

WESTERN AUSTRALIA

**LEGISLATIVE COUNCIL**

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**MINUTES OF PROCEEDINGS**

**No. 111**

**WEDNESDAY, 13 MARCH 2019**

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**1. Meeting of Council**

The Council assembled at 1.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

**2. Petition**

Hon Alison Xamon presented a petition from 50 petitioners requesting the Legislative Council to oppose the City of Nedlands Draft Local Planning Scheme No. 3. (Tabled Paper 2458).

**3. Ministerial Statement — Carnarvon Declared Pest Rate**

The Minister for Agriculture and Food made a Ministerial Statement with respect to the Carnarvon declared pest rate.

**4. Ministerial Statement — Mental Health Governance Review**

The Parliamentary Secretary to the Minister for Health made a Ministerial Statement with respect to the review of the clinical governance of public mental health services.

**5. Bullying in Schools**

Motion No. 1 having been called, Hon Samantha Rowe, pursuant to notice, moved —

That this House notes the importance of developing strategies to prevent and manage bullying in schools.

Debate ensued.

Question — put and passed.

**6. Consideration of Committee Reports**

Pursuant to order for the consideration of Committee Reports.

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**In Committee**

(Hon Simon O'Brien in the Chair)

**Joint Standing Committee on the Corruption and Crime Commission — Report 7 — Unfinished Business — The Corruption and Crime Commission's response to the Committee's report on Dr Cunningham and Ms Atoms**

Hon Alison Xamon moved, That consideration be postponed until the next sitting.

Question — put and passed.

**Standing Committee on Procedure and Privileges — Report 54 — Standing Order 6(3): Recalling the Council**

Debate resumed on the motion of Hon Martin Aldridge, That the Report be noted.

Question — put and passed.

**Joint Standing Committee on the Corruption and Crime Commission — Report 8 — The More Things Change...Matters arising from the Corruption and Crime Commission's Report on Operation Aviemore: Major Crime Squad Investigation into the Unlawful Killing of Mr Joshua Warneke**

Debate resumed on the motion of Hon Jim Chown, That the Report be noted.

*Interruption pursuant to order.*

The Acting President resumed the Chair.

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

- (1) Joint Standing Committee on the Corruption and Crime Commission — Report 7 — *Unfinished Business — The Corruption and Crime Commission's response to the Committee's report on Dr Cunningham and Ms Atoms* and postponed consideration to the next sitting.
- (2) Standing Committee on Procedure and Privileges — Report 54 — *Standing Order 6(3): Recalling the Council* and had noted same.
- (3) Joint Standing Committee on the Corruption and Crime Commission — Report 8 — *The More Things Change...Matters arising from the Corruption and Crime Commission's Report on Operation Aviemore: Major Crime Squad Investigation into the Unlawful Killing of Mr Joshua Warneke*, made progress and seeks to sit again.

Report adopted.

**7. Order of Business**

Ordered — That Order of the Day No. 1, *Rights in Water and Irrigation Regulations (No. 2) 2018 — Disallowance*, 2, *Health Practitioner Regulation National Law Regulation 2018 — Disallowance*, and 3, *Prohibition on Fishing (Greens Pool) Order 2018 — Disallowance* be taken after Order of the Day No. 14, *Legislation Bill 2018*. (Minister for Environment).

**8. Questions Without Notice**

Questions without notice were taken.

The Leader of the House representing the Premier tabled documents in relation to trips taken by the Premier (15 September 2017 to 11 July 2018), in response to a question without notice asked by Hon Michael Mischin. (Tabled Paper 2459).

The Minister for Education and Training tabled documents in relation to recorded suspensions for physical aggression in non-metropolitan education region public schools as at 12 March 2019, in response to a question without notice asked by Hon Jacqui Boydell. (Tabled Paper 2460).

The Minister for Agriculture and Food, by leave, incorporated into *Hansard* information in relation to money collected and allocated in 2017-18 through the Declared Pest Rate under the *Biosecurity and Agriculture Management Act 2007*, in response to a question without notice asked by Hon Rick Mazza.

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to the number of call outs by St Johns Ambulance during the past two years in Bremer Bay and Jerramungup, in response to a question without notice asked by Hon Diane Evers.

The Minister for Regional Development representing the Minister for Fisheries tabled minutes of the Smart Drumline Trial Ministerial Reference Group meeting, in response to a question without notice asked by Hon Jim Chown. (Tabled Paper 2461).

The Minister for Environment representing the Minister for Transport tabled a letter from the Peel Development Commission to the Minister for Transport regarding the Forrestfield Tunnel Spoil Disposal, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 2462).

## 9. Statement by President — Questions Without Notice

The President made the following Statement —

Members, before we return to Orders of the Day, I am going to make a comment. There has been a trend during question time for Members to make preambles, be they already on the question or not. They can be quite longwinded on some occasions. There has been a tendency towards very lengthy questions with multi-parts. These can elicit very long responses in some circumstances. This means that on some occasions we may very well run out of time for everyone to have an opportunity to have their question put on the record. Members, please remind yourselves of Standing Order 105 that calls for questions to be concise and not seek an opinion. I also remind Members of Standing Order 105(2), which states that any question that infringes upon the Standing Orders may be amended, disallowed or withdrawn as ordered by the President. We might start having a look at that in due course if I think the questions are too long or seeking an opinion.

## 10. Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill 2018 and Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill (No. 2) 2018

The Orders of the Day for the further consideration of these Bills, in Committee of the Whole House, having been read.

The President left the Chair.

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(Hon Martin Aldridge in the Chair)

### *Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill 2018*

Clause 1.

Debate resumed.

Clause agreed to.

Clauses 2 to 5 agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clause 7 agreed to.

Clause 8 agreed to.

Title agreed to.

### *Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill (No. 2) 2018*

Clause 1 agreed to.

Clauses 2 to 4 agreed to.

Title agreed to.

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The Acting President resumed the Chair.

Bills reported without amendment.

Report adopted.

The Minister for Environment moved, That the *Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill 2018* 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.

Bill read a third time and passed.

The Minister for Environment moved, That the *Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill (No. 2) 2018* 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.

Bill read a third time and passed.

**11. Bail Amendment (Persons Linked to Terrorism) Bill 2018**

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

Debate resumed.

*Interruption pursuant to order.*

**12. Members' Statements**

Statements were taken.

**13. Adjournment**

The Council adjourned at 6.54pm until Thursday, 14 March 2019 at 10.00am.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Matthew Swinbourn.

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON KATE DOUST MLC**  
President of the Legislative Council