

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 170

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 26 NOVEMBER 2019

1. Meeting of Assembly

The Assembly met at 2.00 pm pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on changes being implemented by the Government to improve public sector accountability.

The Premier on three reports scrutinising the operations and effectiveness of Western Australia's eight international trade and investment offices.

Papers

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

By the Premier –

Premier – Governance Review of the Department of the Premier and Cabinet: As it relates to the Corruption and Crime Commission's Report on the WA Commissioner in Japan, KPMG Public Sector Commission, August 2019 (3047).

Premier – Western Australia's Overseas Trade and Investment Offices Review, October 2019 (3048).

Premier – Internal Audit of the international trade and investment offices, KPMG, Department of Jobs, Tourism, Science and Innovation, October 2019 (3049).

The Minister for Road Safety on World Day of Remembrance for Road Traffic Victims.

The Minister for Emergency Services on Trainee Firefighter School 83.

The Minister for Women's Interests on the Government's campaign, 16 Days in WA to Stop Violence Against Women 2019.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 5788 to 5802 were asked.

Questions on Notice Nos 5318, 5459, 5462, 5465, 5471, 5577 to 5579, 5591, 5613, 5626 to 5631, 5633, 5639 to 5644, 5648 to 5653, 5655, 5656, 5659, 5661, 5663, 5666 to 5669, 5671, 5673 to 5677, 5680, 5681, 5683 to 5687, 5689, 5690, 5692, 5694 and 5696 to 5703 were answered.

Paper tabled by the Minister for Health –

Question on Notice No. 5471 – Details of equipment procured under the Medical Equipment Replacement Program since 17 March 2017 (3045).

Paper tabled by the Minister for Housing; Veterans Issues; Youth; Asian Engagement –

Question on Notice No. 5613 – Details of housing maintenance service arrangements in remote communities (3046).

4. Suspension of Standing Orders

Mr P.A. Katsambanis, 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 McGowan Labor Government, in particular the Minister for Child Protection, for failing to protect Western Australian children from child sex offenders through the Working with Children Check and failing to fully investigate the true extent of this issue once becoming aware.

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 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.

5. Working with Children Checks

Mr P.A. Katsambanis, pursuant to the foregoing motion, moved,

That this House condemns the McGowan Labor Government, in particular the Minister for Child Protection, for failing to protect Western Australian children from child sex offenders through the Working with Children Check and failing to fully investigate the true extent of this issue once becoming aware.

Debate ensued.

Question put.

The Assembly divided.

Ayes (18)

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
Mr J.E. McGrath

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

Noes (35)

Ms L.L. Baker	Mr M. McGowan	Ms C.M. Rowe
Dr A.D. Buti	Ms S.F. McGurk	Ms R. Saffioti
Mr J.N. Carey	Mr K.J.J. Michel	Ms A. Sanderson
Mrs R.M.J. Clarke	Mr S.A. Millman	Ms J.J. Shaw
Mr R.H. Cook	Mr Y. Mubarakai	Mrs J.M.C. Stojkovski
Ms J. Farrer	Mr M.P. Murray	Mr C.J. Tallentire
Mr M.J. Folkard	Mrs L.M. O'Malley	Mr D.A. Templeman
Ms E.L. Hamilton	Mr P. Papalia	Mr P.C. Tinley
Mr T.J. Healy	Mr S.J. Price	Ms S.E. Winton
Mr M. Hughes	Mr J.R. Quigley	Mr B.S. Wyatt
Mr W.J. Johnston	Ms M.M. Quirk	Mr D.R. Michael (<i>Teller</i>)
Mr F.M. Logan	Mrs M.H. Roberts	

Question thus negatived.

6. Petitions

Fisheries Services – Mr V.A. Catania presented a petition from 98 people asking the Legislative Assembly to reverse the Government's decision to close fisheries shop fronts at five locations including Jurien Bay, Denham, Carnarvon, Exmouth and Karratha (P. 164).

Permanent Doctor in Denham – Mr V.A. Catania presented a petition from 34 people asking the Legislative Assembly to call on the Minister for Health to support regional families and instate a permanent doctor in Denham (Shark Bay) (P. 165).

7. Papers

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

By the Speaker –

Inspector of Custodial Services, Office of the – 2019 Inspection of Pardelup Prison Farm, Report No. 124, September 2019 (3032).

By the Clerk –

Criminal Procedure Act 2004 – Rules (Criminal Procedure Amendment Rules 2019 G.G. 15/11/2019) (3033).

Electricity Corporation Act 2005 – Ministerial Direction under section 111 of the Act in relation to closure of the Muja C generating units (3034).

Fish Resources Management Act 1994 – Management Plans (Pilbara Crab Managed Fishery Management Plan Amendment 2019 G.G. 22/11/2019) (3035).

Fish Resources Management Act 1994 – Management Plans (Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment 2019 G.G. 22/11/2019) (3036).

Fish Resources Management Act 1994 – Management Plans (West Coast Rock Lobster Managed Fishery Management Plan Amendment 2019 G.G. 15/11/2019) (3037).

Lotteries Commission Act 1990 – Regulations (Lotteries Commission Amendment Regulations 2019 G.G. 19/11/2019) (3038).

Lotteries Commission Act 1990 – Rules (Lotteries Commission (Authorised Lotteries) Amendment Rules 2019 G.G. 12/11/2019) (3039).

Medicines and Poisons Act 2014 – Regulations (Medicines and Poisons Amendment Regulations (No. 2) 2019 G.G. 19/11/2019) (3040).

Mentally Impaired Accused Review Board – Annual Report 2018–2019 (3041).

Premier and Cabinet, Department of – Ministerial Resourcing Report as at 31 October 2019 (3042).

Prisoners Review Board – Annual Report 2018–2019 (3043).

8. Notices of Motion**9. Expiration of Notices of Motion**

The Acting Speaker advised that Private Members' Business Notices of Motion Nos 1 to 5, given on 19 February 2019 and renewed for a further 30 sitting days on 6 August 2019, would not appear on the next Notice Paper.

10. Removal of Order of the Day

The Acting Speaker advised that Private Members' Business Order of the Day, Housing in Western Australia, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

11. Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019

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

Speaker's Statement – Continuation of Remarks

The Acting Speaker advised members that the Minister for Road Safety would continue her remarks on the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019 on the next sitting day and that further Orders of the Day would now be taken.

Debate adjourned (Minister for Road Safety speaking in reply).

12. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 4 be next considered.

13. Public Works Amendment (WA Building Management Authority Abolition) Bill 2019

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.

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

The Minister for Finance 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.

14. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 7 be next considered.

15. Premier's Statement

The Order of the Day for the resumption of the debate upon the question, That the Premier's Statement be noted, was read.

Debate resumed.

The Leader of the House moved, That the debate be adjourned to a later stage of the sitting.

Question put and passed.

16. Variation to the Order of Business

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

17. Government Railways Amendment Bill 2019

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

CONSIDERATION IN DETAIL

Clauses 1 to 3 agreed to.

Clause 4.

Ms L. Mettam moved,

Page 3, line 8 – To delete “a fine of \$5 000” and substitute:

“ imprisonment for 12 months and a fine of \$12 000 ”.

Amendment put.

The Assembly divided.

Ayes (11)

Mr V.A. Catania
Mr Z.R.F. Kirkup
Mr A. Krsticevic
Mr S.K. L'Estrange

Mr R.S. Love
Mr W.R. Marmion
Ms L. Mettam
Mr D.C. Nalder

Mr K.M. O'Donnell
Mr P.J. Rundle
Mrs A.K. Hayden (*Teller*)

Noes (31)

Ms L.L. Baker
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Mr R.H. Cook
Ms J. Farrer
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
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
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Amendment thus negatived.

Clause 4 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.

Debate ensued.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

18. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.12 pm until Wednesday, 27 November 2019 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms J.M. Freeman, Mr D.T. Punch and Mr D.T. Redman.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly