

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 167

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 12 NOVEMBER 2019

1. Meeting of Assembly

The Assembly met at 2.00 pm pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Death of Hon Hywel David Evans – a former Member of the Legislative Assembly

The Premier, without notice, moved,

That the House records its sincere regret at the death of Hon Hywel David Evans and tenders its deep sympathy to his family.

The motion was supported by Mrs L.M. Harvey, Mr D.T. Redman, Mr D.A. Templeman, Mrs M.H. Roberts and Mr D.T. Punch.

Question put and passed unanimously with members and officers of the Assembly standing in their places as a mark of respect.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on his visit to India in November 2019.

Paper

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

By the Premier –

Premier – Information on the Premier's Trip to India, November 2019 (3024).

The Minister for Health on the 2019 WA Health Excellence Awards.

The Minister for Emergency Services on bushfire preparedness in Western Australia.

The Minister for Citizenship and Multicultural Interests on the 550th birth anniversary of Guru Nanak Dev Ji, the founder of Sikhism.

The Minister for Innovation and ICT on the 2019 Innovator of the Year Award.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 5715 to 5717 were asked.

Questions on Notice Nos 5438, 5470 and 5678 were answered.

Paper tabled by the Minister for Water –

Question on Notice No. 5438 – Water Corporation: Perth Region Alliance Business Case, June 2019 (3023).

5. Suspension of Standing Orders

Mr P.A. Katsambanis, 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 McGowan Labor Government for failing to deliver enough frontline police officers, including ignoring requests for more police by the Police Commissioner and the Perth City Council, resulting in out-of-control violence on our streets and decade-high crime rates in our city.

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.

”.

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.

6. Frontline Police

Mr P.A. Katsambanis, pursuant to the foregoing motion, moved,

That this House condemns the McGowan Labor Government for failing to deliver enough frontline police officers, including ignoring requests for more police by the Police Commissioner and the Perth City Council, resulting in out-of-control violence on our streets and decade-high crime rates in our city.

Debate ensued.

Question put.

The Assembly divided.

Ayes (18)

Mr I.C. Blayney
Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
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
Ms L. Mettam

Dr M.D. Nahan
Mr D.C. Nalder
Mr K.M. O'Donnell
Mr D.T. Redman
Mr P.J. Rundle
Mrs A.K. Hayden (*Teller*)

Noes (35)

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

Question thus negated.

7. Petitions

Leeman Health Centre – Mr R.S. Love presented a petition from 81 people asking the Legislative Assembly to call on the Government of Western Australia and the Minister for Health to reverse the downgrading of services at Leeman Health Centre and to provide sufficient funding to ensure health services in Leeman and Greenhead do not decline (P. 160).

Noongar Boodja in the South West – Mr W.J. Johnston presented a petition from 17 people opposing the Certification on the Wagyl Kaip and Southern Noongar, Ballardong, Gnaala Karla Booja, South West Boorjarah #2, Whadjuk and Yued Indigenous Land Use Agreements; asking the Legislative Assembly for an independent forensic audit to investigate compensation rights for the Single Noongar Claim and Underlying Claims, requesting various audits and to manage their own assets (P. 161).

Fisheries Services – Mr V.A. Catania presented a petition from 59 people asking the Legislative Assembly to reverse the Government's decision to close fisheries shop fronts in locations covering almost 2,000 km of Western Australia's Coral and North West coast (P. 162).

Permanent Doctor in Denham – Mr V.A. Catania presented a petition from 66 people asking the Legislative Assembly to call on the Minister for Health to support regional families and instate a permanent doctor in Denham (Shark Bay) (P. 163).

8. 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 – 2018 Inspection of Acacia Prison (2992).

By the Clerk –

Administrator National Health Funding Pool – Annual Report 2018–2019 (2993).

Architects Board of Western Australia – Annual Report 2018–2019 (2994).

Australian Health Practitioner Regulation Agency – Annual Report 2018–2019 (2995).

Biodiversity Conservation Act 2016 – Orders (Biodiversity Conservation (Exemptions) Amendment Order 2019 G.G. 05/11/2019) (2996).

Biosecurity and Agriculture Management Act 2007 – Local Laws (Shire of Dandaragan Pest Plant Local Law 2019 G.G. 05/11/2019) (2997).

Bush Fires Act 1954 – Regulations (Bush Fires Amendment Regulations 2019 G.G. 05/11/2019) (2998).

Cat Act 2011 – Local Laws (Shire of Northam Cat Local Law 2019 G.G. 29/10/2019) (2999).

Commission for Occupational Safety and Health – Annual Report 2018–2019 (3000).

Community Titles Act 2018 – Proclamations (Community Titles Act 2018 (Postponement of Expiry) Proclamation 2019 G.G. 05/11/2019) (3001).

Dangerous Sexual Offenders Act 2006 – Regulations (Dangerous Sexual Offenders Amendment Regulations (No. 2) 2019 G.G. 05/11/2019) (3002).

Dog Act 1976 – Local Laws (Shire of Dandaragan Dogs Local Law 2019 G.G. 05/11/2019) (3003).

Dog Act 1976 – Local Laws (Town of Bassendean Dogs Local Law 2019 G.G. 05/11/2019) (3004).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Tourism to not provide a full answer in response to Legislative Council Question on Notice 2499 by Hon Colin Holt MLC (3005).

Health Services Act 2016 – Regulations (Health Services (General) Regulations 2019 G.G. 07/11/2019) (3006).

Historical Homosexual Convictions Expungement Act 2018 – Annual Report 2018–2019 (3007).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 2) 2019 G.G. 01/11/2019) (3008).

Local Government Act 1995 – Local Laws (City of Fremantle Library Advisory Committee Repeal Local Law 2019 G.G. 05/11/2019) (3009).

Local Government Act 1995 – Local Laws (Shire of Dandaragan General Amendment Local Law 2019 G.G. 05/11/2019) (3010).

Local Government Act 1995 – Local Laws (Shire of Dandaragan Local Government (Council Meetings) Local Law 2019 G.G. 05/11/2019) (3011).

Local Government Act 1995 – Local Laws (Shire of Dandaragan Site Erosion and Sand Drift Prevention Local Law 2019 G.G. 05/11/2019) (3012).

Local Government Act 1995 – Local Laws (Shire of Northam Fencing Local Law 2019 G.G. 29/10/2019) (3013).

Local Government Act 1995 – Local Laws (Shire of Northam Parking Local Law 2019 G.G. 29/10/2019) (3014).

Local Government Act 1995 – Local Laws (Town of Bassendean Parking Local Law 2019 G.G. 05/11/2019) (3015).

National Education and Care Services Freedom of Information Commissioner and Privacy Commissioner and Ombudsman – Annual Report 2018–2019 (3016).

National Health Funding Body – Annual Report 2018–2019 (3017).

National Health Practitioner Ombudsman and Privacy Commissioner – Annual Report 2018–2019 (3018).

Premier and Cabinet, Department of – Report on Consultants Engaged by Government for the Six Months Ended 30 June 2019 (3019).

School Education Act 1999 – Regulations (School Education (Student Residential Colleges) Amendment Regulations 2019 G.G. 08/11/2019) (3020).

State Superannuation Act 2000 – Regulations (State Superannuation Amendment Regulations 2019 G.G. 08/11/2019) (3021).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (Shire of Dandaragan Waste Local Law 2019 G.G. 05/11/2019) (3022).

9. Speaker's Statement – Correction to Explanatory Memorandum

The Acting Speaker advised members that the Speaker had received advice that the explanatory memorandum for the Health Services Amendment Bill 2019, tabled on 30 October 2019, contained an incorrect explanation for clause 48 of the bill. The Speaker had authorised the explanatory memorandum for the bill to be replaced with the correct document and for the website to be updated accordingly.

10. Notices of Motion

11. Removal of Orders of the Day

The Acting Speaker advised that Private Members' Business Orders of the Day, Parliamentary Budget Officer Bill 2018, Trust in the McGowan Government, and McGowan Government's Decision-making, had not been debated for more than 12 calendar months and had been removed from the Notice Paper. The Speaker further advised that a bill removed under this Standing Order may be restored by motion to the point it had reached prior to its removal.

12. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

13. Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2019

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

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

14. Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill 2019

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

CONSIDERATION IN DETAIL

Clause 7.

Paper

The following paper was presented and ordered to lie upon the Table of the House –
By the Minister for Health –

Health, Minister for – Additional Information in relation to the Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill 2019 (3025).

Ms M.J. Davies moved,
Page 5, after line 8 – To insert:

“

regional Western Australia means the regions described in the *Regional Development Commissions Act 1993* Schedule 1.

”.

Amendment put.

The Assembly divided.

Ayes (6)

Mr I.C. Blayney
Mr V.A. Catania

Mr R.S. Love
Mr D.T. Redman

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

Noes (29)

Ms L.L. Baker
 Dr A.D. Buti
 Mrs R.M.J. Clarke
 Mr R.H. Cook
 Mr M.J. Folkard
 Ms J.M. Freeman
 Mr T.J. Healy
 Mr F.M. Logan
 Mr M. McGowan
 Ms S.F. McGurk

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

Ms C.M. Rowe
 Ms A. Sanderson
 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 D.R. Michael (*Teller*)

Amendment thus negatived.

Clause 7 agreed to.

Clause 8.

Ms M.J. Davies moved,

Page 6, after line 4 –To insert:

“ (e) advancing health outcomes for regional Western Australia. ”.

Amendment put.

The Assembly divided.

Ayes (6)

Mr I.C. Blayney
 Mr V.A. Catania

Ms M.J. Davies
 Mr R.S. Love

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

Noes (29)

Ms L.L. Baker
 Dr A.D. Buti
 Mrs R.M.J. Clarke
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 Mr M.J. Folkard
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 Mr C.J. Tallentire
 Mr D.A. Templeman
 Mr P.C. Tinley
 Mr R.R. Whitby
 Ms S.E. Winton
 Mr D.R. Michael (*Teller*)

Amendment thus negatived.

Clause 8 agreed to.

Clause 9.

Ms M.J. Davies moved,

Page 9, after line 22 – To insert:

“

(4A) At least 25% of forecast expenditure from the FHRI Account is allocated to research and innovation of regional health services to benefit regional Western Australia.

”.

Amendment put.

The Assembly divided.

Ayes (6)

Mr I.C. Blayney
Mr V.A. Catania

Ms M.J. Davies
Mr D.T. Redman

Mr P.J. Rundle
Mr R.S. Love (*Teller*)

Noes (27)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Mr M.J. Folkard
Ms J.M. Freeman
Mr T.J. Healy
Mr W.J. Johnston
Mr F.M. Logan
Ms S.F. McGurk

Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mr M.P. Murray
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Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Mr R.R. Whitby
Ms S.E. Winton
Mr D.R. Michael (*Teller*)

Amendment thus negatived.

Clause 9 agreed to.

Clauses 10 to 17 agreed to.

Title agreed to.

Consideration in detail concluded.

Ordered, That the third reading of the bill be made an Order of the Day for the next sitting of the Assembly.

15. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.37 pm until Wednesday, 13 November 2019 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr J.N. Carey, Ms J. Farrer and Mr J.E. McGrath.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly