring the concurrence of an absolute majority.

Question — put.

The Deputy President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

The Leader of the House representing the Minister for Transport moved, That the Bill be read a third time.

The Deputy 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.

12. Cognate Debate — Legal Profession Uniform Law Application Bill 2021 and Legal Profession Uniform Law Application (Levy) Bill 2021

The Parliamentary Secretary to the Attorney General sought leave of the Council to debate Order of the Day No. 11, *Legal Profession Uniform Law Application Bill 2021*, and Order of the Day No. 10, *Legal Profession Uniform Law Application (Levy) Bill 2021*, cognately [SO 127].

Leave granted.

13. Legal Profession Uniform Law Application Bill 2021 and Legal Profession Uniform Law Application (Levy) Bill 2021

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills cognately.

Debate ensued.

14. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training tabled a document entitled *Preschool Reform Agreement, Federation Funding Agreement, Education and Skills* (15 December 2021), in response to a question without notice asked by Hon Donna Faragher. (Tabled Paper 1087).

15. Legal Profession Uniform Law Application Bill 2021 and Legal Profession Uniform Law Application (Levy) Bill 2021

Cognate debate resumed on the second reading of these Bills (*see item 13 above*).

Question — That the *Legal Profession Uniform Law Application Bill 2021* be read a second time — put and passed.

Bill read a second time.

Question — That the *Legal Profession Uniform Law Application (Levy) Bill 2021* be read a second time — put and passed.

Bill read a second time.

Ordered — That consideration of the Bills, in Committee of the Whole House, be made an Order of the Day for the next sitting.

16. Order of Business

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

17. Members' Statements

Statements were taken.

Hon Neil Thomson, by leave, tabled a document entitled *Together we can find solutions, Kimberley Community and Crime Forums* (February 2022). (Tabled Paper 1088).

18. Adjournment

The Council adjourned at 5.50pm until Tuesday, 15 March 2022 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ayor Makur Chuot, Hon Stephen Dawson, Hon Colin de Grussa (*leave*), Hon Sophia Moermond (*suspended*) and Hon Darren West.

SAM HASTINGS

Acting Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council