

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 44

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

TUESDAY, 9 NOVEMBER 2021

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 the search for and rescue of Cleo Smith.

The Minister for Police on Taskforce Rodia, the Western Australia Police operation responsible for the rescue of Cleo Smith.

The Minister for Health on the completion of the report from the Independent Inquiry into the Perth Children's Hospital.

Papers

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

By the Minister for Health –

Health, Minister for – Letter from the Director General of the Department of Health to the Deputy Premier – Independent Inquiry into Perth Children's Hospital (778).

Health, Minister for – Independent Inquiry into Perth Children's Hospital, Report. (779).

The Minister for Seniors and Ageing on WA Seniors Week 2021.

3. Speaker's Statement – Thursday, 11 November 2021 – Order of Business

The Speaker advised members that the House would commence at 2.00 pm on Thursday, 11 November 2021 to allow for attendance at Remembrance Day commemorations.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 310 to 319 were asked.

Question on Notice No. 192 was answered.

Paper tabled by the Minister for Police; Road Safety –

Question on Notice No. 192 – List of traffic infringements received by employees of the Western Australia Police Force for any taxpayer funded vehicle for the period 1 July 2017 to 11 July 2021 (777).

5. Petition

Hedland Senior High School rebuild – Mr P.J. Rundle presented a petition from 521 people asking the Legislative Assembly to support the community of Hedland by investing in secondary education facilities and committing to funding a total rebuild of the Hedland Senior High School (P. 20).

6. Message from the Governor

Message No. 25 from His Excellency the Governor was reported assenting to the Veterinary Practice Bill 2021, Act No. 19 of 2021.

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 – Annual Report 2020–2021 (750).

By the Clerk –

Bunbury Water Corporation (Aqwest) – Statement of Corporate Intent 2021–2022 (751).

Busselton Water – Statement of Corporate Intent 2021–2022 (752).

Conservation and Land Management Act 1984 – Lease No. 2060/100 between the Department of Biodiversity, Conservation and Attractions and World Wide Fund for Nature Australia for the purpose of an office and administration centre at Panda Cottage within Herdsman Lake Regional Park (753).

Criminal Investigation (Covert Powers) Act 2012 – Assumed Identities Western Australia Police Annual Report 2020–2021 (754).

Electricity Industry Act 2004 – Regulations (Electricity Industry (Stand-Alone Power Systems) Regulations 2021 G.G. 05/11/2021) (755).

Electricity Industry Act 2004 – Regulations (Electricity Industry Regulations Amendment (Stand- Alone Power Systems) Regulations 2021 G.G. 05/11/2021) (756).

Fish Resources Management Act 1994 – Management Plans (Mackerel Managed Fishery Management Plan Amendment 2021 G.G. 29/10/2021) (757).

Fish Resources Management Act 1994 – Orders (Prohibition on Boat Fishing (Danggu Geikie Gorge) Order 2021 G.G. 26/10/2021) (758).

Fish Resources Management Act 1994 – Orders (Prohibition on Recreational Fishing (Ningaloo Marine Park) Amendment Order 2021 G.G. 29/10/2021) (759).

Gas Services Information Act 2012 – Rules (CORRECTION - Gas Services Information Amendment (Transitional Provisions) Rules 2021 G.G. 02/11/2021) (760).

Gas Services Information Act 2012 – Rules (Gas Services Information Amendment (Transitional Provisions) Rules 2021 G.G. 29/10/2021) (761).

Local Government Act 1995 – Local Laws (City of Greater Geraldton Bush Fire Brigades Local Law 2021 G.G. 02/11/2021) (762).

Local Government Act 1995 – Local Laws (City of Wanneroo Animals Local Law 2021 G.G. 27/10/2021) (763).

Local Government Act 1995 – Local Laws (City of Wanneroo Bee Keeping Amendment Local Law 2021 G.G. 27/10/2021) (764).

Mental Health Act 2014 – Regulations (Mental Health Amendment Regulations 2021 G.G. 05/11/2021) (765).

Planning and Development Act 2005 – Ministerial Order relating to proposed Amendments 159 and 161 to City of Kwinana Local Planning Scheme No. 2 – Rezoning of land in Mandogalup (766).

Primary Industries and Regional Development, Department of – Annual Report 2020–2021 (767).

Procurement Act 2020 – Regulations (Procurement (Debarment of Suppliers) Regulations 2021 G.G. 05/11/2021) (768).

Professional Standards Act 1997 – Schemes (The Institute of Public Accountants Professional Standards Scheme (2021) G.G. 05/11/2021) (769).

Queen Elizabeth II Medical Centre Act 1966 – By-laws (Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws 2021 G.G. 05/11/2021) (770).

Racing and Wagering Western Australia Act 2003 – Rules (Fixed Odds Rules 2021 (No. 2) G.G. 01/11/2021) (771).

Road Traffic Act 1974 – Regulations (Road Traffic Code Amendment Regulations (No. 3) 2021 G.G. 05/11/2021) (772).

Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009 – Regulations (Sentence Administration (Interstate Transfer of Community Based Sentences) Amendment Regulations 2021 G.G. 05/11/2021) (773).

State Superannuation Act 2000 – Regulations (State Superannuation Amendment Regulations (No. 3) 2021 G.G. 05/11/2021) (774).

Taxation Administration Act 2003 – Regulations (Taxation Administration Amendment Regulations (No. 2) 2021 G.G. 05/11/2021) (775).

Water Corporation – Statement of Corporate Intent 2021–2022 (776).

8. Speaker's Statement – Correction to Explanatory Memorandum

The Speaker advised members that the explanatory memorandum for the Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021, tabled on 14 October 2021, contained incorrect information in relation to clause 18. The Speaker authorised the explanatory memorandum for the bill to be replaced with the correct version and for the website to be updated accordingly.

9. Notices of Motion

10. Notice of Motion Lapsed

The Speaker advised that Private Members' Business Notice of Motion No. 1 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

11. Matter of Public Interest – Health System

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

At least five members having risen in support,

Ms L. Mettam moved,

That this House condemns the Labor Government for dangerously under resourcing the health system at Perth Children's Hospital which underpinned the tragedy surrounding Aishwarya Aswath, and calls for the Minister for Health to resign for failing to acknowledge and act on the warnings from health workers, the Australian Medical Association and the Australian Nurses Federation.

Debate ensued.

Question put.

The Assembly divided.

Ayes (6)

Mr V.A. Catania
Ms M.J. Davies

Dr D.J. Honey
Mr R.S. Love

Ms L. Mettam
Mr P.J. Rundle (*Teller*)

Noes (47)

Mr S.N. Aubrey
Mr G. Baker
Ms H.M. Beazley
Dr A.D. Buti
Mr J.N. Carey
Ms C.M. Collins
Mr R.H. Cook
Ms L. Dalton
Ms D.G. D'Anna
Mr M.J. Folkard
Ms K.E. Giddens
Ms E.L. Hamilton
Ms M.J. Hammat
Ms J.L. Hanns
Mr T.J. Healy
Mr W.J. Johnston

Mr H.T. Jones
Mr D.J. Kelly
Ms E.J. Kelsbie
Ms A.E. Kent
Dr J. Krishnan
Mr P. Lilburne
Mr M. McGowan
Ms S.F. McGurk
Mr D.R. Michael
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Ms L.A. Munday
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price

Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Ms R. Saffioti
Ms A. Sanderson
Mr D.A.E. Scaife
Ms R.S. Stephens
Mrs J.M.C. Stojkovski
Dr K. Stratton
Mr C.J. Tallentire
Mr P.C. Tinley
Ms C.M. Tonkin
Mr R.R. Whitby
Ms S.E. Winton
Ms C.M. Rowe (*Teller*)

Question thus negatived.

12. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 2021

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

Urgent Bill

The Minister for Emergency Services moved, That the COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 2021 be considered an urgent bill. Question put and passed.

Debate resumed.

Paper

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

By the Minister for Emergency Services –

Emergency Services, Minister for – Letter from the State Emergency Coordinator to the Minister for Emergency Services – Amendments to the Emergency Management Amendment (COVID-19 Response) Act 2020 and the Criminal Code Amendment (COVID-19 Response) Act 2020 – Approval to Draft and Print (780).

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 Emergency Services 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.

13. Variation to the Order of Business

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

14. Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021

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.

The Minister for Mines and Petroleum moved, That the debate be adjourned.

Question put and passed.

15. Adjournment

The Minister for Mines and Petroleum, moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 10.29 pm until Wednesday, 10 November 2021 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mrs R.M.J. Clarke, Mr M. Hughes, Ms J.J. Shaw and Mr D.A. Templeman.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly