

**LEGISLATIVE COUNCIL****WEDNESDAY, 15 FEBRUARY 2023****1.00pm****1. Meeting of Council**

The Council assembled at 1.00pm pursuant to Temporary Orders.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Procedural Notes Update Outline

The President made the following Statement —

Yesterday I advised you that the Procedural Notes folders in your desks had been updated. Members have subsequently asked to be provided with a brief outline of the updates that have been made to the Procedural Notes.

By way of background, it is anticipated that the Procedural Notes will form the basis of a more comprehensive publication on the Legislative Council's practice and procedures, which will be regularly updated both in hardcopy and electronically.

In this new edition of the Procedural Notes, updates have been made to a series of papers prepared by the Clerk's Office between 2011 and 2020. Specifically:

- (1) Outdated standing orders and practices have been removed or updated;
- (2) The paper on Members' use of social media in the Chamber has been incorporated within new Paper No. 1, Conventions and Courtesies of the House;
- (3) Papers on the Short Title debate, reading of speeches, and time limits and the right to speech have all been incorporated into a single new Paper No. 2, Rules of Debate;
- (4) The paper summarizing the 2012 Standing Orders changes has been deleted.
- (5) Papers on Money Bills (new Paper No. 3), important statutory provisions applying to Members (new Paper No. 4) and the procedure for raising a matter of privilege (new Paper No. 5) have all been updated.
- (6) A number of papers relating to cases of parliamentary privilege have now been incorporated within new Paper No. 6, Recent Developments in Parliamentary Privilege, along with the addition of a number of new case summaries of some of the most significant cases of parliamentary privilege in the past few years;
- (7) New Paper No. 7 updates the paper on compulsory evidence gathering of law enforcement agencies and Members of Parliament, including new summaries of attached memoranda of understanding and protocols between the presiding officers and the Western Australia Police Force and the Corruption and Crime Commission.

It is planned that the Clerk's Office will conduct seminars for Members on each of these new papers later in the year, as well as continuing to update the Procedural Notes document.

3. Ministerial Statement — Western Australia Innovation Strategy

The Minister for Innovation and the Digital Economy made a Ministerial Statement with respect to the finalisation of the Western Australian Innovation Strategy.

4. Paper

The following Paper was laid on the Table by —

President

Annual Reports —

Corruption and Crime Commission (2021-22) (Date received 14/02/2023).....2020

Documents —

Amended Annual Schedule of allocation of Motions on Notice (2023).....2021

Amended Non-Government Business and Private Members' Business Schedules
(2023)2022

Leader of the House

Plans —

Western Australian Planning Commission — Improvement Plan No. 45 (Redcliffe
Station Precinct) (October 2022)2023

Reports —

Report of the Salaries and Allowances Tribunal — Remuneration of Judges, District
Court Judges, Masters of the Supreme Court, Magistrates and the
Parliamentary Inspector of the Corruption and Crime Commission
(14 February 2023).....2024

Minister for Agriculture and Food

Proposals —

Land Administration Act 1997 — Submission No. 11/2022 — Amendment of Class
A Reserve 39821 Lane Poole Reservation Road Network rationalisation2025

5. Non-Government Business — Schedule

The Minister for Emergency Services moved, without notice —

That, pursuant to Standing Order 111(4), the revised schedule for Non-Government
Business tabled today by the President be adopted.

Question — put and passed.

6. Private Members Business — Schedule

The Minister for Emergency Services moved, without notice —

That, pursuant to Standing Order 112(4), the revised schedule for Private Members' Business
tabled today by the President be adopted.

Question — put and passed.

7. Iron Ore Royalties

Motion No. 11 having been called, Hon Dr Steve Thomas, pursuant to notice, moved —

That this House notes —

- (a) the correction of the iron ore price over the last year;
- (b) the impending correction of iron ore royalties to be received by the Government;
- (c) the failure of the Government to use the massive incomes they received in the 2019-22 boom to improve the services delivered to the Western Australian community, and
- (d) the widespread crises being experienced by people at the end of the biggest fiscal boom in this State's history.

Debate ensued.

Motion — put.

The Council divided.

Ayes (10)

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

Hon Tjorn Sibma
Hon Dr Steve Thomas
Hon Neil Thomson
Hon Wilson Tucker
Hon Colin de Grussa (*Teller*)

Noes (20)

Hon Klara Andric
Hon Dan Caddy
Hon Stephen Dawson
Hon Kate Doust
Hon Sue Ellery
Hon Lorna Harper
Hon Jackie Jarvis
Hon Ayor Makur Chuot
Hon Kyle McGinn
Hon Shelley Payne

Hon Stephen Pratt
Hon Martin Pritchard
Hon Samantha Rowe
Hon Rosie Sahanna
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Dr Brian Walker
Hon Darren West
Hon Pierre Yang
Hon Peter Foster (*Teller*)

Motion thus negatived.

8. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Dr Sally Talbot in the Chair)

Standing Committee on Estimates and Financial Operations — Report 87 — Consideration of the 2022-23 Budget Estimates

Hon Peter Collier moved, That the Report be noted.

Debate ensued.

Debate interrupted and postponed pursuant to SO 110(2A).

Interruption pursuant to order.

The Deputy President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the —

Standing Committee on Estimates and Financial Operations — Report 87 — *Consideration of the 2022-23 Budget Estimates*, made progress, and postponed further consideration until the next sitting.

Report adopted.

9. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Meekatharra Health Local Law 2021 — Disallowance*, and 2, *City of Bayswater Keeping and Control of Cats Local Law 2022 — Disallowance*, be taken after Order of the Day No. 5, *Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill 2022*. (Leader of the House).

10. Health Services 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 Acting President left the Chair.

In Committee

(Hon Dr Sally Talbot in the Chair)

Clause 35.

Debate resumed.

The Leader of the House representing the Minister for Health, tabled the Department of Health Authorisation and Delegations Schedule 2022 (No. 4). (Tabled Paper 2026).

11. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Health, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Donna Faragher.

The Minister for Emergency Services, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Martin Aldridge.

The Leader of the House representing the Minister for Health, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Steve Martin.

12. Health Services 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 Steve Martin in the Chair)

Clause 35.

Debate resumed.

Clause agreed to.

Clause 36 agreed to.

Clause 37.
Debate ensued.
Clause agreed to.
Clause 38 agreed to.
Clause 39.
Debate ensued.
Clause agreed to.
Clause 40 agreed to.
Clause 41.
Debate ensued.
Clause agreed to.
Clauses 42 to 44 agreed to.
Clause 45.
Debate ensued.
Clause agreed to.
Clauses 46 to 49 agreed to.
Clause 50.
Debate ensued.
Clause agreed to.
Clauses 51 to 53 agreed to.
Clause 54.
Debate ensued.
Clause agreed to.
Clauses 55 and 56 agreed to.
Clause 57.
Debate ensued.
Clause agreed to.
Clause 58 agreed to.
Clause 59.
Debate ensued.
Clause agreed to.
Clause 60 agreed to.
Clause 61.
Debate ensued.
Clause agreed to.
Clauses 62 to 67 agreed to.
Clause 68.
Debate ensued.
Clause agreed to.
Clause 69.
Debate ensued.
Clause agreed to.
Clauses 70 to 77 agreed to.

Clause 78.

Debate ensued.

Clause agreed to.

Clauses 79 to 82 agreed to.

Clause 83.

Debate ensued.

Clause agreed to.

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.

13. Members' Statements

Statements were taken.

14. Adjournment

The Council adjourned at 6.57pm until Thursday, 16 February 2023 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Sophia Moermond.

PAUL GRANT

Acting Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council