

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 95

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 30 OCTOBER 2018

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 Treasurer on his visit to China.

The Minister for Veterans Issues on the Invictus Games 2018.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 4283 to 4350 were asked.

Questions on Notice Nos 3686, 3717, 3788, 3805, 4019, 4074 and 4092 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. 4092 – Documentation relating to the Albany Wave Energy Project (1983).

4. Unanswered Questions on Notice

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

Mr D.T. Redman – Question on Notice No. 4089.

Mr V.A. Catania – Question on Notice No. 4021.

Ms M.J. Davies – Question on Notice No. 3912.

5. Additional Information

The Minister for Corrective Services provided additional information relating to Question on Notice No. 3874 from Mr Z.R.F. Kirkup.

Paper

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

By the Minister for Corrective Services –

Corrective Services, Minister for – Amended response to Question on Notice No. 3874 (1984).

6. Suspension of Standing Orders

Mr A. Krsticevic, 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 Government's mean-spirited attack on the Picabar, a family-run small business that is now having its future stolen from them by the heartless Minister for Local Government.

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.

7. Picabar

Mr A. Krsticevic, pursuant to the foregoing motion, moved,

That this House condemns the McGowan Government's mean-spirited attack on the Picabar, a family-run small business that is now having its future stolen from them by the heartless Minister for Local Government.

Debate ensued.

Question put.

The Assembly divided.

Ayes (19)

Mr I.C. Blayney
Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Mrs A.K. Hayden
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
Dr M.D. Nahan

Mr D.C. Nalder
Mr K.M. O'Donnell
Mr D.T. Redman
Mr P.J. Rundle
Ms L. Mettam (*Teller*)

Noes (35)

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

Question thus negatived.

8. Petition

South Carnarvon dredging spoil dumping ground – Mr V.A. Catania presented a petition from 307 persons requesting that the Legislative Assembly support the residents of South Carnarvon and call on the Minister for Transport to direct her Department to properly fund and maintain their dredging spoil dumping ground (P. 111).

9. Message from the Governor

Message No. 26 from His Excellency the Governor was reported assenting to the following bills –
 Duties Amendment (Additional Duty for Foreign Persons) Bill 2018, Act No. 24 of 2018.
 Financial Transaction Reports Amendment Bill 2018, Act No. 25 of 2018.

10. Message from the Governor

Message No. 28 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Residential Parks (Long-stay Tenants) Amendment Bill 2018.

11. 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 2017–2018 (1952).

By the Clerk –

Corruption and Crime Commission – Report into misconduct risks in WA prisons, 26 October 2018 (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 October 2018) (1950).

Gold Corporation – Statement of Corporate Intent 2018–2019 (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 October 2018) (1951).

Bank of Western Australia Act 1995 – 2018 Annual Certificate of Compliance (1953).

Chief Advocate for Residents of Declared Places under the Declared Places (Mentally Impaired Accused) Act 2015 – Annual Report 2017–2018 (1954).

Criminal Investigation (Covert Powers) Act 2012 – Australian Crime Commission Assumed Identities Annual Report 2017–2018 pursuant to subsection 76(1) of the Act (1956).

Criminal Investigation (Covert Powers) Act 2012 – Corruption and Crime Commission regarding the Australian Crime Commission – Report for the Minister for Police (1955).

Criminal Investigation Act 2006 – Statutory Review of the Act – Final Report June 2018 (1957).

