

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 74

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

TUESDAY, 14 JUNE 2022

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 Arthur Raymond Tonkin – a former Member of the Legislative Assembly

The Leader of the House, without notice, moved,

That the House records its sincere regret at the death of Arthur Raymond Tonkin and tenders its deep sympathy to his family.

The motion was supported by Ms M.J. Davies, Dr D.J. Honey, Ms A. Sanderson, Mrs J.M.C. Stojkovski and Mrs M.H. Roberts.

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 Minister for Police on the appointment of the new Police Commissioner, Col Blanch APM.

The Minister for Transport on the Public Transport Authority's Radio Systems Replacement Project.

The Minister for Environment on the creation of the new Warlibirri National Park.

4. Speaker's Statement – Member Surveys

The Speaker advised that surveys for the Legislative Assembly and the Parliamentary Services Departments had been distributed. The surveys' results will appear in departmental annual reports, and be used to improve member services, where possible.

5. Questions

Questions without Notice were taken.

Paper

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

By the Attorney General –

Attorney General – Court transcript from Narrogin court in relation to a bail extension notice (1184).

Questions on Notice Nos 383 to 385, 387, 392, 528, 529 and 531 were answered.

6. Additional Information

The Parliamentary Secretary to the Minister for Education and Training provided additional information relating to information provided during Estimates Committee B hearing on Division 24, 25 May 2022.

Paper

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

By the Parliamentary Secretary to the Minister for Education and Training –

Estimates Committee B – Further information in relation to Division 24 (1185).

7. Suspension of Standing Orders

Mr R.S. Love, 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 Premier and his senior Ministers for their disrespect of this Parliament by avoiding the scrutiny of this House and abandoning their promise to govern with ‘gold standard transparency’.

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

“

, subject to the debate being limited to 10 minutes for government members and 10 minutes for non-government members.

”.

Amendment put and passed.

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

Question put.

The Deputy 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.

8. Premier and Senior Ministers, Absence From the House

Mr R.S. Love, pursuant to the foregoing motion, moved,

That this House condemns the Premier and his senior Ministers for their disrespect of this Parliament by avoiding the scrutiny of this House and abandoning their promise to govern with ‘gold standard transparency’.

Debate ensued.

Question put.

The Assembly divided.

Ayes (5)

Mr V.A. Catania
Dr D.J. Honey

Mr R.S. Love
Ms L. Mettam

Mr P.J. Rundle (*Teller*)

Noes (41)

Mr S.N. Aubrey
Mr G. Baker
Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Ms C.M. Collins
Ms L. Dalton
Ms D.G. D'Anna
Ms E.L. Hamilton
Ms M.J. Hammat
Mr T.J. Healy
Mr M. Hughes
Mr H.T. Jones
Mr D.J. Kelly

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

Ms R. Saffioti
Ms A. Sanderson
Mr D.A.E. Scaife
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Dr K. Stratton
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Ms C.M. Tonkin
Mr R.R. Whitby
Ms S.E. Winton
Ms C.M. Rowe (*Teller*)

Question thus negatived.

9. Duties Amendment Bill 2022

Message No. 52 dated 19 May 2022 from the Legislative Council was reported agreeing to the bill without amendment.

10. Message from the Governor

Message No. 15 from His Excellency the Governor was reported assenting to the following bills –

COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2022, Act No. 15 of 2022.

Duties Amendment Bill 2022, Act No. 16 of 2022.

11. 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 – 2021 Inspection of Greenough Regional Prison, Report No. 142, May 2022 (Received by the Speaker of the Legislative Assembly on 11 May 2022 and held for a period of 30 days) (1183).

By the Clerk –

Architects Act 2004; Associations Incorporation Act 2015; Building Services (Complaint Resolution and Administration) Act 2011; Building Services (Registration) Act 2011; Co-operatives Act 2009; Debt Collectors Licensing Act 1964; Electricity Act 1945; Employment Agents Act 1976; Gas Standards Act 1972; Land Valuers Licensing Act 1978; Limited Partnerships Act 2016; Motor Vehicle Dealers Act 1973; Motor Vehicle Repairers Act 2003; Plumbers Licensing Act 1995; Real Estate and Business Agents Act 1978; Settlement Agents Act 1981 – Regulations (Commerce Regulations Amendment (Fees and Charges) Regulations 2022 G.G. 20/05/2022) (1140).

Busselton Water – Statement of Corporate Intent 2022–2023 (1141).

Cat Act 2011 – Local Laws (City of Kalgoorlie-Boulder Cat Amendment Local Law 2022 G.G. 03/06/2022) (1142).

Community Titles Act 2018; Registration of Deeds Act 1856; Strata Titles Act 1985; Transfer of Land Act 1893; Valuation of Land Act 1978 – Regulations (Lands Regulations Amendment (Fees and Charges) Regulations 2022 G.G. 03/06/2022) (1143).

Conservation and Land Management Act 1984 – Lease No. 1030/97 between the Department of Biodiversity Conservation and Attractions and Mr Todd Miller for a Dam Site for commercial purposes in State Forest No. 54 in Kalamunda (1144).

Conservation and Land Management Act 1984 – Lease No. 3006/100 between the Department of Biodiversity Conservation and Attractions and Aerial Adventure Pemberton Pty Ltd for high ropes course and café in Gloucester National Park (1145).

Dangerous Goods Safety Act 2004; Mining Act 1978; Offshore Minerals Act 2003; Petroleum (Submerged Lands) Act 1982; Petroleum and Geothermal Energy Resources Act 1967; Petroleum Pipelines Act 1969 – Regulations (Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2022 G.G. 20/05/2022) (1146).

Education Service Providers (Full Fee Overseas Students) Registration Act 1991; School Curriculum and Standards Authority Act 1997; Teacher Registration Act 2012 – Regulations (Education and Training Regulations Amendment (Fees and Charges) Regulations 2022 G.G. 03/06/2022) (1147).

Electricity Industry Act 2004 – Regulations – (Wholesale Electricity Market Amendment (Network Access Quantities Procedure) Rules 2022) (1148).

Electronic Conveyancing Act 2014 – WA Operating Requirements, Version 6.1 (1149).

Energy Operators (Powers) Act 1979 – By-laws (Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-laws 2022 G.G. 03/06/2022) (1150).

Energy Operators (Powers) Act 1979 – By-laws (Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2022 G.G. 03/06/2022) (1151).

Environmental Protection Act 1986 – Regulations (Environmental Protection Amendment Regulations 2022 G.G. 03/06/2022) (1152).

Environmental Protection Act 1986 – Regulations (Environmental Protection Regulations Amendment (Prohibited Plastics and Balloons) Regulations 2022 G.G. 03/06/2022) (1153).

Firearms Act 1973; Pawnbrokers and Second-hand Dealers Act 1994; Police Act 1892; Security and Related Activities (Control) Act 1996 – Regulations (Police Regulations Amendment (Fees and Charges) Regulations 2022 G.G. 03/06/2022) (1154).

Fish Resources Management Act 1994 – Management Plans (South Coast Crustacean Managed Fishery Management Plan Amendment 2022 G.G. 07/06/2022) (1155).

Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Amendment Order 2022 G.G. 31/05/2022) (1156).

Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Ningaloo Marine Park) Amendment Order 2022 G.G. 31/05/2022) (1157).

Health Services Act 2016 – Orders (Health Services (Fees and Charges) Amendment Order (No. 2) 2022 G.G. 20/05/2022) (1158).

Insurance Commission of Western Australia – Statement of Corporate Intent 2022–2023 (1159).

Landgate – Review of the Electronic Conveyancing Act 2014 (1160).

Liquor Control Act 1988 – Regulations (Racing and Gaming Regulations Amendment (Liquor Control) Regulations (No. 2) 2022 G.G. 03/06/2022) (1161).

Liquor Control Act 1988 – Rules (Liquor Commission Amendment Rules 2022 G.G. 03/06/2022) (1162).

Local Government Act 1995 – Local Laws (City of Fremantle Local Government Property Amendment Local Law 2022 G.G. 07/06/2022) (1163).

Local Government Act 1995 – Local Laws (City of Wanneroo Animals Amendment Local Law 2022 G.G. 10/06/2022) (1164).

Local Government Act 1995 – Local Laws (City of Wanneroo Standing Orders Local Law 2021 G.G. 10/06/2022) (1165).

Local Government Act 1995 – Local Laws (Shire of Gnowangerup Activities In Thoroughfares and Public Places and Trading Local Law 2022 G.G. 16/05/2022) (1166).

Local Government Act 1995 – Local Laws (Shire of Leonora Meeting Procedures Local Law 2022 G.G. 18/05/2022) (1167).

Lotterywest – Statement of Corporate Intent 2022–2023 (1168).

Marine and Harbours Act 1981; Shipping and Pilotage Act 1967 – Regulations (Transport Regulations Amendment (Fees and Charges) Regulations 2022 G.G. 20/05/2022) (1169).

Perth Parking Management Act 1999; Road Traffic (Administration) Act 2008; Road Traffic (Authorisation to Drive) Act 2008; Road Traffic (Vehicles) Act 2012; Shipping and Pilotage Act 1967; Transport (Road Passenger Services) Act 2018; Transport Co-ordination Act 1966; Western Australian Marine Act 1982; Western Australian Photo Card Act 2014 – Regulations (Transport Regulations Amendment (Fees and Charges) Regulations (No. 2) 2022 G.G. 03/06/2022) (1170).

Premier and Cabinet, Department of the – Report on Consultants Engaged by Government for the Six Months Ended December 2021 (1171).

Public Health Act 2016 – Orders (Public Health (Notifiable Infectious Diseases) Order 2022 G.G. 03/06/2022) (1172).

Rail Safety National Law (WA) Act 2015 – Regulations (Rail Safety National Law (WA) Amendment Regulations 2022 G.G. 03/06/2022) (1173).

Road Traffic (Vehicles) Act 2012 – Regulations (Road Traffic (Vehicles) Amendment Regulations (No. 3) 2022 G.G. 20/05/2022) (1174).

State Administrative Tribunal Act 2004 – Rules (State Administrative Tribunal Amendment Rules (No. 2) 2022 G.G. 10/06/2022) (1175).

State Enterprises (Commonwealth Tax Equivalents) Act 1996 – Regulations (State Enterprises (Commonwealth Tax Equivalents) (Application) Amendment Regulations 2022 G.G. 03/06/2022) (1176).

Supreme Court Act 1935 – Rules (Supreme Court (Court of Appeal) Amendment Rules 2022 G.G. 20/05/2022) (1177).

Synergy – Statement of Corporate Intent 2022–2023 (1178).

Western Australian Electoral Commission – Political Finance Annual Report – Report on the operation of Part VI of the Electoral Act 1907 for the period ended 30 June 2021 (1179).

Western Australian Future Health Research and Innovation Fund Act 2012 – Minister for Medical Research letter approving the Future Health Research and Innovation Fund Program – Australian Clinical Entrepreneur Pilot Program, 13 May 2022 (1180).

Western Australian Future Health Research and Innovation Fund Act 2012 – Minister for Medical Research request to the Future Health Research and Innovation Fund Advisory Council to provide recommendations on how funds for the Future Health Research and Innovation Account be applied during the current and future financial years, 20 April 2022 (1182).

Western Australian Future Health Research and Innovation Fund Act 2012 – Western Australian Future Health Research and Innovation Fund recommendation regarding the Australian Clinical Entrepreneur Pilot Program, 3 May 2022 (1181).

12. Joint Standing Committee on the Corruption and Crime Commission

The Acting Speaker reported that a response by the Attorney General to the recommendations of the Joint Standing Committee on the Corruption and Crime Commission's Report No. 3: A Good Year: The work of the Parliamentary Inspector of the Corruption and Crime Commission had not been received by the required time.

13. Notices of Motion

14. Expiration of Notice of Motion

The Acting Speaker advised that Private Members' Business Notice of Motion No. 1, given on 15 June 2021, and renewed for a further 30 sitting days on 9 November 2021, would not appear on the next Notice Paper.

15. Removal of Orders of the Day

The Acting Speaker advised that Private Members' Business Order of the Day No. 1, Minister for Health Leadership, and Private Members' Business Order of the Day No. 2, Iron Ore Royalties Dividend, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

16. Matter of Public Interest – Maternity Services

The Acting 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 McGowan Government for failing to deliver the services and appropriate levels of specialist staff to ensure all expectant West Australian mothers can deliver their babies safely and close to home.

Debate ensued.

Question put.

The Assembly divided.

Ayes (4)

Dr D.J. Honey
Mr R.S. Love

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

Noes (41)

Mr S.N. Aubrey
Mr G. Baker
Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Ms C.M. Collins
Ms L. Dalton
Ms D.G. D’Anna
Ms E.L. Hamilton
Ms M.J. Hammat
Mr T.J. Healy
Mr M. Hughes
Mr H.T. Jones
Ms E.J. Kelsbie

Ms A.E. Kent
Dr J. Krishnan
Mr P. Lilburne
Ms S.F. McGurk
Mr D.R. Michael
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
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 R. Saffioti
Ms A. Sanderson
Mr D.A.E. Scaife
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Dr K. Stratton
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Ms C.M. Tonkin
Mr R.R. Whitby
Ms S.E. Winton
Ms C.M. Rowe (*Teller*)

Question thus negatived.

17. Appropriation (Recurrent 2022–23) Bill 2022

Appropriation (Capital 2022–23) Bill 2022

The Order of the Day for the presentation of the reports and minutes of Estimates Committees A and B was read..

Papers

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

By Mr S.J. Price –

Estimates Committee A – Report and Minutes of Estimates Committee A (1186).

Estimates Committee B – Report and Minutes of Estimates Committee B (1187).

Question proposed, That the report of Estimates Committee A be adopted.

The report of Estimates Committee A was as follows –

The Estimates Committee has considered and recommended the Appropriations for the following Divisions of the Estimates of Expenditure under the *Appropriation (Recurrent 2022–23) Bill 2022* and *Appropriation (Capital 2022–23) Bill 2022*:

Division Nos	1 and 2; 3 (Services 1 to 3 and 6); 4 and 5; 7; 10 to 13; 14 (Services 1 to 7); 15 (Services 1 to 7); 16 (Services 1 to 4); 19 and 20; 26; 27 (Services 9 and 10); 32 and 33; 35 (Services 1 to 6); 38 to 40; 41 (Services 1 to 3 and 5); 42 (Service 2); 43 (Service 1); and 44.
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and agreed to the clauses, schedules and titles of the Bills without amendment.

Debate ensued.

Question put and passed.

Question proposed, That the report of Estimates Committee B be adopted.

The report of Estimates Committee B was as follows –

The Estimates Committee has considered and recommended the Appropriations for the following Divisions of the Estimates of Expenditure under the *Appropriation (Recurrent 2022–23) Bill 2022* and *Appropriation (Capital 2022–23) Bill 2022*:

Division Nos	3 (Services 4 and 5); 6; 8 and 9; 13; 14 (Services 1 and 4); 15 (Services 1 to 7); 17 and 18; 21 to 25; 27 (Services 1 to 8); 28 to 31; 34; 35 (Services 1 to 11); 36 (Services 1 to 15); 37; 41 (Services 4 and 6 to 9);
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42 (Services 1 and 3 to 10);
 43 (Services 2 to 4); and
 45 to 47.

Debate ensued.

Question put and passed.

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

18. Charitable Trusts Bill 2022

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.

CONSIDERATION IN DETAIL

Clauses 1 to 3 agreed to.

Clause 4.

The Attorney General moved,

Page 3, line 9 — To delete “trust, or is otherwise to be applied, to” and substitute:

“ trust for, or is otherwise to be applied to, ”.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 14 agreed to.

Clause 15.

The Attorney General moved,

Page 11, lines 10 and 11 — To delete “*Legal Profession Act 2008* section 275(5); or” and substitute:

“ *Legal Profession Uniform Law Application Act 2022* section 133(5); or ”.

Amendment agreed to.

The Attorney General moved,

Page 11, lines 14 and 15 — To delete “*Legal Profession Act 2008* section 275(1)(b)(i).” and substitute:

“ *Legal Profession Uniform Law Application Act 2022* section 133(1)(b)(i). ”.

Amendment agreed to.

The Attorney General moved,

Page 11, lines 16 and 17 — To delete “*Legal Profession Act 2008* section 275” and substitute:

“ *Legal Profession Uniform Law Application Act 2022* section 133 ”.

Amendment agreed to.

Clause 15, as amended, agreed to.

Clauses 16 to 35 agreed to.

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

Questions put and passed.

19. Planning and Development Amendment Bill 2022

Message No. 53 dated 14 June 2022 from the Legislative Council was reported agreeing to the bill without amendment.

20. Notices of Motion Lapsed

The Deputy Speaker advised that Private Members’ Business Notices of Motion Nos 2 and 3 had lapsed and, unless the members indicated otherwise, would be removed from the Notice Paper.

21. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.11 pm until Wednesday, 15 June 2022 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr R.H. Cook, Mr M.J. Folkard, Ms K.E. Giddens, Ms J.L. Hanns, Mr W.J. Johnston, Mr M. McGowan, Ms M.M. Quirk and Ms R.S. Stephens.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly