

Minutes of Proceedings



LEGISLATIVE COUNCIL

TUESDAY, 16 NOVEMBER 2021

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. Petition

Hon Steve Martin presented a petition from 387 petitioners requesting the Legislative Council to oppose any Bill to reduce the number of regional representatives in the Legislative Council. (Tabled Paper 882).

3. Papers

The following Papers were laid on the Table by —

President

Reports —

Corruption and Crime Commission — Exposing corruption in Department of Communities (16 November 2021)..... 872

Leader of the House

Local Laws —

Cemeteries Act 1986 (Shire of Carnarvon Cemeteries Amendment Local Law 2021 G.G. 10/11/2021)..... 873

Local Government Act 1995 (Shire of Carnarvon Bush Fire Brigades Local Law 2021 G.G. 10/11/2021 and Shire of Carnarvon Meeting Procedures Local Law 2021 G.G. 10/11/2021)..... 874

Minister for Mental Health

Annual Reports —

Administrator National Health Funding Pool (2020-21) (Date received 15/11/2021)..... 875

National Health Funding Body (2020-21) (Date received 15/11/2021)..... 876

Local Laws —

Waste Avoidance and Resource Recovery Act 2007 (Shire of Carnarvon Waste Local Law 2021 G.G. 10/11/2021)..... 877

Reports —

Road Safety Council — Report of Activities (2020-21)..... 878

Minister for Regional Development*Rules —*

Electricity Industry (Wholesale Electricity Market) Regulations 2004 — Wholesale Electricity Market Amendment (Transitional Provisions) Rules 2021	879
Gas Services Information Act 2021 — Gas Services Information Regulations 2021 — Gas Services Information Rules.....	880

Parliamentary Secretary to the Attorney General*Rules —*

Racing and Wagering Western Australia Act 2003 (Rules of Wagering Amendment Rules 2021 G.G. 08/11/2021)	881
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4. Mutual Recognition (Western Australia) Amendment Bill 2021

The Minister for Education and Training: To move on the next day of sitting —

That a Bill for “An Act to amend the *Mutual Recognition (Western Australia) Act 2020* and to make consequential amendments to other Acts.” be introduced and read a first time.

5. Suspension of Standing Orders

The Leader of the House moved, without notice —

That so much of Standing Orders be suspended so as to enable the Council to sit beyond 9.45pm on this day’s sitting and take Members’ Statements at a time ordered by the House.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question — put.

The President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

6. Order of Business

Ordered — That Order of the Day No. 1, *Biodiversity Conservation (Exemptions) Amendment Order 2021 — Disallowance*, be taken after Order of the Day No. 9, *Administration Amendment Bill 2021*. (Leader of the House).

7. Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021

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

The President left the Chair.

In Committee

(Hon Dr Sally Talbot in the Chair)

Clause 24.

Debate resumed.

Clause agreed to.

Clauses 25 to 32 agreed to.

Clause 33.

Debate ensued.

Clause agreed to.

Clause 34.

Debate ensued.

Clause agreed to.

Clause 35.

Debate ensued.

8. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Fisheries, by leave, incorporated into *Hansard* a list of dates and locations of shark tagging operations conducted in 2021 to date, in response to a question without notice asked by Hon Tjorn Sibma.

The Minister for Education and Training tabled the Department of Education's school response and planning guidelines for students with suicidal behaviour and non-suicidal self-injury, in response to question on notice 329 asked by Hon Donna Faragher. (Tabled Paper 883).

The Minister for Education and Training tabled documents in relation to the Department of Education's voluntary direct to market scheme for Western Australian schools, in response to question on notice 330 asked by Hon Donna Faragher. (Tabled Paper 884).

The Minister for Mental Health representing the Minister for Health, by leave, incorporated into *Hansard* information in relation to the vaccination of health workers in Western Australia, in response to a question without notice asked by Hon Dr Steve Thomas.

9. Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021

Resumption of consideration of this Bill in Committee of the Whole House (*see item 7 above*).

The President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 35.

Debate resumed.

Clause agreed to.

Clause 36.

Debate ensued.

Clause agreed to.

Clause 37.

Debate ensued.

Clause agreed to.

Clause 38.

Debate ensued.

Clause agreed to.

Clause 39.

Debate ensued.

Clause agreed to.

Clause 40.

Debate ensued.

Clause agreed to.

Clause 41.

Debate ensued.

Clause agreed to.

Clause 42.

Debate ensued.

Clause agreed to.

Clauses 43 and 44 agreed to.

Clause 45

Debate ensued.

Clause agreed to.

Clause 46.

Debate ensued.

Clause agreed to.

Clause 47.

Debate ensued.

Clause agreed to.

Clause 48.

Debate ensued.

Clause agreed to.

Clause 49.

Debate ensued.

Clause agreed to.

Clause 50.

Debate ensued.

The Deputy Chair of Committees left the Chair at 10.03pm
The Deputy Chair of Committees resumed the Chair at 10.19pm

Debate resumed.

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.

Clauses 58 to 61 agreed to.

Clause 62.

Debate ensued.

Clause agreed to.

Clause 63.

Debate ensued.

Clause agreed to.

Clause 64.
 Debate ensued.
 Clause agreed to.
 Clauses 65 to 67 agreed to.
 Clause 68.
 Debate ensued.
 Clause agreed to.
 Clauses 69 to 72 agreed to.
 Clause 73.
 Debate ensued.
 Clause agreed to.
 Clauses 74 to 83 agreed to.
 Clause 84.
 Debate ensued.
 Clause agreed to.
 Clauses 85 to 88 agreed to.
 Clause 89.
 Debate ensued.

The Council having continued to sit until 12 midnight
 Wednesday, 17 November 2021

Debate continued.
 Clause agreed to.
 Clause 90.
 Debate ensued.
 Clause agreed to.
 Clause 91 agreed to.
 Clause 92
 Debate ensued.
 Clause agreed to.
 Clauses 93 to 97 agreed to.
 Title agreed to.

The President resumed the Chair.
 Bill reported without amendment.
 Report adopted.

The Parliamentary Secretary to the Minister for Electoral Affairs moved, That the Bill be read a third time.

The 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.

Statement by President

The President made the following Statement —

Members, before I put the question, the third reading of this Bill requires an absolute majority pursuant to section 16M of the *Electoral Act 1907*. If there is a dissenting voice when I put the question on the third reading, I will divide the House.

Debate ensued.

The Bill requiring the concurrence of an absolute majority.

Question — put.

There being a dissentient voice the President ordered the Council to divide.

Ayes (20)

Hon Klara Andric
 Hon Dan Caddy
 Hon Sandra Carr
 Hon Stephen Dawson
 Hon Kate Doust
 Hon Sue Ellery
 Hon Peter Foster
 Hon Jackie Jarvis
 Hon Alannah MacTiernan
 Hon Ayor Makur Chuot

Hon Kyle McGinn
 Hon Shelley Payne
 Hon Stephen Pratt
 Hon Martin Pritchard
 Hon Samantha Rowe
 Hon Matthew Swinbourn
 Hon Dr Sally Talbot
 Hon Dr Brian Walker
 Hon Darren West
 Hon Pierre Yang (*Teller*)

Noes (8)

Hon Martin Aldridge
 Hon Nick Goiran
 Hon James Hayward
 Hon Steve Martin

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

The concurrence of an absolute majority of the whole number of Members being met, Question thus passed.

Bill read a third time and passed.

10. Order of Business

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

11. Adjournment

There being no Members' Statements the Council adjourned at 1.41am until Wednesday, 17 November 2021 at 1.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Lorna Harper and Hon Rosetta Sahanna.

PAUL GRANT

Deputy Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council