- Environmental Protection Act 1986 – Regulations (Environmental Protection Amendment Regulations (No. 3) 2018 G.G. 16/10/2018) (1958).
- Environmental Protection Authority – Annual Report 2017–2018 (1959).
- Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Education and Training to not provide information in relation to Legislative Council Question without Notice 456 (1961).
- Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Finance to not provide information in relation to Legislative Council Question on Notice 1644 by the Hon Robin Scott MLC (1960).
- Fish Resources Management Act 1994 – Management Plans (Kimberley Crab Managed Fishery Management Plan 2018 [1218] G.G. 23/10/2018) (1962).
- Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (King Sound South) Order 2018 [1383] G.G. 26/10/2018) (1963).
- Health Practitioner Regulation National Law (WA) Act 2010 – Regulations (Health Practitioner Regulation National Law Regulation 2018 G.G. 26/10/2018) (1964).
- Legal Profession Act 2008 – Regulations (Legal Profession Amendment Regulations 2018 G.G. 26/10/2018) (1965).
- Local Government Act 1995 – Local Laws (City of Bunbury Penalty Units Local Law 2018 G.G. 26/10/2018) (1966).
- Local Government Act 1995 – Local Laws (City of Bunbury Standing Orders Amendment Local Law 2018 G.G. 26/10/2018) (1967).
- Local Government Act 1995 – Local Laws (Shire of Murray Health Amendment Local Law 2018 G.G. 26/10/2018) (1968).
- Local Government Act 1995 – Local Laws (Shire of Victoria Plains Meeting Procedures Local Law 2018 G.G. 26/10/2018) (1969).
- Local Government Act 1995 – Local Laws (Town of Claremont Waste Amendment Local Law 2018 G.G. 19/10/2018) (1970).
- Occupational Safety and Health Act 1984 – Regulations (Occupational Safety and Health Amendment Regulations 2018 G.G. 19/10/2018) (1971).
- Planning and Development Act 2005 – Determination of Applications for Review (DR 229 and DR 235 of 2017) in accordance with section 247(4)(b) of the Act (1972).
- Professional Standards Act 1997 – Schemes (The Law Society of New South Wales Professional Standards Scheme (2018) G.G. 19/10/2018) (1973).
- Racing and Wagering Western Australia – Statement of Corporate Intent 2018–2019 (1974).
- Radiation Safety Act 1975 – Regulations (Radiation Safety (General) Amendment Regulations 2018 G.G. 16/10/2018) (1975).
- Road Traffic (Authorisation to Drive) Act 2008 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations 2018 G.G. 19/10/2018) (1976).
- Surveillance Devices Act 1998 – Western Australian Police Force Annual Report 2017–2018 pursuant to section 43 of the Act (1977).
- Waste Avoidance and Resource Recovery Act 2007 – Local Laws (Town of Port Hedland Waste Local Law 2018 G.G. 19/10/2018) (1978).
- Western Australian Greyhound Racing Association – Annual Report 2017–2018 (1979).
- Western Australian Treasury Corporation – Quarterly Report ending 30 September 2018 (1980).
- Witness Protection (Western Australia) Act 1996 – Western Australian Police Force Annual Report 2017–2018 pursuant to section 37 of the Act (1981).
- Workers' Compensation and Injury Management Act 1981 – Regulations (Workers' Compensation and Injury Management (Scales of Fees) Amendment Regulations 2018 G.G. 19/10/2018) (1982).

12. Corrections to Tabled Papers

The Acting Speaker announced that the Speaker had authorised corrections to the following Tabled Paper tabled on 20 September 2018 –

Rottnest Island Authority – Annual Report 2017–2018 (1803).

Paper

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

By the Acting Speaker –

Rottnest Island Authority – Annual Report 2017–2018, Erratum (1985).

The Acting Speaker announced that the Speaker had authorised corrections to the following Tabled Paper tabled on 11 September 2018 –

Local Government Standards Panel – Annual Report 2017–2018 (1623).

Paper

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

By the Acting Speaker –

Local Government Standards Panel – Annual Report 2017–2018, Erratum (1986).

13. Notices of Motion

14. Expiration of Notices of Motion

The Acting Speaker advised members that Private Members' Business Notices of Motion Nos 1 and 2, notices of which were given on 31 October 2017 and renewed for a further 30 sitting days on 15 May 2018, would be removed and would not appear on the next Notice Paper.

15. Removal of Order of the Day

The Acting Speaker advised members that the Order of the Day that appeared on the last Notice Paper as No. 1 under Private Members' Business, The Ministry, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

16. Legislation 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 64 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Attorney General 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.

17. Court Jurisdiction Legislation Amendment Bill 2017

Message No. 56 dated 30 October 2018 from the Legislative Council was reported agreeing to the bill without amendment.

18. Courts Legislation Amendment Bill 2017

Message No. 57 dated 30 October 2018 from the Legislative Council was reported agreeing to the amendments made by the Legislative Assembly.

19. Message from the Governor

Message No. 29 from His Excellency the Governor was reported assenting to the following bills –

Transport (Road Passenger Services) Bill 2018, Act No. 26 of 2018.

Transport (Road Passenger Services) Amendment Bill 2018, Act No. 27 of 2018.

20. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.09 pm until Wednesday, 31 October 2018 at 12 noon.

Members present during any part of the day's proceedings – All the members except Mr W.J. Johnston and Mr P. Papalia.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly