

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 64

FIRST SESSION OF THE FORTIETH PARLIAMENT

THURSDAY, 10 MAY 2018

1. Meeting of Assembly

The Assembly met at 9.00 am pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Speaker's Statement – Budget Arrangements

The Speaker reminded members that, in order to accommodate the handing down of the budget at 2.00 pm, members' 90 second statements would be taken at 12.20 pm, followed by Question Time at 12.30 pm.

3. Petitions

Regional Education Funding Cuts – Mr I.C. Blayney presented a petition from 14 persons requesting that Premier Mark McGowan abolish proposed changes to regional education funding in Western Australia (P. 82).

Geraldton Sobering Up Centre – Mr I.C. Blayney presented a petition from 145 persons requesting that the Legislative Assembly call upon the Premier Mark McGowan to keep the centre open (P. 83).

Peel Health Campus – Mr Z.R.F. Kirkup presented a petition from 335 persons requesting that the Legislative Assembly invest in Peel Health Campus to meet the needs of our rapidly growing community (P. 84).

4. Paper

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

By the Clerk –

Western Australian Treasury Corporation – Quarterly Report for the Quarter Ended 31 March 2018 (1316).

5. Brief Ministerial Statement

A Brief Ministerial Statement was made by –

The Minister for Asian Engagement on his visit to Indonesia in March.

Paper

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

By the Minister for Asian Engagement –

Asian Engagement, Minister for – Report of the Minister’s Visit to Indonesia, Sunday 25 March to Wednesday 28 March 2018 (1317).

6. Grievances

The Speaker called for grievances which were then made.

7. Railway (METRONET) Bill 2018

The Minister for Transport, pursuant to notice, moved,

That a bill for “An Act to authorise, as part of the METRONET plan, the construction of –

- a railway from Beckenham junction to Cockburn (known as the Thornlie-Cockburn Link); and
 - a railway from Butler to Yanchep (known as the Yanchep Rail Extension),
- 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.

Papers

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

By the Minister for Transport –

Railway (METRONET) Bill 2018 – Report of the Planned Construction of the Yanchep Rail Extension and Thornlie-Cockburn Link (1318).

Railway (METRONET) Bill 2018 – Proposed Beckenham to Cockburn Central Railway, Map (1319).

Railway (METRONET) Bill 2018 – Proposed Yanchep Rail Extension, Map (1320).

Mr A. Krsticevic moved, That the debate be adjourned.

Question put and passed.

8. Variation to the Order of Business

Ordered, That Bills Notices of Motion Nos 2 and 3 be postponed to a later stage of the sitting.

9. Terrorism (Extraordinary Powers) Amendment Bill 2018

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 4 agreed to.

Clause 5.

The Minister for Police moved,

Page 5, after line 15 — To insert:

“

21EA. Revocation must be in writing

- (1) Except as provided in subsection (2), a revocation under section 21E must be made in writing.
- (2) If, due to the urgency of the situation, it is not practicable to make the revocation in writing —
 - (a) the revocation may be made orally with details recorded contemporaneously; and
 - (b) if it is made orally, the revocation must be put in writing as soon as practicable after it is made and in any event within 6 hours.

”.

Debate ensued.

Amendment put and passed.

Minister for Police moved,

Page 5, line 29 — To insert after “availability of any”:

“ justification, ”.

Debate ensued.

Amendment put and passed.

The Minister for Police moved,

Page 6, lines 3 to 8 — To delete the lines and substitute:

“ police officer became aware of the revocation. ”.

Debate ensued.

Amendment put and passed.

The Minister for Police moved,

Page 6, line 11 — To insert after “before the”:

“ police officer became aware of the ”.

Debate ensued.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 6 agreed to.

Clause 7.

The Minister for Police moved,

Page 10, line 17 — To delete “is to be taken to be” and substitute:

“ is taken to be ”.

Page 10, line 20 — To delete “is to be taken to be” and substitute:

“ is taken to be ”.

Amendments put and passed.

The Minister for Police moved,
Page 10, after line 27 — To insert:

“

- (6) Subsection (7) applies to a person whose purported appointment as a special officer was not validly made.
- (7) In relation to any action taken by the person before they became aware of the invalidity —
 - (a) the person is not criminally responsible for the action to the extent that, if the appointment had been valid, the person would not have been criminally responsible for the action by virtue of subsection (3)(b); and
 - (b) for the purposes of the *Police Act 1892* section 137, the person is taken to be a member of the Police Force performing or purporting to perform the functions of a member of the Police Force, to the extent that they would have been so taken under subsection (5) if the appointment had been valid.

”.

Amendment put and passed.

Clause, as amended, 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.

10. Members' Statements

The Acting Speaker called for members' statements which were then made.

11. Speaker's Statement – Media presence for State Budget

The Speaker advised members that he had approved the presence of television cameras and photographers from 2.00 pm today to enable coverage of the handing down of the state budget.

12. Questions

Questions without Notice were taken.

Questions on Notice Nos 2615, 2616, 2621, 2672, 2683, 2689, 2706, 2723, 2730 to 2736, 2738 to 2745, 2747 to 2749, 2752 to 2755, 2757, 2758, 2760 to 2764, 2770, 2803, 2832, 2849, 2883, 2901, 2943, 2953, 2973, 2980 to 2986, 2988, 2990, 2992 to 2996, 2999 to 3015, 3018 to 3021, 3023 to 3029, 3039 and 3043 were answered.

Paper tabled by the Minister representing the Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade –

Question on Notice No. 2689 – Table detailing if any department, agency and Government Trading Enterprise under the Minister's control engaged any Security Service licensed under the Security and Related Activities (Control) Act 1996. (1321).

Question on Notice No. 2770 – Table detailing Royalties for Regions projects since 17 March 2017 (1322).

Paper tabled by the Minister for Corrective Services –

Question on Notice No. 2753 – Table listing golf carts operated by the Department of Justice (1323).

Paper tabled by Minister for Local Government; Heritage; Culture and the Arts –

Question on Notice No. 2953 – Gift Registry for the Ministerial Office of the Minister for Local Government; Heritage; Culture and the Arts (1324).

Question on Notice No. 3024 – Table listing members and agenda of the Local Government Act 1995 review group. (1325).

Paper tabled by Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests –

Question on Notice No. 2683 – Table detailing if any department, agency and Government Trading Enterprise under the Minister’s control engaged any Security Service licensed under the Security and Related Activities (Control) Act 1996 (1326).

13. Additional Information

The Premier provided additional information relating to Question on Notice No. 2809 from Mr Z.R.F. Kirkup.

Paper

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

By the Premier –

Question on Notice No. 2809 – Additional information to the question (1327).

The Premier provided additional information relating to Question on Notice No. 2826 from Mr Z.R.F. Kirkup.

Paper

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

By the Premier –

Question on Notice No. 2826 – Additional information to the question (1328).

14. Variation to the Order of Business

Ordered, That Bills Notices of Motion Nos 2 and 3 be next considered.

15. Appropriation (Recurrent 2018–19) Bill 2018

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to grant supply and to appropriate and apply out of the Consolidated Account certain sums for the recurrent services and purposes of the year ending 30 June 2019.” be introduced and read a first time.

Question put and passed.

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

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

Papers

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

By the Treasurer –

Budget 2018–19 – Budget Paper No. 1: Budget Speech (1329).

Budget 2018–19 – Budget Paper No. 2: Budget Statements Volume 1 (1330).

Budget 2018–19 – Budget Paper No. 2: Budget Statements Volume 2 (1331).

Budget 2018–19 – Budget Paper No. 3: Economic and Fiscal Outlook (1332).

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

Question put and passed.

16. Appropriation (Capital 2018–19) Bill 2018

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to grant supply and to appropriate and apply out of the Consolidated Account certain sums for the capital purposes of the year ending 30 June 2019.” be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

17. Heritage Bill 2017

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

CONSIDERATION IN DETAIL

Clauses 1 to 14 were agreed to.

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

Question put and passed.

18. Speaker's Statement – Correction to Petition

The Acting Speaker advised members that Petition No. 82 tabled by the Member for Geraldton contained pages which were unrelated to the rest of the petition and that The Speaker had authorised the removal and return of those pages to the member, and for the number of signatures on Petition No. 82 to be amended.

19. Notice of Motion after the Time Prescribed

The Leader of the House, on behalf of the Minister for Commerce and Industrial Relations, was granted leave to present a late notice of motion.

20. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 4.34 pm until Tuesday, 15 May 2018 at 2.00 pm.

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

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly