

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 144

FIRST SESSION OF THE FORTIETH PARLIAMENT

WEDNESDAY, 14 AUGUST 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. Papers

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

By the Clerk –

Acacia Prison Services Agreement – Variation Notice and Agreement – Individual Management Plans (2647).

Auditor General, Office of the – Access to State-Managed Adult Mental Health Services, Report No. 4 July 2019 (2648).

Land Surveyors Licencing Board – Annual Report 2018 (2649).

Western Power – Statement of Corporate Intent 2019–2020 (2650).

3. Notice of Motion

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the LiveLighter campaign.

The Minister for Road Safety on the Distance of Distraction road safety campaign.

The Minister for Culture and the Arts on reinstating the Western Australian Premier's Book Awards.

The Minister for Youth on the City of Albany Youth Grant.

The Minister for Community Services on events held in connection with homelessness week.

The Minister for Science on the 2019 Premier's Science Awards and on National Science Week.

5. Procedure and Privileges Committee – Appointment

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

That the member for Hillarys be appointed to the Procedure and Privileges Committee to fill the vacancy caused by the resignation of the member for Geraldton.

Debate ensued.

Question put and passed.

6. Suspension of Standing Orders – 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, 14 August 2019.

Question put and passed.

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. Suspension of Standing Orders

Mr Z.R.F. Kirkup, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House condemns the Minister for Small Business for his handling of the Small Business Development Corporation Amendment Bill 2019.

The Leader of the House moved, To add to the motion –

“

, subject to the debate being limited to 15 minutes for government members and 15 minutes for non-government members.

”.

Amendment put and passed.

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

Question put.

The Acting Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion, as amended, to be carried with the concurrence of an absolute majority of the whole number of members of the House.

9. Minister for Small Business

Mr Z.R.F. Kirkup, pursuant to the foregoing motion, moved,

That this House condemns the Minister for Small Business for his handling of the Small Business Development Corporation Amendment Bill 2019.

Debate ensued.

Question put.

The Assembly divided.

Ayes (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 W.R. Marmion
Mr J.E. McGrath
Ms L. Mettam

Dr M.D. Nahan
Mr D.C. Nalder
Mr K.M. O'Donnell
Mr D.T. Redman
Mrs A.K. Hayden (*Teller*)

Noes (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 D.J. Kelly
 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
 Ms J.J. Shaw
 Mrs J.M.C. Stojkovski
 Mr C.J. Tallentire
 Mr D.A. Templeman
 Mr P.C. Tinley
 Ms S.E. Winton
 Mr B.S. Wyatt
 Mr D.R. Michael (*Teller*)

Question thus negatived.

10. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

11. Metropolitan Region Scheme (Beeliar Wetlands) Bill 2018

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

CONSIDERATION IN DETAIL

Clause 2.

Mrs L.M. Harvey had moved,
 Page 2, before line 5 – To insert:
 “

- (1) Notwithstanding anything in this Act, this Act comes into operation only if and when the Government of the day commits funding to the construction of the Outer Harbour.

”.

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

12. Questions

Questions without Notice were taken.

Questions on Notice Nos 5382 to 5399 were asked.

Questions on Notice Nos 5093, 5177, 5178, 5208, 5228, 5233 and 5273 were answered.

13. Suspension of Standing Orders

Mr D.T. Redman, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House condemns the Minister for Corrective Services for his lack of leadership across the prison system as evidenced by his response to a significant security breach of the Eastern Goldfields Regional Prison on 5 March 2019.

The Leader of the House moved, To add to the motion –
“

, subject to the debate being limited to 10 minutes for government members and 10 minutes for non-government members.

”.

Amendment put and passed.

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

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion, as amended, to be carried with the concurrence of an absolute majority of the whole number of members of the House.

14. Minister for Corrective Services

Mr D.T. Redman, pursuant to the foregoing motion, moved,

That this House condemns the Minister for Corrective Services for his lack of leadership across the prison system as evidenced by his response to a significant security breach of the Eastern Goldfields Regional Prison on 5 March 2019.

Debate ensued.

Question put.

The Assembly divided.

Ayes (15)

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 J.E. McGrath

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

Noes (36)

Ms L.L. Baker
Dr A.D. Buti
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 D.J. Kelly
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 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.

15. Community Development and Justice Standing Committee – Terms of Reference

The Speaker advised that the Community Development and Justice Standing Committee had resolved to inquire into the Magistrates Court of Western Australia's management of matters involving family and domestic violence. The Committee will report by 30 April 2020.

16. Variation to the Order of Business

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

17. Metropolitan Region Scheme (Beeliar Wetlands) Bill 2018

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

CONSIDERATION IN DETAIL

Clause 2.

Mrs L.M. Harvey had moved,

Page 2, before line 5 – To insert:

“

- (1) Notwithstanding anything in this Act, this Act comes into operation only if and when the Government of the day commits funding to the construction of the Amendment put.

The Assembly divided.

Ayes (14)

Mr I.C. Blayney
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 J.E. McGrath
Ms L. Mettam

Dr M.D. Nahan
Mr D.C. Nalder
Mr D.T. Redman
Mrs A.K. Hayden (*Teller*)

Noes (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 D.J. Kelly
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 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*)

Amendment thus negatived.

Dr M.D. Nahan moved,

Page 2, before line 5 – To insert:

“

- (1) Notwithstanding anything in this Act, this Act comes into operation only if and when it is reviewed by Infrastructure WA, and a report of the review is tabled in both Houses of Parliament.

”.

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

18. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 16 be next considered.

19. McGowan Government Law and Order

Mr P.A. Katsambanis, pursuant to notice, moved,

That this House condemns the McGowan Government for its soft approach to law and order.

Debate ensued.

Debate interrupted by the Chair (Mrs L.M. Harvey speaking) and adjourned until a later stage of the sitting.

20. Variation to the Order of Business

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

21. Metropolitan Region Scheme (Beeliar Wetlands) Bill 2018

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

CONSIDERATION IN DETAIL

Clause 2.

Dr M.D. Nahan had moved,

Page 2, before line 5 – To insert:

“

- (1) Notwithstanding anything in this Act, this Act comes into operation only if and when it is reviewed by Infrastructure WA, and a report of the review is tabled in both Houses of Parliament.

The Minister for Police moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (32)

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 E.L. Hamilton
Mr T.J. Healy
Mr M. Hughes
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
Ms M.M. Quirk
Mrs M.H. Roberts

Ms C.M. Rowe
Ms R. Saffioti
Ms A. Sanderson
Ms J.J. Shaw
Mr C.J. Tallentire
Mr P.C. Tinley
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Noes (13)

Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Dr D.J. Honey
Mr Z.R.F. Kirkup

Mr A. Krsticevic
Mr S.K. L'Estrange
Ms L. Mettam
Dr M.D. Nahan
Mr D.C. Nalder

Mr K.M. O'Donnell
Mr D.T. Redman
Mrs A.K. Hayden (*Teller*)

Question thus passed.

On the question, That the amendment be agreed to,

Amendment put.

The Assembly divided.

Ayes (13)

Mr V.A. Catania
 Ms M.J. Davies
 Mrs L.M. Harvey
 Dr D.J. Honey
 Mr Z.R.F. Kirkup

Mr A. Krsticevic
 Mr S.K. L'Estrange
 Ms L. Mettam
 Dr M.D. Nahan
 Mr D.C. Nalder

Mr K.M. O'Donnell
 Mr D.T. Redman
 Mrs A.K. Hayden (*Teller*)

Noes (32)

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 E.L. Hamilton
 Mr T.J. Healy
 Mr M. Hughes
 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
 Ms M.M. Quirk
 Mrs M.H. Roberts

Ms C.M. Rowe
 Ms R. Saffioti
 Ms A. Sanderson
 Ms J.J. Shaw
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr R.R. Whitby
 Ms S.E. Winton
 Mr B.S. Wyatt
 Mr D.R. Michael (*Teller*)

Amendment thus negatived.

On the question, That Clause 2 be agreed to,

The Minister for Police moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (32)

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 E.L. Hamilton
 Mr T.J. Healy
 Mr M. Hughes
 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
 Ms M.M. Quirk
 Mrs M.H. Roberts

Ms C.M. Rowe
 Ms R. Saffioti
 Ms A. Sanderson
 Ms J.J. Shaw
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr R.R. Whitby
 Ms S.E. Winton
 Mr B.S. Wyatt
 Mr D.R. Michael (*Teller*)

Noes (13)

Mr V.A. Catania
 Ms M.J. Davies
 Mrs L.M. Harvey
 Dr D.J. Honey
 Mr Z.R.F. Kirkup

Mr A. Krsticevic
 Mr S.K. L'Estrange
 Ms L. Mettam
 Dr M.D. Nahan
 Mr D.C. Nalder

Mr K.M. O'Donnell
 Mr D.T. Redman
 Mrs A.K. Hayden (*Teller*)

Question thus passed.

On the question, That Clause 2 be agreed to,

Question put.

The Assembly divided.

Ayes (32)

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 E.L. Hamilton
 Mr T.J. Healy
 Mr M. Hughes
 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
 Ms M.M. Quirk
 Mrs M.H. Roberts

Ms C.M. Rowe
 Ms R. Saffioti
 Ms A. Sanderson
 Ms J.J. Shaw
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr R.R. Whitby
 Ms S.E. Winton
 Mr B.S. Wyatt
 Mr D.R. Michael (*Teller*)

Noes (13)

Mr V.A. Catania
 Ms M.J. Davies
 Mrs L.M. Harvey
 Dr D.J. Honey
 Mr Z.R.F. Kirkup

Mr A. Krsticevic
 Mr S.K. L'Estrange
 Ms L. Mettam
 Dr M.D. Nahan
 Mr D.C. Nalder

Mr K.M. O'Donnell
 Mr D.T. Redman
 Mrs A.K. Hayden (*Teller*)

Clause 2 thus agreed to.

Clause 3 agreed to.

Clause 4.

Question put.

The Assembly divided.

Ayes (29)

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
 Mr M. Hughes
 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
 Ms M.M. Quirk
 Mrs M.H. Roberts

Ms C.M. Rowe
 Ms R. Saffioti
 Ms A. Sanderson
 Ms J.J. Shaw
 Mr C.J. Tallentire
 Mr R.R. Whitby
 Ms S.E. Winton
 Mr B.S. Wyatt
 Mr D.R. Michael (*Teller*)

Noes (13)

Mr V.A. Catania
 Ms M.J. Davies
 Mrs L.M. Harvey
 Dr D.J. Honey
 Mr Z.R.F. Kirkup

Mr A. Krsticevic
 Mr S.K. L'Estrange
 Ms L. Mettam
 Dr M.D. Nahan
 Mr D.C. Nalder

Mr K. O'Donnell
 Mr D.T. Redman
 Mrs A.K. Hayden (*Teller*)

Clause 4 thus agreed to.

Clause 5.

The Minister for Planning moved,

Page 3, line 1 – To delete “section” and substitute:

“ Act ”.

Amendment put and passed.

On the question, That Clause 5, as amended, be agreed to,
The Assembly divided.

Ayes (29)

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
Mr M. Hughes
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
Ms M.M. Quirk
Mrs M.H. Roberts

Ms C.M. Rowe
Ms R. Saffioti
Ms A. Sanderson
Ms J.J. Shaw
Mr C.J. Tallentire
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Noes (13)

Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Dr D.J. Honey
Mr Z.R.F. Kirkup

Mr A. Krsticevic
Mr S.K. L'Estrange
Ms L. Mettam
Dr M.D. Nahan
Mr D.C. Nalder

Mr K. O'Donnell
Mr D.T. Redman
Mrs A.K. Hayden (*Teller*)

Clause 5, as amended, thus agreed to.

Schedule 1 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.

22. Adjournment

The Minister for Police moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 10.25 pm until Thursday, 15 August 2019 at 9.00 am.

Members present during any part of the day's proceedings – All the members except Mr W.J. Johnston, Mr R.S. Love and Mr P.J. Rundle.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly