

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 132

FIRST SESSION OF THE FORTIETH PARLIAMENT

WEDNESDAY, 12 JUNE 2019

1. Meeting of Assembly

The Assembly met at 12 noon pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Papers

The following papers were presented and ordered to lie upon the Table of the House –

By the Deputy Clerk –

Auditor General, Office of the – Improving Aboriginal Ear Health, Report No. 23, June 2019 (2486).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A22 (2487).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A23 (2488).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A24 (2489).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A25 (2490).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A26 (2491).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A27 (2492).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A28 (2493).

Estimates Committee A – Division 37 (Main Roads) – Supplementary Information Answer A29 (2494).

Estimates Committee A – Division 37 (Main Roads) – Supplementary Information Answer A30 (2495).

Estimates Committee A – Division 38 (Department of Transport) – Supplementary Information Answer A37 (2502).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A31 (2496).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A32 (2497).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A33 (2498).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A34 (2499).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A35 (2500).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A36 (2501).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A38 (2503).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A39 (2504).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A40 (2505).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A41 (2506).

National Education and Care Services Freedom of Information and Privacy Commissioners and Ombudsman – Annual Report 2017–2018 (2485).

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Emergency Services on two aerial firefighting personnel receiving Commendations for Brave Conduct.

The Minister for Emergency Services on Wear Orange Wednesday (WOW Day) 2019.

The Minister for Culture and the Arts on the 60th anniversary of the National Trust of Western Australia.

The Minister for Women's Interests on the progress of consultations for the State Government's Women's Plan to achieve gender equality.

4. Withdrawal of Notice of Motion

The Leader of the House withdrew Business of the Assembly – Notice of Motion No. 1.

5. Variation to the Order of Business

Ordered, That Business of the Assembly Order of the Day No. 1 be postponed until the next sitting of the Assembly.

6. Small Business Development Corporation Amendment Bill 2019

The Minister for Small Business, pursuant to notice, moved,

That a bill for “An Act to amend the *Small Business Development Corporation Act 1983*.” be introduced and read a first time.

Question put and passed.

The Minister for Small Business presented an explanatory memorandum and bill read a first time.

The Minister for Small Business moved, That the bill be now read a second time.

Ms L. Mettam moved, That the debate be adjourned.

Question put and passed.

7. TAB (Disposal) Bill 2019

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 27 to 39 agreed to.

Clause 40.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

8. Questions

Questions without Notice were taken.

Questions on Notice Nos 5199 to 5225 were asked.

Questions on Notice Nos 5100 to 5102, 5104, 5107, 5118 to 5120, 5124, 5132, 5136, 5139, 5151, 5160, 5161 and 5164 were answered.

Paper tabled by the Treasurer –

Question on Notice No. 5161 – Voluntary Targeted Separation Scheme cost breakdown 2017–2018 (2507).

9. Matter of Public Interest – Department of Health Issues

The Speaker informed the Assembly that he was in receipt of a notice from Mr S.K. L'Estrange that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr S.K. L'Estrange moved,

That this House condemns the McGowan Government for the current health crisis, including record ambulance ramping at our hospital emergency departments, blowouts in elective surgery waitlists, budget cuts and violence against our nurses.

Debate ensued.

Question put.

The Assembly divided.

Ayes (17)

Mr I.C. Blayney
Ms M.J. Davies
Mrs L.M. Harvey
Mrs A.K. Hayden
Dr D.J. Honey
Mr P.A. Katsambanis

Mr A. Krsticevic
Mr S.K. L'Estrange
Mr R.S. Love
Mr W.R. Marmion
Mr J.E. McGrath
Dr M.D. Nahan

Mr D.C. Nalder
Mr K. O'Donnell
Mr D.T. Redman
Mr P.J. Rundle
Ms L. Mettam (*Teller*)

Noes (36)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Mr R.H. Cook
Ms J.M. Freeman
Ms E.L. Hamilton
Mr T.J. Healy
Mr M. Hughes
Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan

Mr M. McGowan
Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts

Ms C.M. Rowe
Ms R. Saffioti
Ms A. Sanderson
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Question thus negated.

10. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 23 be next considered.

11. Election of the Morrison Government

Dr M.D. Nahan, pursuant to notice, moved,

That this House notes the critical role the Premier had in the election of the Morrison Government, in particular, his failure to deliver jobs, his mean-spirited increases to cost of living, the small business crisis and falling house prices.

Debate ensued.

Debate interrupted by the Chair (Mr W.R. Marmion speaking) and adjourned until a later stage of the sitting.

12. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

13. TAB (Disposal) Bill 2019

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 40 to 45 agreed to.

Clause 46.

Dr D.J. Honey moved,

Page 36, lines 14 to 16 – To delete the lines and substitute:

“ This Act does not authorise betting on a simulated race. ”.

Amendment put.

The Assembly divided.

Ayes (10)

Mrs L.M. Harvey
Mrs A.K. Hayden
Dr D.J. Honey
Mr A. Krsticevic

Mr S.K. L'Estrange
Mr R.S. Love
Mr W.R. Marmion
Dr M.D. Nahan

Mr D.C. Nalder
Ms L. Mettam (*Teller*)

Noes (29)

Ms L.L. Baker
Dr A.D. Buti
Mrs R.M.J. Clarke
Mr R.H. Cook
Ms M.J. Davies
Ms E.L. Hamilton
Mr T.J. Healy
Mr M. Hughes
Mr D.J. Kelly
Mr F.M. Logan

Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mrs L.M. O'Malley
Mr S.J. Price
Mr D.T. Punch
Ms M.M. Quirk
Mr D.T. Redman
Mr P.J. Rundle

Ms A. Sanderson
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr D.A. Templeman
Mr P.C. Tinley
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Amendment thus negated.

Clause agreed to.

New Clause 46A.

Mr D.C. Nalder moved,

Page 36, after line 16 – To insert:

“

5D. Revenue from simulated races

This Act authorises betting on a simulated race only if all revenue from wagering on simulated racing is given to Healthway or Lotterywest to address problem gambling.

”

New Clause put.

The Assembly divided.

Ayes (14)

Ms M.J. Davies
Mrs L.M. Harvey
Mrs A.K. Hayden
Dr D.J. Honey
Mr Z.R.F. Kirkup

Mr A. Krsticevic
Mr S.K. L'Estrange
Mr R.S. Love
Mr W.R. Marmion
Dr M.D. Nahan

Mr D.C. Nalder
Mr D.T. Redman
Mr P.J. Rundle
Ms L. Mettam (*Teller*)

Noes (26)

Ms L.L. Baker
Dr A.D. Buti
Mrs R.M.J. Clarke
Mr R.H. Cook
Ms E.L. Hamilton
Mr T.J. Healy
Mr M. Hughes
Mr D.J. Kelly
Mr F.M. Logan

Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mrs L.M. O'Malley
Mr S.J. Price
Mr D.T. Punch
Ms M.M. Quirk
Ms A. Sanderson

Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr D.A. Templeman
Mr P.C. Tinley
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

New Clause thus negated.

Clause 47 agreed to.

Mr D.R. Michael moved, That the debate be adjourned.

Question put and passed.

14. Infrastructure Western Australia Bill 2019

Message No. 86 dated 12 June 2019 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Infrastructure Western Australia Bill 2019* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Infrastructure Western Australia Bill 2019.

No. 1

Clause 10, page 9, line 19 — To delete “may” and insert:

must

No. 2

Clause 10, page 9, after line 20 — To insert:

- (6) Infrastructure WA may remove from an annual work programme any information that it considers to be confidential or otherwise not suitable to be made publicly available, prior to making the programme publicly available.

No. 3

Clause 21, page 16, line 26 — To delete “may” and insert:

must

No. 4

New Clause 43A, page 27, after line 12 — To insert:

43A. Financial interest in a matter

For the purposes of this Subdivision, a member of the Board or of a committee has a direct or indirect financial interest in a matter if it is reasonable to expect that the matter may, if dealt with by the Board or committee in a particular way, result in a financial gain, loss, benefit or detriment for the member or a person closely associated with the member.

No. 5

Clause 44, page 28, after line 6 — To insert:

- (6) Infrastructure WA must keep a record of each disclosure or determination under this section that relates to a direct or indirect financial interest in a matter, and make a summary of the record available, on request, for inspection.

- (7) Without limiting section 71, the regulations may provide for how the record is to be made available.

No. 6

Clause 46, page 29, lines 9 to 13 — To delete the lines.

No. 7

Clause 72, page 43, lines 13 to 20 — To delete the clause.

No. 8

New Clause 72, page 43, after line 20 — To insert:

72. Review of Act

- (1) The Premier must review the operation and effectiveness of this Act, and prepare a report based on the review —
 - (a) as soon as practicable after the 5th anniversary of the day on which this section comes into operation; and
 - (b) after that, at intervals of not more than 5 years.
- (2) The obligation under subsection (1) is limited to 3 occasions.
- (3) The Premier must cause each report to be laid before each House of Parliament as soon as practicable after the report is prepared, but not later than 12 months after the 5th anniversary or the expiry of the period of 5 years (whichever is relevant).

Ordered, That consideration in detail of Legislative Council Message No. 86 be made an Order of the Day for the next sitting of the Assembly.

15. Notice of Motion after the Time Prescribed

Mr D.R. Michael on behalf of the Leader of the House was granted leave to present a late notice of motion.

16. Adjournment

Mr D.R. Michael moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 8.58 pm until Thursday, 13 June 2019 at 9.00 am.

Members present during any part of the day's proceedings – All the members except Ms J. Farrer, Mr M.J. Folkard and Mr M.P. Murray.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly

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