

**LEGISLATIVE COUNCIL****TUESDAY, 21 FEBRUARY 2023****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. Statement by President — Parliamentary Research Program

The President made the following Statement —

The Parliamentary Education Office is running the very successful Parliamentary Research Program again this year. The program produces consistently high results, with university interest increasing each year.

Members have the opportunity to submit a topic for research, or select a topic submitted by universities. Students are third year or above and drawn from all disciplines.

The research project runs during the second university semester, however, Members need to register their interest to the Parliamentary Education Office by the end of March.

An email will be sent tomorrow with guidelines and further information on the benefits of the program.

Please consider supporting this worthwhile project.

3. Joint Standing Committees — Appointment of Members

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 95

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolutions —

(1) That:

(a) the Member for Mirrabooka, the Member for Victoria Park and the Member for Cottesloe be discharged from the Public Accounts Committee and the Member for Geraldton, the Member for Bateman and the Member for Vasse be appointed in their places; and

(b) as the membership of the Joint Standing Committee on Audit consists in part of the members of the Legislative Assembly Public Accounts Committee, the Legislative Council be acquainted accordingly.

(2) That the Member for Moore be discharged from the Joint Standing Committee on the Corruption and Crime Commission and the Member for Central Wheatbelt be appointed in his place, and that the Legislative Council be acquainted accordingly.

- (3) That the Member for Nedlands be discharged from the Joint Standing Committee on Delegated Legislation and the Member for Carine be appointed in her place, and that the Legislative Council be acquainted accordingly.

Lisa L.A. Munday
Acting Speaker
Legislative Assembly Chamber
Perth, 21 February 2023

4. Ministerial Statement — Retirees WA

The Minister for Commerce made a Ministerial Statement with respect to the Department of Mines, Industry Regulation and Safety Consumer Protection Division's investigation into the financial governance and management of Retirees WA.

5. Ministerial Statement — National Volunteer Week Grants

The Minister for Volunteering made a Ministerial Statement with respect to National Volunteer Week grants available to all volunteer organisations.

6. Papers

The following Papers were laid on the Table by —

President

Addendums —

Governor's Establishment — Annual Report (2021-22) — Erratum.....2030

Auditor General's Papers —

Independent Auditor's Opinion — Report on the audit of the financial statements of the Department of the Legislative Assembly for the financial years 2020-2021 and 2021-20222031

Minister for Agriculture and Food

Local Laws —

Local Government Act 1995 (Shire of Derby-West Kimberley Parking Local Law 2022 G.G. 15/02/2023).....2032

Parliamentary Secretary to the Attorney General

Notices —

Public Trustee Act 1941 (Public Trustee Amended Scale of Fees (2023) G.G. 13/02/20232033

7. Nickel (Agnew) Agreement Amendment Bill 2023

The Minister for Emergency Services representing the Minister for State Development, Jobs and Trade: To move on the next day of sitting —

That a Bill for "An Act to amend the *Nickel (Agnew) Agreement Act 1974*." be introduced and read a first time.

8. Guardianship and Administration Amendment (Medical Research) Bill 2023

The Parliamentary Secretary to the Attorney General: To move on the next day of sitting —

That a Bill for "An Act to amend the *Guardianship and Administration (Medical Research) Act 2020*." be introduced and read a first time.

9. METRONET

Hon Tjorn Sibma: To move on the next day of sitting —

That this House —

- (a) note the extraordinary 300 per cent growth in capital expenditure allocated to the now \$10 billion METRONET program in a heated construction market;
- (b) calls upon the McGowan Government to accept responsibility for METRONET's litany of project delays and missed timelines;
- (c) criticise the McGowan Government's determination to prioritise expenditure on METRONET above other key community metropolitan and regional infrastructure needs; and
- (d) admonish the McGowan Government for its reluctance to openly admit the budgetary pressure METRONET's operating costs will place on future governments and their capacity to meet the needs of the Western Australian community.

10. Swan and Canning Rivers Management 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 Sandra Carr in the Chair)

Clause 1.

Debate ensued.

11. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Transport tabled a response to a question without notice asked by Hon Tjorn Sibma. (Tabled Paper 2034).

The Minister for Emergency Services tabled a response to a question without notice asked by Hon Martin Aldridge. (Tabled Paper 2035).

The Minister for Emergency Services representing the Minister for Police, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Neil Thomson.

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 Dr Brian Walker.

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 Sophia Moermond.

The Leader of the House representing the Premier, by leave, incorporated into *Hansard* a response to asked by Hon Neil Thomson.

12. Swan and Canning Rivers Management Amendment Bill 2022

Resumption of consideration of this Bill in Committee of the Whole House (*see item 10 above*).

The President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clauses 2 to 4 agreed to.

Clause 5.

Debate ensued.

Clause agreed to.

Clause 6 agreed to.

Clause 7.

Debate ensued.

Clause agreed to.

Clauses 8 to 15 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Parliamentary Secretary representing the Minister for Environment 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.

Debate ensued.

Question — put and passed.

Bill read a third time and passed.

13. Directors' Liability Reform 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 Deputy President left the Chair.

In Committee

(Hon Steve Martin in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 to 142 agreed to.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Parliamentary Secretary to the Attorney General moved, That consideration of Clauses 143 to 145 be postponed until after Clause 169.

Question — put and passed.

Clauses 146 to 169 agreed to.

The Parliamentary Secretary to the Minister for Culture and the Arts on behalf of the Parliamentary Secretary to the Attorney General moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

The Acting 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.

14. Teacher Registration 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 Stephen Pratt in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5 agreed to.

Clauses 6 to 15 agreed to.

Clause 16.

Debate ensued.

Clause agreed to.

Clause 17 agreed to.

Clauses 18 to 24 agreed to.

Clause 25.

Debate ensued.

Clause agreed to.

Clause 26.

Debate ensued.
 Clause agreed to.
 Clause 27 agreed to.
 Clauses 28 to 34 agreed to.
 Clause 35.
 Debate ensued.
 Clause agreed to.
 Clauses 36 to 44 agreed to.
 Clause 45.
 Debate ensued.
 Clause agreed to.
 Clauses 46 to 58 agreed to.
 Clause 59.
 Debate ensued.
 Clause agreed to.
 Clauses 60 to 73 agreed to.
 Clause 74.
 Debate ensued.
 Clause agreed to.
 Clauses 75 to 89 agreed to.
 Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Leader of the House representing the Minister for Education 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.

15. Criminal Law (Mental Impairment) Bill 2022

The Acting President reported the receipt of Message No. 96 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House on behalf of the Parliamentary Secretary to the Attorney General moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House on behalf of the Parliamentary Secretary to the Attorney General moved, That the Bill be read a second time.

The Leader of the House on behalf of the Parliamentary Secretary to the Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2036).

Debate stands adjourned.

16. Order of Business

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

17. Members' Statements

Statements were taken.

The Hon Dr Brian Walker, by leave, tabled documents in relation to cannabis research in 2022. (Tabled Paper 2037).

18. Adjournment

The Council adjourned at 9.22pm until Wednesday, 22 February 2023 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Colin de Grussa, Hon Ayor Makur Chuot, Hon Kyle McGinn and Hon Rosetta Sahanna.

PAUL GRANT

Acting Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council