

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 36

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

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WEDNESDAY, 13 OCTOBER 2021

### 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. Petitions

Reducing Youth Crime in Newman – Mr K.J.J. Michel presented a petition from 27 people asking for greater investment in tackling youth crime in Newman (P. 17).

Planned PSP connection on Antonio Scarfo Reserve, Stirling – Mr D.R. Michael presented a petition from 73 people asking for the removal of the connection on Antonio Scarfo Reserve to the Mitchell Freeway Principal Shared Path from Main Roads WA plans (P. 18).

### 3. 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 – Review – Smoking in Western Australian Prisons (682).

By the Clerk –

Environmental Protection Authority – Annual Report 2020–2021 (683).

Estimates Committee A – Division 41 (Public Transport Authority) – Supplementary Information to Answer A10 (685).

Estimates Committee A – Division 41 (Public Transport Authority) – Supplementary Information to Answer A11 (686).

Estimates Committee A – Division 41 (Public Transport Authority) – Supplementary Information to Answer A12 (687).

Estimates Committee A – Division 41 (Public Transport Authority) – Supplementary Information to Answer A9 (684).

Estimates Committee A – Midwest Ports Authority Supplementary Information Answer to A8 (688).

Treasury, Department of – Annual Report on State Finances 2020–2021 (689).

Governor's Establishment – Annual Report 2020–2021 (690).  
 Insurance Commission of Western Australia – Statement of Corporate Intent 2021–2022 (691).  
 Keep Australia Beautiful Council – Annual Report 2020–2021 (692).  
 Kimberley Ports Authority – Statement of Corporate Intent 2021–2022 (693).  
 Mid West Ports – Statement of Corporate Intent 2021–2022 (694).  
 National Rail Safety Regulator – Annual Report 2020–2021 (695).  
 Perth Theatre Trust – Annual Report 2020–2021 (696).  
 Rottnest Island Authority – Annual Report 2020–2021 (697).  
 Southern Ports – Statement of Corporate Intent 2021–2022 (698).  
 State Library of Western Australia – Annual Report 2020–2021 (699).  
 Swan Bells Foundation Inc. – Annual Report 2020–2021 (700).  
 The Art Gallery of Western Australia – Annual Report 2020–2021 (701).  
 Tourism Western Australia – Annual Report 2020–2021 (702).  
 Treasury, Department of – Annual Report 2020–2021 (703).  
 Water and Environmental Regulation, Department of – Annual Report 2020–2021 (704).  
 Western Australian Museum – Annual Report 2020–2021 (705).  
 Zoological Parks Authority – Annual Report 2020–2021 (706).

#### **4. Economics and Industry Standing Committee**

The Speaker reported that responses from the Premier; Minister for State Development, Jobs and Trade; Minister for Tourism; Minister for Small Business; Minister for Mines and Petroleum; Energy; Minister for Local Government; Parliamentary Secretary to the Minister for Education and Training; Minister Representing the Minister for Regional Development; Minister Representing the Minister for Agriculture and Food to the recommendations of the Economics and Industry Standing Committee's Report No. 1, Turning to India: Investing in our Future, had not been received by the required time.

#### **5. Notice of Motion**

#### **6. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Road Safety on the opening of Aurora's House at the Constable Care Safety School in Maylands.

The Minister for Mines and Petroleum on the Department of Mines, Industry Regulation and Safety's Resources Sector Awards for Excellence.

The Minister for Energy on Horizon Power's Community Partnerships Program 2021–22.

The Minister for Community Services on National Carers Week.

The Minister for Tourism on the benefits to tourism and culture and the arts from the AFL Grand Final.

The Minister for Culture and the Arts on the recent performance by the Western Australian Opera of 'Koolbardi wer Wardong', a traditional Noongar story.

## 7. Matter of Privilege

Mr R.S. Love raised a matter of privilege under Standing Order 109. The Speaker indicated that she would consider the matter and report the outcome of her consideration after Question Time.

## 8. Suspension of Standing Orders

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, 13 October 2021.

Question put and passed.

## 9. Suspension of Standing Orders – Bill Passage

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

That, if by 4.00 pm, Thursday, 14 October, the *Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021* has not passed, so much of the Standing Orders be suspended as is necessary to enable the Speaker or Chair to put all questions necessary for the bill to pass, without delay or further debate or amendment, as follows, and to the extent that the questions have not already been put:

- (a) "That the bill be now read a second time";
- (b) "That all clauses and the long title of the bill be agreed to" or, if the bill is in the consideration in detail stage, "That all remaining clauses and the long title be agreed to"; and
- (c) "That the bill be now read a third time".

Debate ensued.

Question put.

The Assembly divided.

### Ayes (38)

Mr S.N. Aubrey  
Mr G. Baker  
Ms H.M. Beazley  
Mr J.N. Carey  
Ms C.M. Collins  
Mr R.H. Cook  
Ms D.G. D'Anna  
Mr M.J. Folkard  
Ms M.J. Hammat  
Ms J.L. Hanns  
Mr M. Hughes  
Mr W.J. Johnston  
Mr H.T. Jones

Mr D.J. Kelly  
Ms A.E. Kent  
Dr J. Krishnan  
Mr P. Lilburne  
Mr M. McGowan  
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 A. Sanderson  
Mr D.A.E. Scaife  
Mrs J.M.C. Stojkovski  
Mr C.J. Tallentire  
Mr D.A. Templeman  
Mr P.C. Tinley  
Ms C.M. Tonkin  
Ms S.E. Winton  
Ms C.M. Rowe (*Teller*)

### Noes (5)

Mr V.A. Catania  
Ms M.J. Davies

Mr R.S. Love  
Ms L. Mettam

Mr P.J. Rundle (*Teller*)

Question thus passed.

# 10. Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021

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

## CONSIDERATION IN DETAIL

Clause 8 agreed to.

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### Personal Explanation

The Attorney General made a personal explanation regarding answers provided the previous day during consideration in detail of the bill

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Clause 9 agreed to.

Clause 10.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

## 11. Questions

Questions without Notice were taken.

Questions on Notice Nos 237 to 240 were asked.

Questions on Notice Nos 209, 220, 228 and 236 were answered.

## 12. Speaker's Ruling – Matter of Privilege

The Speaker advised that she had considered the matter of privilege regarding the member for Butler that had been raised by the member for Moore.

The Speaker was of the view that the matter had been brought correctly by the member for Moore, who had also provided her with a draft copy of the motion he intended to move. Having considered the motion, the Speaker gave priority to the member for Moore to move his motion forthwith without notice.

The Speaker emphasized that she was making no determination as to the merits of the matter, that the ruling was limited to permitting the motion to be moved without notice, and that it be for the House to debate and determine the matter.

## 13. Member for Butler – Referral to Procedure and Privileges Committee

Mr R.S. Love, without notice, moved,

That this House requests the Procedure and Privileges Committee to inquire into and report to the House at the earliest opportunity –

- (1) whether the member for Butler:
  - (a) failed to disclose gifts in his Annual Return, as required by the *Members of Parliament (Financial Interests) Act 1992*; and
  - (b) failed to declare gifts and benefits as required by clause 5 of the *Code of Conduct for Members of the Legislative Assembly*; and
- (2) whether any such failures amount to a breach of privilege or contempt of Parliament and, if so, what action should be taken.

Debate ensued.

Question put.

The Assembly divided.

## Ayes (6)

Mr V.A. Catania  
Ms M.J. Davies

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

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

## Noes (38)

Mr S.N. Aubrey  
Mr G. Baker  
Ms H.M. Beazley  
Mr J.N. Carey  
Ms C.M. Collins  
Mr R.H. Cook  
Ms D.G. D'Anna  
Mr M.J. Folkard  
Ms K.E. Giddens  
Ms M.J. Hammat  
Ms J.L. Hanns  
Mr M. Hughes  
Mr W.J. Johnston

Mr H.T. Jones  
Mr D.J. Kelly  
Ms A.E. Kent  
Dr J. Krishnan  
Mr P. Lilburne  
Mr M. McGowan  
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 A. Sanderson  
Mr D.A.E. Scaife  
Mrs J.M.C. Stojkovski  
Mr C.J. Tallentire  
Mr D.A. Templeman  
Mr P.C. Tinley  
Ms C.M. Tonkin  
Ms S.E. Winton  
Ms C.M. Rowe (*Teller*)

Question thus negatived.

#### 14. Variation to the Order of Business

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

#### 15. Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021

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

#### *CONSIDERATION IN DETAIL*

Clause 10.

Clause put.

The Assembly divided.

## Ayes (40)

Mr S.N. Aubrey  
Mr G. Baker  
Ms H.M. Beazley  
Mr J.N. Carey  
Ms C.M. Collins  
Mr R.H. Cook  
Ms D.G. D'Anna  
Mr M.J. Folkard  
Ms K.E. Giddens  
Ms M.J. Hammat  
Ms J.L. Hanns  
Mr M. Hughes  
Mr W.J. Johnston  
Mr H.T. Jones

Mr D.J. Kelly  
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Dr J. Krishnan  
Mr P. Lilburne  
Mr M. McGowan  
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 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  
Ms S.E. Winton  
Ms C.M. Rowe (*Teller*)

Noes (6)

Mr V.A. Catania  
Ms M.J. Davies

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

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

Clause 10 thus agreed to.

Clause 11 agreed to.

Clause 12.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

## **16. Variation to the Order of Business**

Ordered, That Private Members' Business Notice of Motion No. 10 be next considered.

## **17. Governmental Transparency**

Mr V.A. Catania, pursuant to notice, moved,

That this House condemns the Premier and his Government for their failure to meet his promise of a 'gold standard' of transparency.

Debate ensued.

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

## **18. Variation to the Order of Business**

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

## **19. Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021**

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

### *CONSIDERATION IN DETAIL*

Clauses 12 to 14 agreed to.

Clause 15.

Clause put.

The Assembly divided.

Ayes (34)

Mr S.N. Aubrey  
Mr G. Baker  
Ms H.M. Beazley  
Ms C.M. Collins  
Ms D.G. D'Anna  
Mr M.J. Folkard  
Ms K.E. Giddens  
Ms M.J. Hammat  
Ms J.L. Hanns  
Mr M. Hughes  
Mr H.T. Jones  
Mr D.J. Kelly

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

## Noes (5)

Mr V.A. Catania  
Ms M.J. Davies

Mr R.S. Love  
Ms L. Mettam

Mr P.J. Rundle (*Teller*)

Clause 15 thus agreed to.

Clauses 16 to 18 agreed to.

Clause 19.

Clause put.

The Assembly divided.

## Ayes (35)

Mr S.N. Aubrey  
Mr G. Baker  
Ms H.M. Beazley  
Ms C.M. Collins  
Ms D.G. D'Anna  
Mr M.J. Folkard  
Ms K.E. Giddens  
Ms M.J. Hammat  
Ms J.L. Hanns  
Mr M. Hughes  
Mr H.T. Jones  
Mr D.J. Kelly

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

## Noes (6)

Mr V.A. Catania  
Ms M.J. Davies

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

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

Clause 19 thus agreed to.

Clause 20.

Mr R.S. Love moved,

Page 10, after line 27 – To insert:

“

- (2) In making the division of the State into districts the Commissioners shall ensure districts are located entirely within or wholly outside the metropolitan area of Perth.
- (3) In subsection (2) –
  - metropolitan area of Perth* means the part of the State that comprises –
    - (a) the region that was, as at the relevant day, described in the Third Schedule to the *Metropolitan Region Town Planning Scheme Act 1959*; and
    - (b) Rottnest Island.

”.

On the question, That the words to be inserted, be inserted,

Amendment put.

The Assembly divided.

## Ayes (6)

Mr V.A. Catania  
Ms M.J. Davies

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

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

## Noes (34)

Mr S.N. Aubrey  
Mr G. Baker  
Ms H.M. Beazley  
Ms C.M. Collins  
Ms D.G. D'Anna  
Mr M.J. Folkard  
Ms K.E. Giddens  
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Mr P. Papalia  
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Mr D.T. Punch  
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Ms A. Sanderson  
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Mrs J.M.C. Stojkovski  
Dr K. Stratton  
Mr C.J. Tallentire  
Mr D.A. Templeman  
Mr P.C. Tinley  
Ms C.M. Tonkin  
Ms S.E. Winton  
Ms C.M. Rowe (*Teller*)

Amendment thus negatived.

Clause 20 agreed to.

Clauses 21 to 34 agreed to.

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

Question put and passed.

## 20. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 11.55 pm until Thursday, 14 October 2021 at 9.00 am.

*Members present during any part of the day's proceedings* – All the members except Ms L.L. Baker, Dr A.D. Buti, Mrs R.M.J. Clarke, Ms L. Dalton, Ms E.L. Hamilton, Mr T.J. Healy, Ms E.J. Kelsbie, Ms M.M. Quirk, Ms R. Saffioti, Ms R.S. Stephens and Mr R.R. Whitby.

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

**HON. MICHELLE H. ROBERTS**  
Speaker of the Legislative Assembly