

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 140

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 6 AUGUST 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. Speaker's Statement – Amended Seating Plan

The Speaker advised members that he had approved an amended seating plan for the member for Geraldton and the Opposition.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the pending Government response to the Education and Health Standing Committee's report, The Food Fix: The role of diet in type 2 diabetes prevention and management.

The Minister for Local Government on the report of the inquiry into the Shire of Perenjori.

Paper

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

By the Minister for Local Government –

Local Government, Minister for – Report of the Inquiry into the Shire of Perenjori, Authorised Inquiry under Part 8 Division 1 of the Local Government Act 1995 (WA) (2632).

The Minister for Heritage on the entry of the Guildford Historic Town in the State Register of Heritage Places.

The Attorney General on the appointment of Ms Catherine Fletcher as the Information Commissioner.

The Minister for Community Services on National Homelessness Week.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 5274 to 5338 were asked.

Questions on Notice Nos 5188, 5190 to 5192, 5194 to 5196, 5203, 5204, 5206, 5207, 5209 to 5214, 5216 to 5222, 5224 to 5227, 5229, 5230, 5237, 5238, 5242, 5243, 5246, 5247, 5249, 5251 to 5254, 5256 to 5265, and 5267 to 5271 were answered.

Papers tabled by the Minister for Mines and Petroleum; Energy; Industrial Relations –

Question on Notice No. 5206 – List of Exploration Permit and Special Prospecting Authority holders and applicants affected by the moratorium on hydraulic fracture stimulation on onshore areas in the state (2628).

Question on Notice No. 5230 – List of all existing mining and petroleum tenements affected by the Government’s “Plan for our Parks” initiative (2629).

Papers tabled by the Minister representing the Minister for Regional Development; Agriculture and Food; Ports –

Question on Notice No. 5190 – Performance indicators outlined in the Grant Agreement for DC Two under the Collie Futures Small Grants Program (2630).

Question on Notice No. 5256 – Examples of the ‘Peel’ magazine produced by the Peel Development Commission under the previous Government and the current Government (2631).

5. Additional Information

The Minister for Lands provided additional information relating to Question without Notice No. 565 from Mr V.A. Catania.

6. Message from the Governor

Message No. 14 from His Excellency the Governor was reported assenting to the following bills –

Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019, Act No. 14 of 2019.

Bail Amendment (Persons Linked to Terrorism) Bill 2018, Act No. 15 of 2019.

Local Government Legislation Amendment Bill 2019, Act No. 16 of 2019.

7. Papers

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

By the Clerk –

Adoption Act 1994; Children and Community Services Act 2004; Working with Children (Criminal Record Checking) Act 2004 – Regulations (Child Protection Regulations Amendment (Fees and Payments) Regulations 2019 G.G. 28/06/2019) (2579).

Auditor General, Office of the – Delivering Western Australia’s Ambulance Services – Follow-up Audit (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 July 2019) (2577).

Auditor General, Office of the – Opinion on Ministerial Notification, Report No. 2, July 2019 (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 July 2019) (2576).

Auditor General, Office of the – Opinions on Ministerial Notifications, Report No. 1, July 2019 – (2573).

Biosecurity and Agriculture Management Act 2007 – Determinations (Biosecurity and Agriculture Management Determination under s. 130 – Determined Rates (No. 2) 2019 G.G. 09/07/2019) (2580).

Biosecurity and Agriculture Management Act 2007 – Determinations (Biosecurity and Agriculture Management Determination under s. 130 – Determined Rates 2019 G.G. 09/07/2019) (2581).

Biosecurity and Agriculture Management Act 2007 – Regulations (Biosecurity and Agriculture Management Regulations Amendment Regulations (No. 2) 2019 G.G. 27/06/2019) (2582).

Births, Deaths and Marriages Registration Act 1998; Children's Court of Western Australia Act 1988; Civil Judgments Enforcement Act 2004; Coroners Act 1996; District Court of Western Australia Act 1969; Evidence Act 1906; Family Court Act 1997; Fines, Penalties and Infringement Notices Enforcement Act 1994; Magistrates Court Act 2004; State Administrative Tribunal Act 2004; Supreme Court Act 1935 – Regulations (Attorney General Regulations Amendment (Fees and Charges) Regulations 2019 G.G. 28/06/2019) (2583).

Building Act 2011 – Regulations (Building Amendment Regulations (No. 2) 2019 G.G. 02/08/2019) (2584).

ChemCentre – Statement of Corporate Intent 2019–2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 18 July 2019) (2572).

Child Care Services Act 2007 – Regulations (Child Care Services (Child Care) Amendment Regulations 2019 G.G. 19/07/2019) (2585).

Conservation and Land Management Act 1984 – Regulations (Conservation and Land Management Amendment Regulations (No. 2) 2019 G.G. 28/06/2019) (2586).

Conservation and Land Management Act 1984 – Regulations (Conservation and Land Management Amendment Regulations (No. 3) 2019 G.G. 02/08/2019) (2587).

Corruption and Crime Commission – Abuse of power at the Department of Primary Industries and Regional Development (Received by the Clerk of the Legislative Assembly and deemed tabled on 5 July 2019) (2571).

Cremation Act 1929 – Regulations (Cremation Amendment Regulations 2019 G.G. 02/07/2019) (2588).

Criminal Investigation (Covert Powers) Act 2012 – Annual Report pursuant to section 103(1) by the Department of Primary Industries and Regional Development – Witness Identity protection certificates 1 July 2018 to 30 June 2019 (2590).

Criminal Investigation (Covert Powers) Act 2012 – Annual Report pursuant to section 103(1) of the Act by the Department of Primary Industries and Regional Development – Assumed Identities 1 July 2018 to 30 June 2019 (2589).

Debt Collectors Licensing Act 1964 – Regulations (Debt Collectors Licensing Amendment Regulations 2019 G.G. 25/06/2019) (2591).

Dog Act 1976 – Local Laws (City of Armadale Local Law Relating to Dogs Amendment Local Law 2019 G.G. 19/07/2019) (2592).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2019 G.G. 16/07/2019) (2593).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2019 G.G. 28/06/2019) (2594).

First Home Owner Grant Act 2000; Taxation Administration Act 2003 – Regulations (Finance Regulations Amendment (Interest Rates) Regulations 2019 G.G. 28/06/2019) (2595).

Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing for Whitebait Order 2019 [1416] G.G. 16/07/2019) (2596).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (General) Revocation Order (No. 2) 2019 G.G. 23/07/2019) (2597).

Forest Products Commission – Statement of Corporate Intent 2019–2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 23 July 2019) (2575).

Freedom of Information Act 1992 – Regulations (Freedom of Information Amendment Regulations 2019 G.G. 26/07/2019) (2598).

Gold Corporation – Statement of Corporate Intent 2019–2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 June 2019) (2569).

Health (Miscellaneous Provisions) Act 1911 – Local Laws (Shire of Cunderdin Animals, Environment and Nuisance Amendment Local Law 2019 G.G. 28/06/2019) (2599).

Health (Miscellaneous Provisions) Act 1911 – Notices (City of Bunbury – Fees Notice 2019 G.G. 05/07/2019) (2600).

Heritage Act 2018 – Regulations (Heritage Regulations 2019 G.G. 27/06/2019) (2601).

Horizon Power – Statement of Corporate Intent 2019–2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 1 August 2019) (2578).

Insurance Commission of Western Australia – Statement of Corporate Intent 2019–2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 June 2019) (2570).

Joint Audit Committee – Government Response to the Second Review of the Financial Management Act 2016 (2602).

Land Administration Act 1997 – Regulations (Land Administration Amendment Regulations (No. 2) 2019 G.G. 28/06/2019) (2603).

Legal Profession Act 2008 – Regulations (Legal Profession Amendment Regulations (No. 2) 2019 G.G. 28/06/2019) (2604).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations 2019 G.G. 28/06/2019) (2605).

Local Government Act 1995 – Local Laws (City of Kalamunda Repeal Local Law 2019 – Correction 2019 G.G. 26/07/2019) (2607).

Local Government Act 1995 – Local Laws (City of Kalamunda Repeal Local Law 2019 G.G. 16/07/2019) (2606).

Local Government Act 1995 – Local Laws (Shire of Serpentine–Jarrahdale Volunteer Bush Fire Brigades Local Law 2019 G.G. 26/07/2019) (2608).

Local Government Act 1995 – Local Laws (Town of Cambridge Meeting Procedures Local Law 2019 G.G. 15/07/2019) (2609).

Local Government Act 1995 – Local Laws (Town of Victoria Park Meeting Procedures Local Law 2019 G.G. 09/07/2019) (2610).

Minister for Asian Engagement – Report of Official Visit to Vietnam 22 – 26 April 2019 (2611).

Professional Standards Act 1997 – Schemes (Chartered Accountants Australia and New Zealand Professional Standards Scheme G.G. 16/07/2019) (2612).

Professional Standards Act 1997 – Schemes (The Australian Computer Society Professional Standards Scheme (2019) – Correction 2019 G.G. 23/07/2019) (2613).

Public Health Act 2016 – Regulations (Public Health Amendment Regulations 2019 G.G. 19/07/2019) (2614).

Public Trustee Act 1941 – Notices (Public Trustee's Scale of Fees 2019 G.G. 25/06/2019) (2615).

Rail Safety National Law (WA) Act 2015 – Regulations (Rail Safety National Law (WA) Amendment Regulations 2019 G.G. 28/06/2019) (2616).

Road Traffic (Authorisation to Drive) Act 2008; Road Traffic (Vehicles) Act 2012; Taxi Act 1994; Transport (Road Passenger Services) Act 2018; Transport Co-ordination Act 1966 – Regulations (Transport Regulations Amendment (Road Passenger Services) Regulations (No. 2) 2019 G.G. 26/06/2019) (2617).

Road Traffic Act 1974 – Regulations (Road Traffic Code Amendment Regulations 2019 G.G. 28/06/2019) (2618).

Salaries and Allowances Tribunal – Report on the Remuneration of Judges, District Court Judges, Master of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission – 2 July 2019 (2619).

School Education Act 1999 – Regulations (Education Regulations (Immunisation Requirements for Enrolment) Amendment Regulations 2019 G.G. 19/07/2019) (2620).

Stamp Act 1921 – Regulations (Stamp Amendment Regulations 2019 G.G. 28/06/2019) (2621).

Supreme Court Act 1935 – Notices (Rule of Court 2020 – Sittings and Winter Vacation for 2020 G.G. 12/07/2019) (2622).

Terrorism (Preventative Detention) Act 2006 – Quarterly Report for the Quarter Ended 30 June 2019 (2623).

Waste Avoidance and Resource Recovery Act 2007 – Regulations (Waste Avoidance and Resource Recovery Amendment Regulations 2019 G.G. 28/06/2019) (2624).

Water Corporation – Statement of Corporate Intent 2019–2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 19 July 2019) (2574).

Western Australian Health Promotion Foundation Act (2016) – Ministerial Direction under section 39 of the Act in relation to Healthway Board (2625).

Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2019 G.G. 28/06/2019) (2626).

Workers' Compensation and Injury Management Act 1981 – Rules (Workers' Compensation and Injury Management Conciliation Amendment Rules 2019 G.G. 02/08/2019) (2627).

8. Notices of Motion

9. Notices of Motion Lapsed

The Speaker advised that Private Members' Business Notices of Motion Nos 1 to 8 had lapsed and, unless the members indicated otherwise, would be removed from the Notice Paper.

10. Removal of Order of the Day

The Speaker advised that Private Members' Business Order of the Day, Darling Range By-Election Result, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

11. Matter of Public Interest – Roe 8/9 and Road Safety

The Speaker informed the Assembly that he 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 Labor Government for failing to build Roe 8/9 and for not addressing road safety, road congestion and freight management issues plaguing the southern suburbs.

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
Mr J.E. McGrath

Ms L. Mettam
Dr M.D. Nahan
Mr D.C. Nalder
Mr D.T. Redman
Mr P.J. Rundle
Mrs A.K. Hayden (*Teller*)

Noes (37)

Ms L.L. Baker
 Dr A.D. Buti
 Mr J.N. Carey
 Mrs R.M.J. Clarke
 Ms J. Farrer
 Mr M.J. Folkard
 Ms J.M. Freeman
 Ms E.L. Hamilton
 Mr T.J. Healy
 Mr M. Hughes
 Mr W.J. Johnston
 Mr D.J. Kelly
 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
 Mr J.R. Quigley
 Ms M.M. Quirk
 Mrs M.H. Roberts
 Ms C.M. Rowe

Ms R. Saffioti
 Ms A. Sanderson
 Ms J.J. Shaw
 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 B.S. Wyatt
 Mr D.R. Michael (*Teller*)

Question thus negatived.

12. Variation to the Order of Business

Ordered, That Business of the Assembly Order of the Day No. 1 be postponed until the next sitting of the Assembly.

13. Terrorism (Preventative Detention) 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.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 16 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 Police 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.

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.16 pm until Wednesday, 7 August 2019 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr F.M. Logan and Mr K.M. O'Donnell.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly