

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 81

FIRST SESSION OF THE FORTIETH PARLIAMENT

WEDNESDAY, 22 AUGUST 2018

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. Petition

Race Meetings at Golden Mill Trotting Club, Kalgoorlie – Mr K.M. O'Donnell presented a petition from 983 persons requesting that the Legislative Assembly call on the Minister for Racing and Gaming to intervene in Racing and Wagering WA's decision to remove race meetings from the Golden Mile Trotting Club Kalgoorlie (P. 99).

3. Papers

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

By the Clerk –

Auditor General, Office of the – Young People Leaving Care, Report No. 2, August 2018 (1577).

National Environment Protection Council – Annual Report 2016–2017 (1578).

4. Notice of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Mines and Petroleum on the Diggers and Dealers award winners for 2018.

The Premier on the appointment of Ms Rebecca Brown as Director General of the Department of Jobs, Tourism, Science and Innovation.

The Minister for Culture and the Arts on the casting of the commemorative ANZAC Bell to mark the final year of the Centenary of ANZAC in 2018.

The Minister for Small Business on the Small Business Friendly Local Governments initiative.

The Minister for Veterans Issues on Vietnam Veterans' Day 2018.

The Minister for Child Protection on the construction of the Midland Child Advocacy Centre.

6. Precedence of Private Members' Business

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, 22 August 2018.

Question put and passed.

7. National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

The Attorney General, pursuant to notice, moved,

That a bill for "An Act –

- to adopt the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Commonwealth) as originally enacted and as subsequently amended by any amendments enacted by the Parliament of the Commonwealth at any time before the day on which this Act receives the Royal Assent for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth; and
- to refer certain matters relating to the National Redress Scheme for Institutional Child Sexual Abuse to the Parliament of the Commonwealth for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth; and
- for related matters." be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and bill read a first time.

The Attorney General moved, That the bill be now read a second time.

Ms L. Mettam moved, That the debate be adjourned.

Question put and passed.

8. Transport (Road Passenger Services) Bill 2018

The Minister for Transport, pursuant to notice, moved,

That a bill for "An Act to –

- provide for the regulation of the road passenger transport industry; and
 - repeal the *Taxi Act 1994* and the *Taxi Drivers Licensing Act 2014*; and
 - make consequential amendments to the *Transport Co-ordination Act 1966* and other Acts,
- and for related purposes." be introduced and read a first time.

Question put and passed.

The Minister for Transport presented an explanatory memorandum and bill read a first time.

The Minister for Transport moved, That the bill be now read a second time.

Ms L. Mettam moved, That the debate be adjourned.

Question put and passed.

9. Transport (Road Passenger Services) Amendment Bill 2018

The Minister for Transport, pursuant to notice, moved,

That a bill for "An Act to amend the *Transport (Road Passenger Services) Act 2018*." be introduced and read a first time.

Question put and passed.

The Minister for Transport presented an explanatory memorandum and bill read a first time.

The Minister for Transport moved, That the bill be now read a second time.

Ms L. Mettam moved, That the debate be adjourned.
Question put and passed.

10. Industrial Hemp Amendment Bill 2018

The Minister for Local Government, pursuant to notice, moved,
That a bill for “An Act to –

- amend the *Industrial Hemp Act 2004* to increase the permitted level of tetrahydrocannabinol in industrial hemp to no more than 1%; and
- consequentially amend the *Misuse of Drugs Act 1981*.” be introduced and read a first time.

Question put and passed.

The Minister for Local Government presented an explanatory memorandum and bill read a first time.

The Minister for Local Government moved, That the bill be now read a second time.

Ms L. Mettam moved, That the debate be adjourned.

Question put and passed.

11. Strata Titles Amendment Bill 2018

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

CONSIDERATION IN DETAIL

Clause 83.

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

12. Questions

Questions without Notice were taken.

Papers

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

By the Minister for Health –

Health, Minister for – Correspondence from the Minister for Health to the Director General of the Department of Health dated 20 August 2018 (1579).

By the Minister for Commerce and Industrial Relations –

Commerce and Industrial Relations, Minister for – Correspondence from the Real Estate Institute of Western Australia to the Minister for Commerce and Industrial Relations regarding the Residential Tenancies Act (Family Violence) Amendment Bill 2018, dated 14 August 2018 (1580).

Commerce and Industrial Relations, Minister for – Certified Family Violence Report form (1581).

Questions on Notice Nos 3923 to 3990 were asked.

Questions on Notice Nos 3104, 3121, 3179, 3180, 3196, 3197, 3211, 3213, 3214, 3363, 3380 and 3436 were answered.

13. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

14. Strata Titles Amendment Bill 2018

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

CONSIDERATION IN DETAIL

Clause 83.

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

15. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 23 be next considered.

16. McGowan Government's Economic and Financial Policies

Mr D.C. Nalder, pursuant to notice, moved,

That this House condemns the McGowan Government for their short-sighted economic and financial policies that have damaged the economy by undermining business and investment confidence, reducing consumer discretionary expenditure and hurting international education and tourism.

Debate ensued.

Debate interrupted by the Chair (Minister for Commerce and Industrial Relations speaking) and adjourned until a later stage of the sitting.

17. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

18. Strata Titles Amendment Bill 2018

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

CONSIDERATION IN DETAIL

Clause 83.

The Minister for Lands moved,

Page 213, line 30 — To delete the line and substitute:

“ Penalty: a fine of \$3 000. ”.

Amendment put and passed.

The Minister for Lands moved,

Page 273, lines 1 to 12 — To delete the lines and substitute:

“

(7) A termination resolution is passed subject to the confirmation of the Tribunal if —

(a) the strata titles scheme has 5 or more lots; and

(b) the number of votes cast in favour of the termination proposal is at least 80% of the total number of lots in the scheme.

”.

Amendment put and passed.

Mrs L.M. Harvey moved,

Page 278, line 31 to page 279, line 2 — To delete the words:

“

(but it may not be more than 10% of the amount otherwise awarded or offered unless the Tribunal is satisfied that exceptional circumstances justify a higher amount)

”.

and substitute:

“ if the Tribunal is satisfied that circumstances justify a higher amount ”.

Amendment put.

The Assembly divided.

Ayes (14)

Mr I.C. Blayney
Mrs L.M. Harvey
Mrs A.K. Hayden
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 D.C. Nalder
Mr K.M. O'Donnell
Mr P.J. Rundle
Ms L. Mettam (*Teller*)

Noes (27)

Dr A.D. Buti
Mr J.N. Carey
Mr R.H. Cook
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 F.M. Logan
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 J.R. Quigley
Mrs M.H. Roberts
Ms R. Saffioti
Ms J.J. Shaw
Mr D.A. Templeman
Mr R.R. Whitby
Ms S.E. Winton
Mr D.R. Michael (*Teller*)

Amendment thus negatived.

Clause, as amended, agreed to.

Clauses 84 to 98 agreed to.

Clause 99.

The Minister for Lands moved,

Page 337, line 17 — To delete “Schedule 1” and substitute:

“ Schedule 2 ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 100.

The Minister for Lands moved,

Page 338, line 2 — To delete “Schedule 1” and substitute:

“ Schedule 2 ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 101 to 211 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.

19. Community Titles Bill 2018

Community Titles Amendment (Consistency of Charging) Bill 2018

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

Cognate Debate

Leave was granted to debate the Community Titles Amendment (Consistency of Charging) Bill 2018 in conjunction with the Community Titles Bill 2018.

Debate resumed.

Question put and passed.

Community Titles Bill 2018 read a second time.

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

The Minister for Lands 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.

20. Community Titles Amendment (Consistency of Charging) Bill 2018

The Order of the Day for the second reading of the bill was read.

Question put and passed.

Bill read a second time.

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

The Minister for Lands 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.

21. 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 Thursday, 23 August 2018 at 9.00 am.

Members present during any part of the day's proceedings – All the members except Mr V.A. Catania, Mrs R.M.J. Clarke, Ms J. Farrer, Mr D.T. Punch and Mrs J.M.C. Stojkovski.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly