



## LEGISLATIVE COUNCIL

**WEDNESDAY, 16 MARCH 2022**

**1.00pm**

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### 1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

### 2. Statement by President — Non-Government Business and Private Members' Business — Giving the Call

The President made the following Statement —

In recent weeks there has been some confusion expressed by Members concerning the giving of the call to speak during Non-Government and Private Member's Business.

Firstly, Standing Order 35 deals with Members seeking the call and indicates that a Member who wishes to speak will stand and seek the call. Further, that when two or more Members stand to seek the call, it is the President (or Acting Presidents) who will determine which Member shall speak.

The first Member that rises and seeks the call will generally be given the call unless, noting the stage at which the debate is at, it is more appropriate to give the call to either the responsible Minister, the Leader of the Opposition, or the Member who has initiated the business for a reply.

The Thursday morning debates are relatively short debates, and it is unfortunately not possible for every Member that wants to speak to get the opportunity to contribute to them.

Non-Government Business was initiated in order to provide Members who do not support the Government (as identified in Standing Order 111) the opportunity to initiate and contribute to debate.

Private Members' Business was initiated to provide balance to Non-Government Business. Standing Order 112 recognises that a Private Member is a Member that supports the Government (but who is not a Minister or Parliamentary Secretary).

Participation in the debate itself is not limited solely to other Non-Government Members or Government backbenchers, as the case may be. The aim is to have an interesting debate that canvasses a number of viewpoints, and the views of the Opposition, cross-bench and the relevant Minister will be pertinent.

Notwithstanding these considerations, the Acting Presidents and I are keenly aware of the limited speaking opportunities available and so will always strive over the course of each Non-Government and Private Members' Business session to ensure that a majority of the

speakers actually do come from the Non-Government parties or the Government backbench, as the case may be.

This differs however in other debates. I note that it has been a long-standing courtesy of the House that during a debate on a motion or in Committee of the Whole that the Presiding Officer will generally alternate giving the call between Members on either side of the Chamber where Members from both sides are seeking the call.

### 3. Ministerial Statement — On-Farm Bushfire Recovery

The Minister for Regional Development made a Ministerial Statement with respect to the allocation of funding to support the coordination of on-farm bushfire recovery in the Wheatbelt.

### 4. Paper

The following Paper was laid on the Table by —

#### Parliamentary Secretary to the Attorney General

*Response to Reports —*

Joint Standing Committee on the Commissioner for Children and Young People —

The merits of appointing a commissioner for Aboriginal children and young people (Report No. 3) (Attorney General).....1133

### 5. Suspension of Standing Orders

The Leader of the House moved, without notice —

That so much of Standing Orders be suspended to enable the *Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022* to proceed through its stages at dates and times determined 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. Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022 — Addition to the Business Program

The Leader of the House moved, without notice —

That Order of the Day 14, *Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022*, be added to this day's Business Program.

Question — put and passed.

### 7. Regional Electricity Network

Motion No. 18 having been called, Hon Martin Aldridge, pursuant to notice, moved —

That this House recognises the vulnerability of the electricity network in regional Western Australia and calls on the State Government to:

- (a) apologise to regional families, businesses and communities who have been impacted by frequent power outages;
- (b) identify what actions it is taking to improve network resilience and performance;
- (c) improve the extended outage payment to ensure equity in its application and relevance to the outage experienced; and

- (d) support an independent inquiry that examines the performance of Western Power and Horizon Power in providing safe and reliable power and looks at alternative systems that might deliver better outcomes.

Debate ensued.

The Minister for Emergency Services tabled correspondence from the Minister for Energy to Hon Martin Aldridge in relation to power outage and restoration practices in periods of high heat and bushfire risk. (Tabled Paper 1134).

Debate resumed.

The Minister for Emergency Services moved, without notice —

To delete all words after “electricity network in” and insert:

Western Australia and acknowledges the McGowan Government with respect to:

- (a) apologising to all customers, including those in regional Western Australia, for the Christmas 2021 outages between 24-28 December;
- (b) taking action to improving network resilience and performance;
- (c) committing to review the extended outage payment to ensure equity in its application and relevance to the outage experienced; and
- (d) launching an independent review of the Christmas outages that examines how service providers can ensure safe and reliable power.

Debate ensued.

Amendment — put.

The Council divided.

#### **Ayes (19)**

Hon Klara Andric  
 Hon Dan Caddy  
 Hon Sandra Carr  
 Hon Stephen Dawson  
 Hon Kate Doust  
 Hon Sue Ellery  
 Hon Peter Foster  
 Hon Lorna Harper  
 Hon Jackie Jarvis  
 Hon Alannah MacTiernan

Hon Kyle McGinn  
 Hon Shelley Payne  
 Hon Martin Pritchard  
 Hon Samantha Rowe  
 Hon Rosie Sahanna  
 Hon Matthew Swinbourn  
 Hon Dr Sally Talbot  
 Hon Darren West  
 Hon Pierre Yang (*Teller*)

#### **Noes (7)**

Hon Martin Aldridge  
 Hon Donna Faragher  
 Hon Steve Martin  
 Hon Tjorn Sibma

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

Amendment thus passed.

Debate resumed.

Motion, as amended, agreed to.

## 8. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

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### In Committee

(Hon Dr Sally Talbot in the Chair)

#### **Joint Standing Committee on the Commissioner for Children and Young People — Report 2 — Report Review 2020-21: Examination of selected reports by the Commissioner for Children and Young People**

Debate resumed on the motion of Hon Jackie Jarvis, That the Report be noted.

Debate interrupted and postponed pursuant to SO 110(2A).

#### **Joint Standing Committee on the Commissioner for Children and Young People — Report 3 — The merits of appointing a commissioner for Aboriginal children and young people**

Hon Neil Thomson moved, That the Report be noted.

Debate ensued.

## 9. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Health, by leave, incorporated into *Hansard* a list of COVID-19 Health Directions currently enabled by the Public Health State of Emergency declaration, in response to a question without notice asked by Hon Tjorn Sibma.

The Leader of the House representing the Minister for Housing, by leave, incorporated into *Hansard* a list of properties purchased under the spot purchasing program, by region, in response to a question without notice asked by Hon Steve Martin.

The Leader of the House representing the Minister for Health, in accordance with Standing Order 108(2), advised that answers to questions on notice 489, 490 and 491 asked by Hon Nick Goiran will be provided on 24 March 2022.

The Minister for Emergency Services, by leave, incorporated into *Hansard* information in relation to the Public Health State of Emergency declarations, in response to a question without notice asked by Hon Tjorn Sibma.

The Minister for Regional Development representing the Minister for Water; Forestry; Youth, in accordance with Standing Order 108(2), advised that an answer to question on notice 506 asked by Hon Tjorn Sibma will be provided on 24 March 2022.

## 10. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports (*see item 8 above*).

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### In Committee

(Hon Martin Aldridge in the Chair)

#### **Joint Standing Committee on the Commissioner for Children and Young People — Report 3 — The merits of appointing a commissioner for Aboriginal children and young people**

Debate resumed on the motion of Hon Neil Thomson, That the Report be noted

*Interruption pursuant to order.*

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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 Commissioner for Children and Young People — Report 2 — *Report Review 2020-21: Examination of selected reports by the Commissioner for Children and Young People*, made progress, and postponed further consideration until the next sitting.
- (2) Joint Standing Committee on the Commissioner for Children and Young People — Report 3 — *The merits of appointing a commissioner for Aboriginal children and young people*, made progress, and seeks to sit again.

Report adopted.

### **11. Order of Business**

Ordered — That Order of the Day No. 14, *Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022*, be taken forthwith. (Leader of the House).

### **12. Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022**

The Order of the Day having been read for the adjourned debate on the second reading of this Bill. The Parliamentary Secretary representing the Minister for Small Business, pursuant to Standing Order 125A, declared the Bill to be an urgent Bill.

The Parliamentary Secretary to the Minister for Small Business moved, without notice —

That pursuant to Standing Order 125A, the following maximum time limits apply to the following stages of the Bill:

Second Reading	135 minutes
Committee of the Whole	60 minutes
Third Reading	5 minutes

Question — put and passed.

Debate resumed on the second reading of this urgent Bill.

*Interruption pursuant to order.*

### **13. Members' Statements**

Statements were taken.

### **14. Firearms Amendment Bill 2021**

The President reported the receipt of Message No. 53 from the Legislative Assembly forwarding the Bill for concurrence.

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

Question — put and passed.

Bill read a first time.

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

The Minister for Emergency Services representing the Minister for Police tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1135).

Debate stands adjourned.

**15. Adjournment**

The Council adjourned at 7.02pm until Thursday, 17 March 2022 at 10.00am.

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

Attendance: Present all Members except Hon Ayor Makur Chuot, Hon Sophia Moermond (*suspended*) and Hon Stephen Pratt.

**SAM HASTINGS**

Acting Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council