

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 126

FIRST SESSION OF THE FORTIETH PARLIAMENT

WEDNESDAY, 8 MAY 2019

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

North West Coastal Highway – Mr I.C. Blayney presented a petition from 1,120 people asking the Legislative Assembly to endorse route Option 6: the Northampton to Dongara realignment of the North West Coastal Highway (P. 134).

Proposed Scheme Amendment in Noranda – Mr S.A. Millman presented a petition from 344 people asking the Legislative Assembly to ask the Minister for Planning to take the current and future needs of Noranda into account and reject the proposed scheme amendment of the Noranda Nursery site at 81 Camboon Road, Noranda (P. 135).

3. Papers

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

By the Clerk –

Australian Criminal Intelligence Commission – Annual Report 2016–2017 (2407).

Commissioner for Children and Young People – Improving the Odds for WA's Vulnerable Children and Young People (2408).

Economic Regulation Authority – Report to the Minister on the Effectiveness of the Electricity Generation and Retail Corporation Regulatory Scheme 2017 (2409).

Terrorism (Preventative Detention Act 2006) – WA Police Force Quarterly Report under Section 54(2) 31 March 2019 (2410).

Western Australian Treasury Corporation – Quarterly Report for the Quarter Ended 31 March 2019 (2411).

4. Notices of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Road Safety on National Road Safety Week.

The Minister for Corrective Services on recent appointments of Deputy Commissioners to the new Corrective Services structure within the Department of Justice.

The Minister for Culture and the Arts on the Carrolup Artwork exhibition at Colgate University in New York.

The Minister for Commerce on fuel prices and FuelWatch.

The Minister for Defence Issues on the opening of the South Metropolitan TAFE Naval Base Campus.

The Minister for Asian Engagement on his visit to Vietnam in April 2019.

6. Withdrawal of Notice of Motion

The Leader of the House withdrew Business of the Assembly – Notice of Motion No. 1.

7. 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.

8. Police Amendment (Medical Retirement) Bill 2019

The Minister for Police, pursuant to notice, moved,

That a bill for “An Act to amend the *Police Act 1892* and to amend the *Industrial Relations Act 1979* consequentially.” be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

9. Suitors' Fund Amendment Bill 2017

The Order of the Day for the consideration in detail of Legislative Council Message No. 80 was read.

The Message was as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Suitors' Fund Amendment Bill 2017* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Suitors' Fund Amendment Bill 2017.

No. 1

Clause 2, page 2, line 5 — To delete “and 2 — ” and insert:

to 3 and 6 —

No. 2

New Clause 6, page 3, after line 12 — To insert:

6 Section 18 inserted

After section 17 insert —

18. Review of Act

- (1) The Minister must review the operation and effectiveness of this Act, and prepare a report based on the review, as soon as practicable after the 2nd anniversary of the day on which the *Suitors' Fund Amendment Act 2017* section 6 comes into operation.
- (2) The review must address the following —
 - (a) the effect of the levy payable under section 5 on access by litigants to the courts;
 - (b) the extent to which recommendations from reports of the Law Reform Commission of Western Australia relating to the operation of this Act have not been implemented; and
 - (c) any other matters that appear to the Minister to be relevant to the operation and effectiveness of this Act.
- (3) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 2nd anniversary.

CONSIDERATION IN DETAIL

The Attorney General moved, That amendment No. 1 be agreed to.

Amendment agreed to.

The Attorney General moved, That amendment No. 2 be agreed to.

Amendment agreed to.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

10. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 3 be next considered.

11. Ticket Scalping Bill 2018

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

CONSIDERATION IN DETAIL

Clauses 1 and 2 agreed to.

Clause 3.

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

12. Speaker's Statement – Answers to Questions on Notice

The Speaker advised that he had asked the Assembly Office to review all queries raised by Members under Standing Order 80(2) the previous day and had confirmed that all Questions on Notice subject to the queries were overdue. As such, use of this Standing Order to ask Ministers why no answer had been received was appropriate. The Assembly Office had distributed each of the 127 answers it had received the previous day, in accordance with the protocol agreed between the Department of the Premier and Cabinet and the Legislative Assembly. Members were also advised that a Minister's response to the effect that they are not obliged to answer a Question on Notice will not be considered a meaningful response as it leaves doubt as to whether the Minister will actually respond. The Speaker indicated that, should a Minister not wish to respond, the Minister should say so. Finally, the Speaker reminded all members that Questions on Notice are an important part of the Parliament's role in holding the Executive to account.

13. Questions

Questions without Notice were taken.

Questions on Notice Nos 5126 to 5162 were asked.

Questions on Notice Nos 4484, 4647, 4739, 4838, 4840, 4842, 4848, 4849, 4852, 4864, 4873, 4880, 4887, 4900, 4908, 4911 to 4914, 4916, 4920, 4923, 4924, 4932, 4933, 4937, 4940, 4944, 4945, 4947, 4948, 4958, 4961, 4962, 4965, 4966, 4973, 4980, 4985, 4990, 4991, 4997, 5002, 5005, 5007, 5014, 5019, 5021, 5022, 5024, 5032, 5037, 5039, 5042, 5047, 5058 and 5061 to 5063 were answered.

Papers tabled by the Premier; Minister for Public Sector Management; State Development; Jobs and Trade; Federal-State Relations; Minister representing the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development; Jobs and Trade –

Question on Notice No. 4948 – Details of employment conditions for staff in the general Government sector who are not permanent full-time or part-time (2412).

Question on Notice No. 4940 – Details of consultants engaged in relation to the Minister's Primary Industries and Regional Development portfolios (2413).

Question on Notice No. 4945 – Royalties for Regions Quarterly Reports 2018–2019, Q2 and Q3, relating to the Albany Wave Energy Technology Development Project (2414).

14. Matter of Public Interest – Social and Infrastructure Issues in Newman

The Speaker informed the Assembly that he was in receipt of a notice from Ms M.J. Davies that she intended to move a motion on a matter of public interest.

At least five members having risen in support,

Ms M.J. Davies moved,

That this House calls on the McGowan Government to urgently address social and infrastructure issues in Newman to restore community confidence and safety.

Debate ensued.

The Minister for Police moved, To delete all the words after "McGowan Government" and substitute:

“ to continue to address the social and infrastructure issues in Newman. ”.

Debate ensued.

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

Question put.

The Assembly divided.

Ayes (37)

Ms L.L. Baker
 Dr A.D. Buti
 Mr J.N. Carey
 Mrs R.M.J. Clarke
 Mr R.H. Cook
 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 F.M. Logan

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
 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*)

Noes (17)

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
 Dr M.D. Nahan

Mr D.C. Nalder
 Mr K.M. O'Donnell
 Mr D.T. Redman
 Mr P.J. Rundle
 Ms L. Mettam (*Teller*)

Amendment thus passed.

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 Notices of Motion Nos 21 and 22 be next considered.

16. Management of the Economy

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

That this House condemns the McGowan Government's handling of the economy and its economy destroying policies that have seen a domestic economy in decline, a record number of Western Australians without jobs, record levels of mortgage stress, falling house prices, record levels of negative equity experienced by home owners, record levels of utility disconnections, a collapse in building approvals and falling retail trade.

Debate ensued.

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

17. Variation to the Order of Business

Ordered, That consideration of the Order of the Day for the Matter of Public Interest be resumed.

18. Matter of Public Interest – Social and Infrastructure Issues in Newman

The Order of the Day having been read for the resumption of the vote on the amendment moved by the Minister for Police, to the motion moved by Ms M.J. Davies (see paragraph 14).

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

Amendment put and passed.

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

Question put and passed.

The motion, as amended, and agreed to, read as follows –

That this House calls on the McGowan Government to continue to address the social and infrastructure issues in Newman.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 7.01 pm until Thursday, 9 May 2019 at 9.00 am.

Members present during any part of the day's proceedings – All the members except Mrs A.K. Hayden and Mr J.E. McGrath.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly