

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 75

FIRST SESSION OF THE FORTIETH PARLIAMENT

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WEDNESDAY, 27 JUNE 2018

### 1. Meeting of Assembly

The Assembly met at 12.00 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 Clerk –

Auditor General, Office of the – Management of Crown Land Site Contamination (1440).

Corruption and Crime Commission – Report into inadequate use of force reporting at Eastern Goldfields Regional Prison in May 2017 (1441).

Corruption and Crime Commission – Report into inadequate use of force reporting at Eastern Goldfields Regional Prison on 27 March 2017 and Bunbury Regional Prison on 14 November 2016 (1442).

Corruption and Crime Commission – Report into inadequate use of force reporting at Hakea Prison on 21 March 2016 (1443).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Tourism to not provide information to Part (B) of Legislative Assembly Question on Notice 3048 (1445).

Financial Management Act 2006 – Review of the Act, December 2017 (1444).

Government of Western Australia – Quarterly Financial Results Report – March 2018 (1446).

### 3. Notices of Motion

### 4. Removal of Order of the Day

The Speaker advised members that the Order of the Day that appeared on the last Notice Paper as No. 1 under Private Members' Business, Financial Planning, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

## 5. Brief Ministerial Statement

A Brief Ministerial Statement was made by –

The Minister for Aboriginal Affairs on the passing of Ms Daisy Kadibil.

## 6. Suspension of Standing Orders – Statements in Relation to the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse

The Leader of the House, pursuant to notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable on Wednesday, 27 June 2018 the Premier and the Minister for Child Protection to make statements up to a maximum of 15 minutes each concerning Western Australia's response to the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse and for the Leader of the Opposition, the Leader of the National Party, and then any other member to be able to make statements in reply, up to a maximum of 15 minutes each, until 2.00 pm, unless concluded earlier.

Question put and passed.

## 7. Statements in Relation to the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse

Pursuant to the foregoing motion, the following members made statements: Premier, Ms S. McGurk, Dr M.D. Nahan and Ms M.J. Davies.

## 8. Suspension Standing Orders – Precedence of Private Members' Business

The Leader of the House, pursuant to notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable Private Members' Business to have priority from 4.00 pm to 8.00 pm on Wednesday, 27 June 2018.

Question put and passed.

## 9. Administration Amendment Bill 2018

The Leader of the House, on behalf of the Attorney General, pursuant to notice, moved,

That a bill for "An Act to amend the *Administration Act 1903*." be introduced and read a first time.

Question put and passed.

The Leader of the House, on behalf of the Attorney General, presented an explanatory memorandum and bill read a first time.

The Leader of the House, on behalf of the Attorney General moved, That the bill be now read a second time.

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

Question put and passed.

## 10. Child Support (Commonwealth Powers) Bill 2018

The Leader of the House, on behalf of the Attorney General, pursuant to notice, moved,

That a bill for "An Act –

- to adopt, for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth, certain laws of the Commonwealth insofar as those laws relate to the maintenance of exnuptial children; and
- to refer the matter of the maintenance of exnuptial children to the Parliament of the Commonwealth for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth to the extent that the Commonwealth's legislative power does not otherwise extend to Western Australia; and

- to amend the *Family Court Act 1997* and repeal the *Child Support (Adoption of Laws) Act 1990*; and
- for related purposes.” be introduced and read a first time.

Question put and passed.

The Leader of the House, on behalf of the Attorney General, presented an explanatory memorandum and bill read a first time.

The Leader of the House, on behalf of the Attorney General, moved, That the bill be now read a second time.

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

Question put and passed.

## **11. Legislation Bill 2018**

The Leader of the House, on behalf of the Attorney General, pursuant to notice, moved,

That a bill for “An Act –

- to provide for public access to Western Australian legislation; and
- to provide for the official status of published versions of Western Australian legislation; and
- to provide for Western Australian legislation to be kept in an up-to-date form and consistent with current drafting practice; and
- to repeal the *Reprints Act 1984*; and
- for related purposes.” be introduced and read a first time.

Question put and passed.

The Leader of the House, on behalf of the Attorney General, presented an explanatory memorandum and bill read a first time.

The Leader of the House, on behalf of the Attorney General, moved, That the bill be now read a second time.

Mr W.R. Marmion moved, That the debate be adjourned.

Question put and passed.

## **12. Reserves (Tjuntjuntjara Community) Bill 2018**

The Minister for Lands, pursuant to notice, moved,

That a bill for “An Act –

- to excise an area from Reserve 30490 so that a lease over the excised area can be granted by the Minister for the use and benefit of the Tjuntjuntjara Community; and
- for related purposes.” be introduced and read a first time.

Question put and passed.

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

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

Mr W.R. Marmion moved, That the debate be adjourned.

Question put and passed.

## **13. Residential Tenancies Legislation Amendment (Family Violence) Bill 2018**

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 (Ms J.M. Freeman speaking) and adjourned until a later stage of the sitting.

#### 14. Questions

Questions without Notice were taken.

Questions on Notice Nos 3308 to 3314 were asked.

#### 15. Personal Explanation

Mr A. Krsticevic made a personal explanation regarding comments made by members of the Perth City Council.

#### 16. Suspension of Standing Orders

Mr Z.R.F. Kirkup, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House condemns the Minister for Corrective Services for being weak on law and order and allowing convicted paedophiles to be left unsupervised in public places frequented by children; for failing to notify the community after losing paedophiles being electronically tracked; for allowing illegal drugs to pour into our prison system and for adopting a policy of releasing criminals instead of building a new prison.

The Leader of the House moved, To add to the motion –

“

, subject to the debate being limited to 15 minutes for government members and 15 minutes for non-government members.

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Amendment put and passed.

On the question, That the motion, as amended, be agreed to,

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion, as amended, to be carried with the concurrence of an absolute majority of the whole number of members of the House.

#### 17. Minister for Corrective Services

Mr Z.R.F. Kirkup, pursuant to the foregoing motion, moved,

That this House condemns the Minister for Corrective Services for being weak on law and order and allowing convicted paedophiles to be left unsupervised in public places frequented by children; for failing to notify the community after losing paedophiles being electronically tracked; for allowing illegal drugs to pour into our prison system and for adopting a policy of releasing criminals instead of building a new prison.

Debate ensued.

Question put.

The Assembly divided.

#### Ayes (15)

Mr I.C. Blayney  
Mr V.A. Catania  
Dr D.J. Honey  
Mr P.A. Katsambanis  
Mr Z.R.F. Kirkup

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

## Noes (31)

Ms L.L. Baker	Mr D.J. Kelly	Mrs M.H. Roberts
Dr A.D. Buti	Mr F.M. Logan	Ms R. Saffioti
Mr J.N. Carey	Mr M. McGowan	Ms J.J. Shaw
Mrs R.M.J. Clarke	Ms S.F. McGurk	Mrs J.M.C. Stojkovski
Mr R.H. Cook	Mr S.A. Millman	Mr C.J. Tallentire
Mr M.J. Folkard	Mr M.P. Murray	Mr D.A. Templeman
Ms J.M. Freeman	Mrs L.M. O'Malley	Mr R.R. Whitby
Ms E.L. Hamilton	Mr P. Papalia	Mr B.S. Wyatt
Mr T.J. Healy	Mr S.J. Price	Mr D.R. Michael ( <i>Teller</i> )
Mr M. Hughes	Mr D.T. Punch	
Mr W.J. Johnston	Ms M.M. Quirk	

Question thus negated.

### 18. Variation to the Order of Business

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

### 19. Residential Tenancies Legislation Amendment (Family Violence) Bill 2018

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 S.A. Millman speaking) and adjourned until a later stage of the sitting.

### 20. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 26 be next considered.

### 21. Darling Range By-Election Result

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

That this House calls on the McGowan Government to listen to the loud message sent by the people of Darling Range, including a commitment to lower the cost of living for struggling households, reverse the cuts to regional education and to commit to funding its infrastructure commitments, including Tonkin Highway Extension and the Byford Rail Line.

Debate ensued.

Debate interrupted by the Chair (Minister for Electoral Affairs speaking) and adjourned until a later stage of the sitting.

### 22. Variation to the Order of Business

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

### 23. Residential Tenancies Legislation Amendment (Family Violence) Bill 2018

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

Debate resumed.

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#### *Paper*

The following paper was presented and ordered to lie upon the Table of the House –

By the Minister for Commerce and Industrial Relations –

Commerce and Industrial Relations, Minister for – Correspondence between the Minister for Commerce and Industrial Relations and the Real Estate Institute of Western Australia relating to the Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 (1447).

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Question put and passed.

Bill read a second time.

### *CONSIDERATION IN DETAIL*

Clauses 1 to 17 agreed to.

Clause 18.

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#### *Paper*

The following paper was presented and ordered to lie upon the Table of the House –

By the Minister for Commerce and Industrial Relations –

Commerce and Industrial Relations, Minister for – Sample Certified Professional Statement under the Residential Tenancies Act of Alberta, Canada (1448).

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Clause agreed to.

Clauses 19 to 37 agreed to.

Title agreed to.

Consideration in detail concluded.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for Commerce and Industrial Relations moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

## **24. Adjournment**

The Leader of the House moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 9.43 pm until Thursday, 28 June 2018 at 9.00 am.

*Members present during any part of the day's proceedings* – All the members except Ms J. Farrer, Mr K.J.J. Michel, Mr Y. Mubarakai, Ms C.M. Rowe, Ms A. Sanderson and Mr P.C. Tinley.

**KIRSTEN M. ROBINSON**  
Clerk of the Legislative Assembly

**HON. PETER WATSON**  
Speaker of the Legislative Assembly