

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 152

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

TUESDAY, 7 NOVEMBER 2023

1. Meeting of Assembly

The Assembly met at 1.00 pm pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Speaker's Statement – Amended Seating Plan

The Speaker advised members that she had approved an amended seating plan for the opposition.

3. Opposition Office Holders

Mr R.S. Love announced that Ms M.J. Davies was appointed Opposition Whip with effect 2 November 2023.

4. Messages from the Governor

Messages from His Excellency the Governor were reported assenting to the following bills –
No. 26 – 24 October 2023

Workers Compensation and Injury Management Bill 2023, Act No. 21 of 2023.

Workers Compensation and Injury Management Amendment Bill 2023, Act No. 22 of 2023.

Aboriginal Heritage Legislation Amendment and Repeal Bill 2023, Act No. 23 of 2023.

No. 30 – 24 October 2023

Marine Safety (Domestic Commercial Vessel National Law Application) Bill 2023, Act No. 24 of 2023.

5. Messages from the Governor

Messages from His Excellency the Governor were reported recommending that appropriations be made for the purposes of the following bills –

Planning and Development Amendment Bill 2023 (Message No. 27).

Health Practitioner Regulation National Law Application Bill 2023 (Message No. 28).
Western Australian Marine Amendment Bill 2023 (Message No. 29).

6. Papers

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

By the Speaker –

Inspector of Custodial Services, Office of the – 2022 Inspection of Casuarina Prison, Report 150, July 2023 (Received by the Speaker of the Legislative Assembly on 20 September 2023 and held for a period of 30 days. Deemed tabled by the Clerk of the Legislative Assembly on 23 October 2023) (2450).

Inspector of Custodial Services, Office of the – Annual Report 2022–2023 (Received by the Speaker of the Legislative Assembly on 27 September 2023 and held for a period of 30 days) (2453).

Inspector of Custodial Services, Office of the – The Special Handling Unit at Casuarina Prison, July 2023 (Received by the Speaker of the Legislative Assembly on 20 September 2023 and held for a period of 30 days. Deemed tabled by the Clerk of the Legislative Assembly on 23 October 2023) (2451).

State Records Commission – Annual Report 2022–2023 (2454).

By the Clerk –

Aboriginal Heritage Act 1972 – Regulations (Aboriginal Heritage (Fees) Regulations 2023) (2455).

Aboriginal Heritage Act 1972 – Regulations (Aboriginal Heritage (Transitional Provisions) Regulations 2023) (2456).

Aboriginal Heritage Act 1972 – Regulations (Aboriginal Heritage Amendment Regulations 2023) (2457).

Betting Control Act 1954; Casino Control Act 1984; Gaming and Wagering Commission Act 1987; Liquor Control Act 1988; Racing and Wagering Western Australia Act 2003; Racing Penalties (Appeals) Act 1990 – Regulations (Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2023) (2458).

Biodiversity Conservation Act 2016 – Regulations (Biodiversity Conservation Amendment Regulations 2023) (2459).

Building Services (Registration) Act 2011 – Regulations (Building Services (Registration) Amendment Regulations (No. 2) 2023) (2460).

Bush Fires Act 1954 – Local Laws (City of Busselton Bush Fire Brigades Local Law (2023) G.G. 31/10/2023) (2461).

Bush Fires Act 1954 – Standards (Bush Fire Risk Treatment Amendment Standards (No. 2) 2023) (2462).

Children and Community Services Act 2004 – Regulations (Children and Community Services Amendment Regulations (No. 3) 2023) (2463).

Community Titles Act 2018 – Regulations (Community Titles Amendment Regulations (No. 2) 2023) (2464).

Conservation and Land Management Act 1984; Environmental Protection Act 1986 – Regulations (Environment Regulations Amendment (Aboriginal Heritage) Regulations 2023) (2465).

Corruption and Crime Commission – Report on serious misconduct by a senior police officer (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 October 2023) (2452).

Criminal Investigation (Covert Powers) Act 2012 – Annual Report 1 July 2022–30 June 2023 by the Corruption and Crime Commission: Fisheries (2466).

Edith Cowan University Act 1984 – Statutes (Edith Cowan University Amending Statute No. 3 of 2023 (No. 2) G.G. 20/10/2023) (2467).

Environmental Protection Authority – Annual Report 2022–2023 (2468).

Evidence Act 1906 – Regulations (Evidence (Prescribed Persons) Amendment Regulations 2023) (2469).

Financial Management Act 2006 – Further notice given under Section 65 from the Attorney General; Minister for Electoral Affairs informing the House of the late tabling of the 2022–2023 Annual Report from the Professional Standards Council, 6 November 2023 (2489).

Fish Resources Management Act 1994 – Management Plans (Octopus Interim Managed Fishery Management Plan Amendment 2023 G.G. 27/10/2023) (2470).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Wire Trace) Amendment Order 2023 G.G. 03/11/2023) (2471).

Landgate – Annual Report 2022–2023 (2472).

Liquor Control Act 1988 – Regulations (Liquor Control (Joy Springs Restricted Area) Regulations 2023) (2473).

Liquor Control Act 1988 – Regulations (Liquor Control (Mingullatharndo Restricted Area) Regulations 2023) (2474).

Liquor Control Act 1988 – Rules (Liquor Commission Amendment Rules 2023) (2475).

Local Government Act 1995 – Local Laws (City of Bunbury Bush Fire Brigade Local Law 2023 G.G. 24/10/2023) (2476).

Local Government Act 1995 – Regulations (Local Government Regulations Amendment Regulations (No. 3) 2023) (2477).

Local Government Grants Commission – Annual Report 2022–2023 (2478).

Lotteries Commission Act 1990 – Rules (Lotteries Commission (Authorised Lotteries) (Commission) Amendment Rules 2023 G.G. 03/11/2023) (2479).

Metropolitan Water Supply, Sewerage, and Drainage Act 1909 – By-laws (Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws (No. 2) 2023) (2480).

Premier and Cabinet, Department of the – Ministerial Resourcing Report as at 26 October 2023 (2481).

Public Advocate, Office of the – Annual Report 2022–2023 (2482).

Racing and Wagering Western Australia – Annual Report 2022–2023 (2483).

Road Traffic (Administration) Act 2008; Road Traffic (Authorisation to Drive) Act 2008; Western Australian Photo Card Act 2014 – Regulations (Transport Regulations Amendment (Identity Matching Services) Regulations 2023) (2484).

State Administrative Tribunal Act 2004 – Regulations (State Administrative Tribunal Amendment Regulations (No. 2) 2023) (2485).

Waste Authority – Annual Report 2022–2023 (2486).

Western Australian Greyhound Racing Association – Annual Report 2022–2023 (2487).

Workers' Compensation and Injury Management Act 1981 – Regulations (Workers' Compensation and Injury Management (Scales of Fees) Amendment Regulations 2023) (2488).

7. Notices of Motion

8. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Heritage on the Western Australian Heritage Awards 2023.

The Minister for Sport and Recreation on women's football.

The Attorney General on the resignation of Solicitor General Joshua Thomson SC.

The Minister for Defence Industry on the Western Australian Defence Industry Gala.

The Minister for Industrial Relations on the Mental Awareness, Respect and Safety Program.

The Minister for Aboriginal Affairs on the stolen wages class action settlement.

The Minister for Youth on the 2023 Western Australian Youth Awards.

The Minister assisting the Minister for Transport on the Road Traffic (Vehicles) Amendment (Offensive Advertising) Act 2023 coming into effect.

9. Removal of Order of the Day

The Speaker advised that Private Members' Business Orders of the Day, Western Australia's Energy Network and Cost of Living Emergency in Western Australia, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

10. Reserves Bill 2023

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Debate interrupted by the Chair (Mr P.J. Rundle speaking) and adjourned until a later stage of the sitting.

11. Distinguished Visitors

The Speaker noted the presence of a visiting delegation from the Cook Island Parliament. Members of the delegation were: Deputy Clerk Ms Tai Manavaroa and Senior Administration Officer & Chamber Clerk Mrs Sarah Takairangi.

12. Questions

Questions without Notice were taken.

Questions on Notice Nos 945 to 952 were asked.

13. Matter of Public Interest – Management of Corrective Services

The Speaker informed the Assembly that she was in receipt of a notice from Ms L. Mettam that she intended to move a motion on a matter of public interest.

At least five members having risen in support,

Ms L. Mettam moved,

That this House condemns the WA Labor Government's refusal to adequately address their ongoing mismanagement of Corrective Services, leaving a failing Minister at the helm.

Debate ensued.

Question put.

The Assembly divided.

Ayes (6)

Ms M. Beard
Dr D.J. Honey

Mr R.S. Love
Ms L. Mettam

Mr P.J. Rundle
Ms M.J. Davies (*Teller*)

Noes (42)

Mr S.N. Aubrey
Mr G. Baker
Dr A.D. Buti
Mrs R.M.J. Clarke
Ms C.M. Collins
Ms L. Dalton
Ms D.G. D'Anna
Mr M.J. Folkard
Ms E.L. Hamilton
Ms M.J. Hammat
Ms J.L. Hanns
Mr M. Hughes
Mr W.J. Johnston
Mr H.T. Jones

Mr D.J. Kelly
Ms E.J. Kelsbie
Ms A.E. Kent
Dr J. Krishnan
Mr P. Lilburne
Mrs M.R. Marshall
Ms S.F. McGurk
Mr D.R. Michael
Mr K.J.J. Michel
Mr S.A. Millman
Ms L.A. Munday
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price

Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Ms R. Saffioti
Ms A. Sanderson
Ms J.J. Shaw
Ms R.S. Stephens
Mrs J.M.C. Stojkovski
Dr K. Stratton
Mr C.J. Tallentire
Mr P.C. Tinley
Ms C.M. Tonkin
Mr R.R. Whitby
Ms C.M. Rowe (*Teller*)

Question thus negatived.

14. Variation to the Order of Business

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

15. Reserves Bill 2023

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the bill.
The Minister for Lands moved, That the bill be now read a third time.
Question put and passed.
Bill read a third time and forwarded to the Legislative Council for concurrence.

16. Health Practitioner Regulation National Law Application Bill 2023

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Minister for Ports moved, That the debate be adjourned.

Question put and passed.

17. Liquor Control Amendment (Banned Drinkers Register) Bill 2023

Message No. 113 dated 7 November 2023 from the Legislative Council was reported agreeing to the bill without amendment.

18. Adjournment

The Minister for Ports moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 7:02 pm until Wednesday, 8 November 2023 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Ms H.M. Beazley, Mr R.H. Cook, Ms K.E. Giddens, Ms S.E. Winton and Mr T.J. Healy.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly