

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 102

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

WEDNESDAY, 30 NOVEMBER 2022

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 –

Premier and Cabinet, Department of the – Ministerial Resourcing Report as at 27 October 2022 (1727).

Racing Penalties Appeal Tribunal – Annual Report 2021–2022 (1728).

Western Australian Electoral Commission – Annual Report 2021–2022 (1729).

3. Notices of Motion

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Tourism on the Australian Surf Life Saving Championships returning to Western Australia in 2023.

The Minister for Science informing the House that Western Australia is home to one of the world's greenest and most powerful supercomputers.

The Minister for Sport and Recreation on the recently announced recipients of the Community Sporting and Recreation Facilities Fund and the Club Night Lights Program.

The Minister for Finance on the settlement between the State Government and John Holland from the ongoing legal proceedings related to Perth Children's Hospital.

The Minister for Child Protection on the appointment of a new Advocate for Children in Care at the Department of Communities.

The Minister for Child Protection on the progress of the Health Navigator Pilot Program.

The Minister for Youth on the recent WA Youth Work Awards 2022.

5. Temporary Order – Amended Sitting Times

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

That the following Temporary Order applies for 2023 –

- (1) The House will meet on Tuesdays at 1.00 pm.
- (2) If the House is required to sit beyond 7.00 pm on a Tuesday evening, such as to require a dinner break, the Speaker will advise the House of this before Question Time on that Tuesday.
- (3) Standing Orders are suspended accordingly to the extent necessary to effect these arrangements.

Debate ensued.

Question put and passed.

6. Temporary Order – Procedure for a Division

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

That, until the end of 2023, the following Temporary Order in relation to divisions applies –

- (1) Standing Order 137 be amended in suborder (2) by deleting “will not leave the House and”.
- (2) Standing Order 139 be replaced by the following:

Procedure for division

139. When a division has been called for —

- (1) Strangers will withdraw from the Chamber.
- (2) The Speaker will state the question and direct members to exit the Chamber and re-enter through the door behind the Speaker’s Chair.
- (3) The Speaker will direct the ‘Ayes’ to pass to the right of the Chair and be marked off as they pass by a Clerk at the Clerks’ Table and the ‘Noes’ to pass to the left of the Chair and be marked off as they pass by a Clerk at the Clerks’ Table.
- (4) The Speaker will appoint at least one Teller for each side.
- (5) The Speaker will order the division bells to be rung for two minutes.
- (6) After passing the Clerks’ Table members will either resume their seat or leave the Chamber.
- (7) After the two minutes have expired, voting will continue until either the Tellers agree and advise the Speaker that all members present have voted or until a period of one minute has elapsed from the last member to record a vote.
- (8) After counting the votes the Tellers will sign their respective list, and the Speaker will declare the result of the division.

- (3) Standing Orders 138, 140 and 141 in relation to divisions remain unchanged.
- (4) Standing Orders are suspended accordingly to the extent necessary to effect these arrangements.

Debate ensued.

Question put and passed.

7. Suspension of Standing Orders – Legislative Council Messages

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

That, for the remainder of this year, so much of the Standing Orders be suspended as is necessary to enable Messages from the Legislative Council to be taken into consideration on the day on which they are received.

Question put and passed.

8. Messages from the Legislative Council

Messages from the Legislative Council were reported returning the following bills without amendment –

29 November 2022

Liquor Control Amendment (Protected Entertainment Precincts) Bill 2022 (Message No. 82).

Trans-Tasman Mutual Recognition (Western Australia) Amendment Bill 2022 (Message No. 83).

9. Working with Children (Criminal Record Checking) Amendment Bill 2022

Message No. 84 dated 29 November 2022 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Working with Children (Criminal Record Checking) Amendment Bill 2022* 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 Working with Children (Criminal Record Checking) Amendment Bill 2022

No. 1

Clause 7, page 9, lines 10 and 11 — To delete “Schedule or prescribed by the regulations); or” and insert:

Schedule); or

No. 2

Clause 7, page 9, line 12 — To delete “this State or”.

No. 3

Clause 7, page 9, lines 29 and 30 — To delete “Schedule or prescribed by the regulations); or” and insert:

Schedule); or

No. 4

Clause 7, page 10, line 1 — To delete “this State or”.

No. 5

Clause 44, page 75, lines 18 to 23 — To delete the lines.

No. 6

Clause 44, page 76, lines 3 to 5 — To delete “the person ceases to have a current assessment notice; or” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first); or

No. 7

Clause 44, page 76, lines 10 to 12 — To delete “the person ceases to have a current assessment notice.” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first).

No. 8

Clause 44, page 76, lines 20 to 22 — To delete “the person ceases to have a current assessment notice; or” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first); or

No. 9

Clause 44, page 76, lines 27 to 29 — To delete “the person ceases to have a current assessment notice.” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first).

No. 10

Clause 44, page 77, lines 13 to 15 — To delete “the person ceases to have a current assessment notice; or” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first); or

No. 11

Clause 44, page 77, lines 20 to 22 — To delete “the person ceases to have a current assessment notice.” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first).

No. 12

Clause 44, page 78, lines 5 to 7 — To delete “the person ceases to have a current assessment notice; or” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first); or

No. 13

Clause 44, page 78, lines 13 to 15 — To delete “the person ceases to have a current assessment notice.” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first).

No. 14

Clause 44, page 78, lines 29 to 31 — To delete “the person ceases to have a current assessment notice; or” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first); or

No. 15

Clause 44, page 79, lines 5 to 7 — To delete “the person ceases to have a current assessment notice.” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first).

No. 16

Clause 44, page 79, line 8 to page 81, line 11 — To delete the lines.

No. 17

Clause 44, page 82, lines 19 and 20 — To delete “the person ceases to have a current assessment notice; and” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first); and

No. 18

Clause 44, page 82, lines 30 to 32 — To delete “the person ceases to have a current assessment notice.” and insert:

that assessment notice ceases to have effect or the person applies for a further assessment notice under Part 2 Division 1 (whichever occurs first).

No. 19

Clause 44, page 83, after line 29 — To insert:

- (1A) Despite any other section in this Subdivision, the new classification provisions apply to and in relation to a person if the person is subject to a decision of the CEO to act under section 17(3)(d) or 17B(2)(b) made on or after commencement day.

No. 20

Clause 44, page 83, line 31 — To delete “subsection (1),” and insert:

subsection (1) or (1A),

CONSIDERATION IN DETAIL

The Minister for Child Protection moved, That amendments Nos 1 to 7 be agreed to.
Amendments agreed to.

The Minister for Child Protection moved, That amendments Nos 8 to 20 be agreed to.
Amendments agreed to.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

10. Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill 2022

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 8 agreed to.

Clause 9.

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 630 to 634 were asked.

Questions on Notice Nos 601 and 605 to 610 were answered.

12. Unanswered Questions on Notice

The following members asked why no answer had been received in respect of their Questions on Notice –

Mr P.J. Rundle, on behalf of Mr R.S. Love – Questions on Notice No. 561, 562 and 595.

13. Variation to the Order of Business

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

14. Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill 2022

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

CONSIDERATION IN DETAIL

Clause 9 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Minister for Transport 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.

15. Animal Welfare and Trespass Legislation Amendment Bill 2021

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

Debate resumed.

Debate interrupted by the Chair (Ms J.J. Shaw speaking) 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. 6 be next considered.

17. Pressures impacting WA households

Ms M.J. Davies, pursuant to notice, moved,

That this House condemns the McGowan Labor Government's failure to address the rising crises across multiple portfolios, including the failure to respond to the pressures impacting Western Australian households, despite sitting on a massive \$6 billion surplus.

Debate ensued.

Debate interrupted by the Chair (Ms J.J. Shaw) and adjourned until a later stage of the sitting.

18. Message from the Governor

Message No. 35 from His Excellency the Governor was reported assenting to the Auditor General Amendment Bill 2022, Act No. 43 of 2022.

19. Adjournment

Ms C.M. Rowe moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 7.00 pm until Thursday, 1 December 2022 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 Ms M.M. Quirk.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly