



LEGISLATIVE COUNCIL

TUESDAY, 15 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. 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 —

28 October 2022 — Message No. 29	Act No.
Fair Trading Amendment Bill 2021	34 of 2022
Health and Disability Services (Complaints) Amendment Bill 2021	35 of 2022
Owner-Drivers (Contracts and Disputes) Amendment Bill 2022	36 of 2022
1 November 2022 — Message No. 30	Act No.
Duties Amendment Bill 2022	37 of 2022
Charitable Trusts Bill 2022	38 of 2022
Mining Amendment Bill 2022	39 of 2022

3. Petitions

Hon Lorna Harper presented an E-Petition from 318 petitioners requesting the Legislative Council to support a Parliamentary inquiry to investigate the removal of newborns from their mothers care via past adoptive policies and practices from 1939 onwards. (Tabled Paper 1805).

Hon Nick Goiran presented an E-Petition from 2,903 petitioners requesting the Legislative Council to support the protection of children from harmful hypersexualised advertising. (Tabled Paper 1806).

Hon Martin Aldridge presented a petition from 2,996 petitioners requesting the Legislative Council support funding of ambulance services in Western Australia. (Tabled Paper 1807).

4. Ministerial Statement — 10 Years of Grains Innovation and Success

The Parliamentary Secretary representing the Minister for Agriculture and Food on behalf of the Minister for Agriculture and Food made a Ministerial Statement with respect to the Australian Export Grains Innovation Centre celebrating 10 years driving innovation and market opportunities.

5. Papers

The following Papers were laid on the Table by —

President

Annual Reports —

Inspector of Custodial Services, Office of the — Annual Report (2021-22)
(Date received 14/11/2022).....1781

Auditor General's Papers —

Opinion on Ministerial Notification — Tom Price Hospital Redevelopment and
Meekatharra Health Centre Business Cases (Report No. 7) (November 2022)
(Deemed tabled 02/11/2022).....1782

Leader of the House

Annual Reports — Extension of Time —

Housing Authority — Annual Reports (2021-22)1783

Local Laws —

Cemeteries Act 1986 (Shire of Dumbleyung Cemeteries Local Law 2022 G.G. 03/11/2022 and
Shire of Kondinin Cemeteries Local Law 2022 G.G. 10/11/2022)1784

Local Government Act 1995 (City of Belmont Consolidated Local Law Amendment Local
Law 2022 G.G. 28/10/2022, City of Wanneroo Private Property Repeal Local Law 2022
G.G. 28/10/2022, Shire of Dumbleyung Bush Fire Brigades Local Law 2022
G.G. 03/11/2022, Shire of Dumbleyung Control of Refuse on Building Sites Repeal Local
Law 2022 G.G. 03/11/2022, Shire of Dumbleyung Dogs Local Law 2022 G.G. 03/11/2022,
Shire of Dumbleyung Extractive Industries Local Law 2022 G.G. 03/11/2022, Shire of
Dumbleyung Fencing Local Law 2022 G.G. 03/11/2022, Shire of Dumbleyung Health
Local Law 2022 G.G. 03/11/2022, Shire of Dumbleyung Local Government Property and
Public Places Local Law 2022 G.G. 03/11/2022, Shire of Dumbleyung Parking and Parking
Facilities Repeal Local Law 2022 G.G. 03/11/2022, Shire of Dumbleyung Pest Plants
Repeal Local Law 2022 G.G. 03/11/2022, Shire of Dumbleyung Standing Orders Local
Law 2022 G.G. 03/11/2022, Shire of Kojonup Cat Local Law 2022 G.G. 31/10/2022, Shire
of Kojonup Parking Local Law 2022 G.G. 31/10/2022, Shire of Kondinin Bush Fire
Brigades Local Law 2022 G.G. 10/11/2022, Shire of Kondinin Dogs Local
Law 2022 G.G. 10/11/2022, Shire of Kondinin Public Places and Local Government
Property Local Law 2022 G.G. 10/11/2022, Shire of Kondinin Repeal Local
Law 2022 G.G. 10/11/2022, Shire of Leonora Dog Amendment Local
Law 2022 G.G. 04/11/2022, Shire of Narrogin Amendment Local Law 2022
G.G. 04/11/2022 and Town of Victoria Park Waste Local Law 2022 G.G. 28/10/2022) 1785

Regulations —

Local Government Act 1995 (Local Government (Administration) Amendment Regulations
2022 G.G. 08/11/2022 and Local Government Regulations Amendment Regulations 2022
G.G. 02/11/2022)1786

Planning and Development Act 2005 (Planning and Development (Local Planning Schemes)
Amendment Regulations (No. 3) 2022 G.G. 02/11/2022).....1787

Road Traffic (Authorisation to Drive) Act 2008 (Road Traffic (Authorisation to Drive)
Amendment Regulations (No. 3) 2022 G.G. 02/11/2022).....1788

Road Traffic (Authorisation to Drive) Act 2008; Western Australian Photo Card Act
2014 (Transport Regulations Amendment (Fee Waiver and Refund) Regulations 2022
G.G. 04/11/2022)1789

Reviews —

Department of Transport — Review of the Transport Coordination Act 1966 (May 2022)	1790
Review of the Land Information Authority Act 2006 — 2022 Review Report for the Minister for Lands	1791

Minister for Emergency Services*Annual Reports —*

Racing and Wagering Western Australia (2021-22) (Date received 02/11/2022).....	1792
Waste Authority (2021-22) (Date received 10/11/2022)	1793

Regulations —

Emergency Management Act 2005 (Emergency Management Amendment Regulations (No. 2) 2022 G.G. 02/11/2022)	1794
--	------

**Parliamentary Secretary to the Minister for Regional Development on behalf the
Minister for Regional Development***Annual Reports —*

Goldfields–Esperance Development Commission (2021-22) (Date received 14/11/2022)	1795
Great Southern Development Commission (2021-22) (Date received 10/11/2022).....	1796

Regulations —

Fair Trading Act 2010 (Fair Trading (Funeral Pricing Code of Practice) Regulations 2022 G.G. 08/11/2022)	1797
---	------

Parliamentary Secretary to the Attorney General*Annual Reports —*

Work Health and Safety Commission (2021-22) (Date received 02/11/2022).....	1798
---	------

Regulations —

Electricity Industry Act 2004 (Electricity Industry (Pilbara Networks) Amendment Regulations 2022 G.G. 04/11/2022).....	1799
--	------

Reports —

Independent Auditor's Assurance Report — Electricity Generation and Retail Corporation — Compliance with Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013 and the Electricity (Standard Products) Wholesale Arrangements 2014	1800
Independent Auditor's Assurance Report — Electricity Generation and Retail Corporation — Compliance with Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013 and the Segregation and Transfer Pricing Guidelines 2020.....	1801

Rules —

Magistrates Court Act 2004 (Magistrates Court (General) Amendment Rules 2022 G.G. 04/11/2022)	1802
--	------

Parliamentary Secretary to the Minister for Disability Services*Annual Reports —*

Disability Justice Centre (2021-22) (Date received 15/11/2022)	1803
--	------

Disability Services Commission (2021-22) (Date received 15/11/2022)..... 1804

6. Standing Committee on Uniform Legislation and Statutes Review — Report 139 — Working with Children (Criminal Record Checking) Amendment Bill 2022

Hon Donna Faragher presented Report 139 of the Standing Committee on Uniform Legislation and Statutes Review, *Working with Children (Criminal record Checking) Amendment Bill 2022*. (Tabled Paper 1808).

7. Order of Business

The Leader of the House moved, without notice —

That Orders of the Day Nos 1, *City of Fremantle Cat Management Amendment Local Law 2022 — Disallowance* and 2, *City of Joondalup Health Amendment Local Law 2021 — Disallowance*, be taken after Order of the Day No. 4 — *Land Tax Assessment Amendment Bill 2022*. (Leader of the House).

Question — put and passed.

8. Government Railways Amendment Bill 2021

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.

Leave was granted to proceed forthwith to the third reading.

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

Question — put and passed.

Bill read a third time and passed.

9. Statutes (Repeals and Minor Amendments) Bill 2021

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 Acting President left the Chair.

In Committee

(Hon Dr Sally Talbot in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Debate ensued.

10. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Corrective Services, by leave, incorporated into *Hansard* information in relation to details of juveniles at Banksia Hill Detention Centre that have attempted to self-harm and transferred to Unit 18 at Casuarina Prison, in response to a question without notice asked by Hon Peter Collier.

The Parliamentary Secretary to the Minister for Corrective Services by leave, incorporated into *Hansard* information in relation to the number of juveniles held at Banksia Hill Detention Centre in 2022, in response to a question without notice asked by Hon Peter Collier.

The Parliamentary Secretary to the Attorney General tabled documents a communique for the Council of Attorney General on 31 March 2021, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 1809).

The Leader of the House representing the Minister for Housing, in accordance with Standing Order 108(2), advised that answers to question on notice 977 asked by Hon Tjorn Sibma will be provided by 16 November 2022.

The Leader of the House representing the Minister for Housing, in accordance with Standing Order 108(2), advised that answers to question on notice 996 asked by Hon Tjorn Sibma will be provided by 16 November 2022.

The Leader of the House representing the Minister for Housing, in accordance with Standing Order 108(2), advised that an answer to question on notice 1007 asked by Hon Dr Steve Thomas will be provided by 16 November 2022.

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 asked by Hon Tjorn Sibma will be provided by 22 November 2022.

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 995 asked by Hon Tjorn Sibma will be provided by 22 November 2022.

The Leader of the House representing the Premier; Minister for Public Sector Management; Federal State Relations tabled documents in relation to the Ministers gift register between 1 July 2021 and 30 June 2022, in response to question on notice 983 asked by Hon Tjorn Sibma. (Tabled Paper 1811).

The Leader of the House representing the Minister for Transport; Planning; Ports tabled documents in relation to the Ministers gift register between 1 July 2021 and 30 June 2022, in response to question on notice 991 asked by Hon Tjorn Sibma. (Tabled Paper 1812).

The Leader of the House representing the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services tabled documents in relation to the Ministers gift register between 1 July 2021 and 30 June 2022, in response to question on notice 993 asked by Hon Tjorn Sibma. (Tabled Paper 1813).

The Minister for Education and Training tabled documents in relation to the Department of Education policies relating to the Australian Fire Danger Rating System, in response to question on notice 1016 asked by Hon Martin Aldridge. (Tabled Paper 1814).

The Minister for Emergency Services representing the Deputy Premier tabled documents in relation to the Ministers gift register between 1 July 2021 and 30 June 2022, in response to question on notice 981 asked by Hon Tjorn Sibma. (Tabled Paper 1815).

The Minister for Emergency Services representing the Minister for Environment; Climate Action tabled documents in relation to the Ministers gift register between 1 July 2021 and 30 June 2022, in response to question on notice 998 asked by Hon Tjorn Sibma. (Tabled Paper 1817).

The Minister for Emergency Services; Innovation and ICT; Medical research; Volunteering tabled documents in relation to the Ministers gift register between 1 July 2021 and 30 June 2022, in response to question on notice 985 asked by Hon Tjorn Sibma. (Tabled Paper 1816).

The Minister for Emergency Services representing the Minister for Environment tabled the summary of consultation outcomes for Lake MacLeod, in response to question on notice 1005 asked by Hon Dr Brad Pettitt. (Tabled Paper 1819).

The Minister for Emergency Services representing the Minister for Environment tabled the Department of Parks and Wildlife divisional procedure No. 4, closure of parks and recreation sites, in response to question on notice 1017 asked by Hon Martin Aldridge. (Tabled Paper 1818).

The Minister for Emergency Services representing the Minister for Finance; Aboriginal Affairs; Racing and Gaming; Cultural and Multicultural Interests, in accordance with Standing Order 108(2), advised that an answer to question on notice 973 asked by Hon Tjorn Sibma will be provided by 24 November 2022.

