

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 107

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

TUESDAY, 21 FEBRUARY 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. Petition

Esperance Senior High School Campus – Mr P.J. Rundle presented a petition from 223 people asking the Legislative Assembly to call on the McGowan government to prioritise a comprehensive upgrade to the Esperance Senior High School Campus. (P. 38).

3. Papers

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

By the Speaker –

Legislative Assembly, Department of the – Auditor General’s Opinions on the financial statements of the Department of the Legislative Assembly for the financial years 2020–21 and 2021–22 (1822).

Legislative Council, Department of the – Auditor General’s Opinions on the financial statements of the Department of the Legislative Council for the financial years 2017–18, 2018–19, 2019–20, 2020–21 and 2021–22 (1823).

By the Clerk –

Local Government Act 1995 – Local Laws (Shire of Derby-West Kimberley Parking Local Law 2022 G.G. 15/02/2023) (1824).

Public Trustee Act 1941 – Notices (Public Trustee Amended Scale of Fees (2023) G.G. 13/02/2023) (1825).

4. Correction to Tabled Paper

The Speaker announced that she had authorised a correction to the following Tabled Paper tabled on 14 February 2023 –

Governor's Establishment – Annual Report 2021–2022 (1772).

Paper

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

By the Speaker –

Governor's Establishment – Annual Report 2021–2022 – Erratum (1826).

5. Notice of Motion Lapsed

The Speaker advised that Private Members' Business Notice of Motion No. 1 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

6. Notices of Motion

7. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Sport and Recreation on the Perth Scorchers' recent Big Bash League title win.

The Minister for Veterans Issues on the reissue of stolen World War II medals to Collie-Cardiff resident Ted McCormick.

The Minister for Youth on the Scouts WA Youth Awards 2023.

The Minister for Training on the \$2.4 million initiative to attract international TAFE students to live, work and study in WA.

The Minister for Water on the Water Corporation's 2023 graduate program induction.

The Minister for Health on the resignation of Liz MacLeod, East Metropolitan Health Service Chief Executive.

8. Suspension of Standing Orders

The Leader of the House, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable a motion to change the standing committee memberships to be moved forthwith.

Question put.

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

9. Standing Committee Memberships

The Leader of the House, pursuant to the foregoing motion, moved,

1. That the Member for Bateman, the Member for Collie-Preston and the Member for Vasse be discharged from the Community Development and Justice Standing

Committee and the Member for Nedlands, the Member for Bassendean and the Member for Cottesloe be appointed in their places.

2. That the Member for Riverton be discharged from the Economics and Industry Standing Committee and the Member for Kalgoorlie be appointed in his place.
3. That –
 - (a) the Member for Mirrabooka, the Member for Victoria Park and the Member for Cottesloe be discharged from the Public Accounts Committee and the Member for Geraldton, the Member for Bateman and the Member for Vasse be appointed in their places; and
 - (b) as the membership of the Joint Standing Committee on Audit consists in part of the members of the Legislative Assembly Public Accounts Committee, the Legislative Council be acquainted accordingly.
4. That the Member for Moore be discharged from the Joint Standing Committee on the Corruption and Crime Commission and the Member for Central Wheatbelt be appointed in his place, and that the Legislative Council be acquainted accordingly.
5. That the Member for Nedlands be discharged from the Joint Standing Committee on Delegated Legislation and the Member for Carine be appointed in her place, and that the Legislative Council be acquainted accordingly.

Debate ensued.

Question put and passed.

10. Criminal Law (Mental Impairment) Bill 2022

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 M. Hughes speaking) and adjourned until a later stage of the sitting.

11. Questions

Questions without Notice were taken.

Questions on Notice Nos 639 and 640 were answered.

12. Matter of Public Interest – Funding for Communities Impacted by Crime

The Speaker informed the Assembly that she was in receipt of a notice from Mr R.S. Love that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr R.S. Love moved,

That this House calls on the McGowan Labor Government to stand up for WA and demand their colleagues in the Federal Government deliver funding for communities impacted by crime and invest in increased measures and support for Police on the ground dealing with these issues.

Debate ensued.

Question put.

The Assembly divided.

Ayes (5)

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

Ms L. Mettam
Mr P.J. Rundle

Ms M.J. Davies (*Teller*)

Noes (45)

Mr S.N. Aubrey
Mr G. Baker
Ms H.M. Beazley
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Ms C.M. Collins
Mr R.H. Cook
Mr M.J. Folkard
Ms K.E. Giddens
Ms E.L. Hamilton
Ms M.J. Hammat
Ms J.L. Hanns
Mr T.J. Healy
Mr M. Hughes

Mr W.J. Johnston
Mr H.T. Jones
Mr D.J. Kelly
Ms E.J. Kelsbie
Dr J. Krishnan
Mr P. Lilburne
Mr M. McGowan
Ms S.F. McGurk
Mr D.R. Michael
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 M.M. Quirk
Ms A. Sanderson
Mr D.A.E. Scaife
Ms J.J. Shaw
Ms R.S. Stephens
Mrs J.M.C. Stojkovski
Dr K. Stratton
Mr C.J. Tallentire
Mr D.A. Templeman
Ms C.M. Tonkin
Mr R.R. Whitby
Ms S.E. Winton
Ms C.M. Rowe (*Teller*)

Question thus negatived.

13. Variation to the Order of Business

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

14. Criminal Law (Mental Impairment) 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.

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

The Attorney General 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.

15. Swan and Canning Rivers Management Amendment Bill 2022

Message No. 87 dated 21 February 2023 from the Legislative Council was reported agreeing to the bill without amendment.

16. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 6.25 pm until Wednesday, 22 February 2023 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms M. Beard, Ms L. Dalton, Ms D.G. D’Anna, Ms A.E. Kent, Mr K.J.J. Michel, Ms R. Saffioti and Mr P.C. Tinley.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly

UNCORRECTED
PROOF