

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 185

WEDNESDAY, 18 MARCH 2020

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. Papers

The following Papers were laid on the Table by —

Leader of the House

Annual Reports —

Western Australian Institute of Sport (WAIS) (2019) (Date received 17/03/2020)..... 3690

Documents —

Victorian Legal Profession Uniform Law Application Amendment Act 2019..... 3691

Explanatory Memorandums —

Legal Profession Uniform Law Application Bill 2013 3692

Reports —

Intergovernmental Agreement on the Legal Profession Uniform Framework..... 3693

Minister for Environment

Reports —

Government of Western Australia — Quarterly Financial Results (December 2019)..... 3694

3. Government Election Commitments

Motion No. 1 having been called, Hon Michael Mischin, pursuant to notice, moved —

That this House express its concerns at the McGowan Government's failure to fulfil its election commitments.

Debate ensued.

Motion — put and passed.

4. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Simon O'Brien in the Chair)

Standing Committee on Estimates and Financial Operations — Report No. 78 — 2019–20 Budget Cycle – Part 1: Estimates hearings and related matters

Debate resumed on the motion of the Minister for Environment, That the Report be noted.

Point of Order

The Minister for Environment raised the following Point of Order —

When Hon Simon O'Brien, the Chair of Committees, was in the chair, he indicated that the convention is that the person on their feet shall remain on their feet. That advice has been given over the previous sittings.

Deputy Chair's Ruling

The Deputy Chair ruled as follows —

I will not take any more points of order on this issue. I will check at some point with the Chair of Committees, and, if necessary, the President, on the procedures here. At this point, I intend to maintain my initial call. My apologies to anyone who thinks it should be done differently, but this is how we will proceed.

Debate resumed.

Pursuant to Temporary Order 4, consideration of the report was postponed.

Joint Standing Committee on the Corruption and Crime Commission — Report 12 — An unreasonable suspicion — Parliamentary Inspector's report

Debate resumed on the motion of the Minister for Environment, That the Report be noted.

Debate ensued.

Chair's Ruling

The Chair ruled as follows —

A matter was raised by the Deputy Chair that relates to the giving of the call to Members in committee. This applies whether we are in committee in the present circumstances considering committee reports, whether we are in a Committee of the Whole House dealing with a Bill, or in a Committee of the Whole House dealing with whatever other matter might have been referred. The rules for speaking times for all Members are unlimited periods of 10 minutes.

This matter came to notice just now in a situation in which several Members were seeking the call at one point. The general rule—the convention in our House—since time immemorial has been that the presiding Member, whether it is Madam President or a Chair of Committees, will give the call to the Member who in their opinion was the first to rise in their place. These days, the current convention is that when a number of Members all indicate that they wish to speak on a matter—this applies to Bills and second reading debates and everything—the presiding Member will note those several Members at the first time and allocate an alternation of Members so that everyone can have their turn. I think that has generally proved to be satisfactory for all Members most of the time.

The question that immediately arose today, though, was a case in which one of the Members seeking the call was the Member whose 10-minute time allocation had just exhausted and they wanted to speak on. The question then was: do they automatically get another 10 minutes and just continue or should the call go to another Member? The rule has been over a very long period, a convention of the Chamber, that another Member seeking the call will receive the call. However, noting that the Member whose time has just expired may wish to continue, if there are no other Members seeking the call, then the first Member gets an extra 10 minutes and so on.

Debate resumed.

On the motion of Hon Nick Goiran, debate was postponed to the next sitting.

Standing Committee on Uniform Legislation and Statutes Review — Report No. 124 — Inquiry into the Form and Content of the Statute Book

Debate resumed on the motion of the Parliamentary Secretary to the Minister for Health, That the Report be noted.

On the motion of Hon Pierre Yang, debate was postponed to the next sitting.

Select Committee into Alternate Approaches to Reducing Illicit Drug Use and its Effects on the Community — Final Report — Help, Not Handcuffs: Evidence-Based Approaches to Reducing Harm from Illicit Drug Use

Debate resumed on the motion of Hon Alison Xamon, 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) Standing Committee on Estimates and Financial Operations — Report 78 — 2019–20 Budget Cycle – Part 1: Estimates hearings and related matters, made progress, and seeks to sit again.
- (2) Joint Standing Committee on the Corruption and Crime Commission — Report 12 — *An unreasonable suspicion — Parliamentary Inspector's report*, made progress, and seeks to sit again.
- (3) Standing Committee on Uniform Legislation and Statutes Review — Report 124 — *Inquiry into the Form and Content of the Statute Book* and postponed consideration to the next sitting.
- (4) Select Committee into Alternate Approaches to Reducing Illicit Drug Use and its Effects on the Community — Final Report — *Help, Not Handcuffs: Evidence-Based Approaches to Reducing Harm from Illicit Drug Use*, made progress, and seeks to sit again.

Report adopted.

5. Supply Bill 2020

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

Debate ensued.

6. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training, by leave, incorporated into *Hansard* a list of schools that have opted into the Direct to Market scheme for minor works and maintenance projects since it commenced, in response to a question without notice asked by Hon Donna Faragher.

The Parliamentary Secretary to the Minister for Regional Development representing the Minister for Forestry tabled a report entitled *Forest Products Commission Western Australia, Report on Nannup Timber Processing, Investigation of On-sell of Jarrah (January 2020)*, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 3695).

The Minister for Education and Training, in accordance with Standing Order 108(2), advised that an answer to question on notice 2770 asked by Hon Alison Xamon will be provided on 31 March 2020.

The Minister for Environment representing the Minister for Planning tabled minutes of meetings for the Subiaco East Precinct Liaison Committee, in response to question on notice 2772 asked by Hon Alison Xamon. (Tabled Paper 3696).

The Minister for Environment representing the Minister for Police tabled documents in relation to Western Australian police officers eligibility for the Medical Retirement Scheme, in response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 3697).

The Minister for Environment representing the Minister for Youth, in accordance with Standing Order 108(2), advised that an answer to question on notice 2764 asked by Hon Martin Aldridge will be provided on 31 March 2020.

The Parliamentary Secretary to the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 2762 asked by Hon Martin Aldridge will be provided on 19 March 2020.

The Parliamentary Secretary to the Minister for Regional Development representing the Minister for Water, Forestry, Innovation and ICT, Science and Youth, in accordance with Standing Order 108(2), advised that an answer to question on notice 2793 asked by Hon Martin Aldridge will be provided on 31 March 2020.

7. Supply Bill 2020

Debate resumed on the second reading of this Bill (*see item 5 above*).

Question — put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading.

The Minister for Environment representing the Treasurer moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

8. Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill 2019

The Order of the Day for the further consideration of this Bill, in Committee of the Whole House, having been read.

The Deputy President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate resumed.

The Parliamentary Secretary to the Minister for Health tabled a document in relation to a 2019-20 funding provision clarification provided by the Department of Health. (Tabled Paper 3698).

The Parliamentary Secretary to the Minister for Health tabled a document in relation to the Deloitte Australia's health and medical research workforce, the Australian Society of Medical Research (October 2016). (Tabled Paper 3699).

Debate resumed.

Interruption pursuant to order.

The President resumed the Chair.

The 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.

9. Members' Statements

Statements were taken.

10. Electricity Industry Amendment Bill 2019

The President reported the receipt of Message No. 161 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Environment representing the Minister for Energy moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Environment representing the Minister for Energy moved, That the Bill be read a second time.

The Minister for Environment representing the Minister for Energy tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3700).

Debate stands adjourned.

11. Prisons Amendment Bill 2020

The President reported the receipt of Message No. 164 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Environment representing the Minister for Corrective Services moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Environment representing the Minister for Corrective Services moved, That the Bill be read a second time.

The Minister for Environment representing the Minister for Corrective Services tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3701).

Debate stands adjourned.

12. Adjournment

The Council adjourned at 6.55pm until Thursday, 19 March 2020 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Alannah MacTiernan and Hon Aaron Stonehouse.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council