

**LEGISLATIVE COUNCIL****WEDNESDAY, 16 JUNE 2021****1.00pm**

ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, Notices of Questions, Notices of Motions for Disallowance, Notices of Motions to Introduce Bills, Notices of Motions, Questions without Notice, Motions Without Notice, Motions and Orders of the Day.

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MOTIONS

1. Joint Standing Committee on the Corruption and Crime Commission in this 41st Parliament *(Notice given 27 May 2021)*

Hon Nick Goiran: To move —

That this House —

- (1) Acknowledges the ongoing important role undertaken by the Joint Standing Committee on the Corruption and Crime Commission in this 41st Parliament.
- (2) Notes that the Standing Orders of the Legislative Assembly apply, as far as they are able, to the work of the Committee and that —
 - (a) pursuant to Standing Order 270 committee deliberations will be conducted in closed session; and
 - (b) pursuant to Standing Order 271(2) no member of the Committee nor any other person may publish or disclose evidence not taken in public including documentary evidence received by the Committee unless that evidence has been reported to the Assembly or that disclosure has been authorised, on motion, by the Committee.
- (3) Notes the comments of Mr Matthew Hughes MLA on 13 May 2020.
- (4) Notes the content of Legislative Assembly Message No. 9 received on 26 May 2021.
- (5) Emphasises its expectation that all members serving on any parliamentary committee in this 41st Parliament will respect and adhere to the Standing Orders under which their committee is operating under; and acquaints the Legislative Assembly accordingly.

2. Contribution of Agricultural Industries and their Workers *(Notice given 1 June 2021)*

Hon Shelley Payne: To move —

That this House acknowledges the contribution to the State of Western Australia by our agricultural industries and their workers, acknowledges the contributions of those who have built these industries and commends the McGowan Government for its investment in their future.

3. Reform of Western Australia's Fines Enforcement Regime *(Notice given 1 June 2021)*

Hon Pierre Yang: To move —

That this House notes the historic reform of Western Australia's fines enforcement regime during the last term of Government and commends the McGowan Government on the meaningful difference this reform has provided to those in our community who experience genuine hardship as a result of their inability to pay a fine. In particular this House notes in relation to the reform —

- (a) the impact of the commencement of the Work and Development Permit Scheme;
- (b) the reduction of individuals imprisoned as a result of fine default;
- (c) the introduction of garnishee orders and their impact in recovering payment for outstanding fines; and
- (d) the prohibition of issuing licence suspension orders for individuals whose last known address is in a remote area, addressing the disproportionate impact of suspended licences on individuals living in remote areas without public transport infrastructure.

4. Quarterly Financial Results Report *(Notice given 1 June 2021)*

Hon Dr Steve Thomas: To move —

That this House notes the latest Quarterly Financial Results report shows the Government is on track to receive a record \$10.7 billion in royalty income this financial year, and asks the State Government how this windfall is being used to address —

- (a) the housing crisis in this State;
- (b) the homelessness crisis in this State;
- (c) the health crisis in this state, and
- (d) the mental health crisis in this State.

5. Western Australia's Public Health System *(Notice given 2 June 2021)*

Hon Tjorn Sibma: To move —

That this House —

- (a) expresses concern at the measurable decline in the capacity and performance of Western Australia's public health system;
- (b) registers its respect for the performance of the State's frontline clinical staff despite the McGowan Government's continued mismanagement of the health portfolio;
- (c) notes the lack of confidence in the Minister for Health, the Hon Roger Cook, expressed by medical professionals and the broader community; and
- (d) acquaints the Legislative Assembly accordingly.

6. Sustainable Management of Western Australia's Fisheries *(Notice given 2 June 2021)*

Hon Dr Sally Talbot: To move —

That the Legislative Council commends the McGowan Labor Government's ongoing commitment to sustainable management of Western Australia's fisheries.

7. Innovation Voucher Program *(Notice given 2 June 2021)*

Hon Dan Caddy: To move —

That this House notes the McGowan Government's commitment to foster innovation and grow entrepreneurship in Western Australia through the successful Innovation Voucher Program and by providing initial funding for start-ups and small businesses to commercialise their ideas and create jobs.

8. McGowan Labor Government — Machinery of Government Changes *(Notice given 3 June 2021)*

Hon Peter Collier: To move —

That this House expresses its concern with the McGowan Labor Government's machinery of government changes, in particular the establishment of the Department of Communities, in relation to, amongst other things —

- (a) the impact of the amalgamation of five departments into one with the Department of Communities upon some of Western Australia's most vulnerable people;
- (b) the issues surrounding a lack of leadership and direction within departments; and
- (c) the issues surrounding the duplication of Ministerial responsibility within amalgamated departments.

9. Housing Concerns *(Notice given 3 June 2021)*

Hon Steve Martin: To move —

That this House expresses its concern with issues within the Housing portfolio, in particular —

- (a) the unacceptable and rising level of homelessness throughout Western Australia;
- (b) the impact of COVID-19 on affordable housing, and
- (c) the shortage of rental housing throughout Western Australia and the shortfall in government provided housing.

10. World Elder Abuse Awareness *(Notice given 3 June 2021)*

Hon Rosetta Sahanna: To move —

That the Legislative Council notes the McGowan Government's ongoing efforts to combat elder abuse in Western Australia and recognise the importance of World Elder Abuse Awareness Day.

11. State Disability Strategy *(Notice given 3 June 2021)*

Hon Lorna Harper: To move —

That the Legislative Council commends the McGowan Labor Government's ongoing commitment to building inclusive communities which support and empower people with disability, through the State Disability Strategy.

12. Ambulance Ramping Crisis *(Notice given 15 June 2021)*

Hon Dr Steve Thomas: To move —

That the Legislative Council calls on the Government to acknowledge and fix the ambulance ramping crisis afflicting our health system.

13. Machinery of Government — Outcomes *(Notice given 15 June 2021)*

Hon Dr Steve Thomas: To move —

That the Legislative Council calls on the Government to identify the costs, savings and outcomes of its Machinery of Government changes implemented on 1 July 2017.

14. Contribution of WA Police *(Notice given 15 June 2021)*

Hon Peter Collier: To move —

That this House —

- (1) Recognises the valuable contribution of WA Police to the State.
- (2) Encourages the Labor Government to recognise the significant pressures on all areas of the police force due to factors including –
 - (a) COVID-19;
 - (b) substance abuse throughout the community;
 - (c) cost of living pressures for officers, particularly those serving in remote and regional areas of the State; and
 - (d) increased domestic violence cases,
 and calls upon the Government to provide the appropriate salary and conditions accordingly.

15. Family and Domestic Violence *(Notice given 15 June 2021)*

Hon Sandra Carr: To move —

That this House notes —

- (a) the public interest that has been generated from the recently aired 'See What You Made Me Do' television series aired on SBS about peoples' experiences of family and domestic violence; and
- (b) the efforts of the McGowan Government to address this issue in the community through a significant increase in funding, awareness, and legislative reform.

ORDERS OF THE DAY

1. **City of Bunbury Public Places and Local Government Property Local Law 2020 — Disallowance**

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 10 after today (Indicative date — 12 August 2021))

That the *City of Bunbury Public Places and Local Government Property Local Law 2020* published in the *Gazette* on 20 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 4517).

2. **Boxing Contest Rules 2020 — Disallowance**

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 10 after today (Indicative date — 12 August 2021))

That the *Boxing Contest Rules 2020* published in the *Gazette* on 21 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Combat Sports Act 1987*, be and is hereby disallowed. (Tabled Paper 4521).

3. **Kickboxing Contest Rules 2020 — Disallowance**

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 10 after today (Indicative date — 12 August 2021))

That the *Kickboxing Contest Rules 2020* published in the *Gazette* on 21 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Combat Sports Act 1987*, be and is hereby disallowed. (Tabled paper 4521).

4. **MMA Contest Rules 2019 — Disallowance**

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 10 after today (Indicative date — 12 August 2021))

That the *MMA Contest Rules 2019* published in the *Gazette* on 21 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Combat Sports Act 1987*, be and is hereby disallowed. (Tabled paper 4521).

5. **Muay Thai Contest Rules 2020 — Disallowance**

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 10 after today (Indicative date — 12 August 2021))

That the *Muay Thai Contest Rules 2020* published in the *Gazette* on 21 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Combat Sports Act 1987*, be and is hereby disallowed. (Tabled paper No. 4521).

6. **Building and Construction Industry (Security of Payment) Bill 2021 [LA 12–1] Minister for Regional Development representing the Minister for Commerce**

Committee progress clause 74 (Tuesday, 15 June 2021).

7. **Agricultural Produce Commission Amendment Bill 2021 [LC 18–1] Minister for Agriculture and Food**

Second reading adjourned (Thursday, 27 May 2021).

8. Supply Bill 2021 [LA 5–1] Minister for Mental Health representing the Treasurer

Second reading adjourned (Thursday, 27 May 2021).

9. *Legislation Bill 2021 [LA 1–1] Parliamentary Secretary to the Attorney General

Second reading adjourned (Wednesday, 2 June 2021).

cf SNP 1 Issue 1 — 15 June 2021.

10. Sunday Entertainments Repeal Bill 2021 [LA 9–1] Minister for Regional Development representing the Minister for Commerce

Second reading adjourned (Thursday, 3 June 2021).

11. Protection of Information (Entry Registration Information Relating to COVID-19 and Other Infectious Diseases) Bill 2021 [LA 29–1] Parliamentary Secretary to the Attorney General

Second reading adjourned (Tuesday, 15 June 2021).

12. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament (Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 1 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament*, be adopted and agreed to.

See Tabled Paper 191 (Tabled 13 May 2021).

Recommendation 1 states —

A standing memorandum of understanding relating to the compulsory production of evidence and determinations as to material that is subject to parliamentary privilege be advanced between the Legislative Council and relevant investigative agencies, in accordance with the resolution of the Legislative Council of 5 September 2019.

13. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament (Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 2 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament*, be adopted and agreed to.

See Tabled Paper 191 (Tabled 13 May 2021).

Recommendation 2 states —

The Committee recommends that the following matters be re-referred to the Procedure and Privileges Committee for inquiry and report:

In relation to the refusal by Ms Emily Roper, the Acting Director General of the Department of the Premier and Cabinet, to comply with a summons to attend and produce documents at 9.00am on Friday, 9 August 2019, issued by the Legislative Council Standing Committee on Procedure and Privileges, and the events leading up to that non-compliance:

- (1) Did Ms Emily Roper, or any other person or body, commit a contempt of the Legislative Council or any breach of its privileges?
- (2) If the Committee so finds that any contempt of the Legislative Council has been committed, or that any of the privileges of the Legislative Council have been breached, then what penalty, if any, should the Legislative Council impose for each contempt or breach?

14. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament
(Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 3 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament*, be adopted and agreed to.

See Tabled Paper 191 (Tabled 13 May 2021).

Recommendation 3 states —

The Committee recommends that the following matters be re-referred to the Procedure and Privileges Committee for inquiry and report:

In relation to the actions of Mr Darren Foster, the Director General of the Department of the Premier and Cabinet, in producing documents to the Corruption and Crime Commission relating to former Members of the Legislative Council without following a procedure that the Legislative Council or the Legislative Council Standing Committee on Procedure and Privileges had authorised for determining issues of parliamentary privilege:

- (1) Did Mr Darren Foster, or any other person or body, commit a contempt of the Legislative Council or any breach of its privileges?
- (2) If the Committee so finds that any contempt of the Legislative Council has been committed, or that any of the privileges of the Legislative Council have been breached, then what penalty, if any, should the Legislative Council impose for each contempt or breach?

15. Misuse of Drugs Amendment Bill 2021 [LC 23–1] Hon Dr Brian Walker

Second reading adjourned (Thursday, 3 June 2021).

BILLS REFERRED TO COMMITTEES

1. Statutes (Repeals and Minor Amendments) Bill 2021 [LC 2–1] Parliamentary Secretary to the Attorney General

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review.

Second reading adjourned (Thursday, 6 May 2021).

2. Veterinary Practice Bill 2021 [LC 11–1] Minister for Agriculture and Food

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review. (SO 126 applies until 25 June 2021).

Second reading adjourned (Wednesday, 12 May 2021).

MATTERS REFERRED TO COMMITTEES

1. Standing Committee on Procedure and Privileges — Review of Standing Orders
(Referred 3 June 2021)

On the motion of the Leader of the House as follows —

- (1) That the Standing Committee on Procedure and Privileges be required to undertake a review of the Standing Orders with a view to —
 - (a) modernising the procedures of the House; and
 - (b) reviewing and adopting best practice from other Upper House Chambers in Australian Parliaments, including the Australian Senate.
- (2) The Committee make recommendations for new and amended Standing Orders.
- (3) The Committee is to report to the House no later than 10 August 2021.
- (4) The Committee is to provide an Interim Report on recommendations in respect to speaking time limits by 22 June 2021.

Now stands referred to the Standing Committee on Procedure and Privileges.

CONSIDERATION OF COMMITTEE REPORTS

1. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament
(Tabled 13 May 2021)

Continuation of introductory remarks Leader of the House — 9 mins (Wednesday, 2 June 2021) on the motion that the report be noted. *See Tabled paper 191.*

Total time remaining on motion – 59mins.

* For amendments see Supplementary Notice Paper and/or Committee Report

Ω Note: Legislative Assembly Standing Orders apply.

For a list of all Petitions tabled see cumulative Tabled Paper list.

NIGEL PRATT

Clerk of the Legislative Council