The Minister for Emergency Services representing the Minister for Finance; Aboriginal Affairs; Racing and Gaming; Cultural and Multicultural Interests, in accordance with Standing Order 108(2), advised that an answer to question on notice 992 asked by Hon Tjorn Sibma will be provided by 24 November 2022.

The Parliamentary Secretary to the Attorney General tabled a correction to a question asked by Hon Dr Brad Pettitt in relation to Banksia Hill Detention Centre and Unit 18 detainees, in response to a question without notice asked by Hon Dr Brad Pettitt (Tabled Paper 1820).

The Parliamentary Secretary representing the Minister for Energy tabled documents in relation to Perth Metropolitan area annual electricity consumption by suburb, local government area and substation, in response to question on notice 954 asked by Hon Dr Brad Pettitt. (Tabled Paper 1821).

The Parliamentary Secretary to the Minister for Regional Development; Agriculture and Food; Hydrogen Industry tabled documents in relation to the Ministers gift register between 1 July 2021 and 30 June 2022, in response to question on notice 986 asked by Hon Tjorn Sibma. (Tabled Paper 1822).

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Water; Forestry; Youth, in accordance with Standing Order 108(2), advised that an answer to questions on notice 975 asked by Hon Tjorn Sibma will be provided by 24 November 2022.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Water; Forestry; Youth, in accordance with Standing Order 108(2), advised that an answer to questions on notice 994 asked by Hon Tjorn Sibma will be provided by 24 November 2022.

The The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Water; Forestry; Youth, in accordance with Standing Order 108(2), dvised that an answer to question on notice 999 asked by Hon Dr Brad Pettitt will be provided by 24 November 2022.

The Parliamentary Secretary to the Minister for Culture and the Arts; Sport and Recreation; International Education; Heritage tabled documents in relation to the Ministers gift register between 1 July 2021 and 30 June 2022,, in response to question on notice 987 asked by Hon Tjorn Sibma. (Tabled Paper 1823).

The Leader of the House representing the Minister for Child Protection tabled documents in relation to case load management reporting, unedited data table and caseload management reporting summary, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 1810).

11. Statutes (Repeals and Minor Amendments) Bill 2021

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

In Committee

(Hon Dr Brian Walker in the Chair)

Clause 4.

Debate resumed.

Clause agreed to.

Clause 5 to 66 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Parliamentary Secretary to the Attorney General 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. Human Tissue and Transplant Amendment Bill 2022

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.

Leave was granted to proceed forthwith to the third reading.

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

Question — put and passed.

Bill read a third time and passed.

13. Land Tax Assessment Amendment Bill 2022

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 Acting President left the Chair.

In Committee

(Hon Dr Brian Walker in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clauses 5 and 6 agreed to.

Clause 7.

Debate ensued.

Clause agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9.

Debate ensued.

Clause agreed to.

Clause 10 agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clause 12.

Debate ensued.

Clause agreed to.

Clauses 13 and 19 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Emergency Services representing the Minister for Finance 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.

14. Health Services Amendment Bill 2021

The President reported the receipt of Message No. 86 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Leader of the House representing the Minister for Health tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1824).

Debate stands adjourned.

15. Auditor General Amendment Bill 2022

The President reported the receipt of Message No. 87 from the Legislative Assembly forwarding the Bill for concurrence.

Leader of the House representing the Premier moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

Leader of the House representing the Premier moved, That the Bill be read a second time.

Leader of the House representing the Premier tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1825).

Debate stands adjourned.

16. Order of Business

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

17. Members' Statements

Statements were taken.

18. Adjournment

The Council adjourned at 9.50pm until Wednesday, 16 November 2022 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Klara Andric, Hon James Hayward (*suspended*), Hon Alannah MacTiernan, Hon Steve Martin and Hon Rosetta Sahanna.

SAM HASTINGS
Clerk of the Legislative Council

HON ALANNA CLOHESY MLC
President of the Legislative Council