

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 132

FIRST SESSION OF THE FORTIETH PARLIAMENT

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WEDNESDAY, 12 JUNE 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 –

Auditor General, Office of the – Improving Aboriginal Ear Health, Report No. 23, June 2019 (2486).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A22 (2487).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A23 (2488).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A24 (2489).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A25 (2490).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A26 (2491).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A27 (2492).

Estimates Committee A – Division 36 (Department of Transport) – Supplementary Information Answer A28 (2493).

Estimates Committee A – Division 37 (Main Roads) – Supplementary Information Answer A29 (2494).

Estimates Committee A – Division 37 (Main Roads) – Supplementary Information Answer A30 (2495).

Estimates Committee A – Division 38 (Department of Transport) – Supplementary Information Answer A37 (2502).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A31 (2496).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A32 (2497).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A33 (2498).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A34 (2499).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A35 (2500).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A36 (2501).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A38 (2503).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A39 (2504).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A40 (2505).

Estimates Committee A – Division 38 (Public Transport Authority) – Supplementary Information Answer A41 (2506).

National Education and Care Services Freedom of Information and Privacy Commissioners and Ombudsman – Annual Report 2017–2018 (2485).

### **3. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Emergency Services on two aerial firefighting personnel receiving Commendations for Brave Conduct.

The Minister for Emergency Services on Wear Orange Wednesday (WOW Day) 2019.

The Minister for Culture and the Arts on the 60<sup>th</sup> anniversary of the National Trust of Western Australia.

The Minister for Women’s Interests on the progress of consultations for the State Government’s Women’s Plan to achieve gender equality in Western Australia.

### **4. Withdrawal of Notice of Motion**

The Leader of the House withdrew Business of the Assembly Notice of Motion No. 1.

### **5. 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.

### **6. Small Business Development Corporation Amendment Bill 2019**

The Minister for Small Business, pursuant to notice, moved,

That a bill for “An Act to amend the *Small Business Development Corporation Act 1983*.” be introduced and read a first time.

Question put and passed.

The Minister for Small Business presented an explanatory memorandum and bill read a first time.

The Minister for Small Business moved, That the bill be now read a second time.

Ms L. Mettam moved, That the debate be adjourned.

Question put and passed.

## 7. TAB (Disposal) Bill 2019

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

### *CONSIDERATION IN DETAIL*

Clauses 27 to 39 agreed to.

Clause 40.

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

## 8. Questions

Questions without Notice were taken.

Questions on Notice Nos 5199 to 5225 were asked.

Questions on Notice Nos 5100 to 5102, 5104, 5107, 5118 to 5120, 5124, 5132, 5136, 5139, 5151, 5160, 5161 and 5164 were answered.

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Paper tabled by the Treasurer –

Question on Notice No. 5161 – Voluntary Targeted Separation Scheme cost breakdown 2017–2018 (2507).

## 9. Matter of Public Interest – Department of Health Issues

The Speaker informed the Assembly that he was in receipt of a notice from Mr S.K. L'Estrange that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr S.K. L'Estrange moved,

That this House condemns the McGowan Government for the current health crisis, including record ambulance ramping at our hospital emergency departments, blowouts in elective surgery waitlists, budget cuts and violence against our nurses.

Debate ensued.

Question put.

The Assembly divided.

### Ayes (17)

Mr I.C. Blayney  
Ms M.J. Davies  
Mrs L.M. Harvey  
Mrs A.K. Hayden  
Dr D.J. Honey  
Mr P.A. Katsambanis

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 (36)

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.M. Freeman	Mrs L.M. O'Malley	Mr C.J. Tallentire
Ms E.L. Hamilton	Mr P. Papalia	Mr D.A. Templeman
Mr T.J. Healy	Mr S.J. Price	Mr P.C. Tinley
Mr M. Hughes	Mr D.T. Punch	Mr R.R. Whitby
Mr W.J. Johnston	Mr J.R. Quigley	Ms S.E. Winton
Mr D.J. Kelly	Ms M.M. Quirk	Mr B.S. Wyatt
Mr F.M. Logan	Mrs M.H. Roberts	Mr D.R. Michael ( <i>Teller</i> )

Question thus negatived.

### 10. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 23 be next considered.

### 11. Election of the Morrison Government

Dr M.D. Nahan, pursuant to notice, moved,

That this House notes the critical role the Premier had in the election of the Morrison Government, in particular, his failure to deliver jobs, his mean-spirited increases to cost of living, the small business crisis and falling house prices.

Debate ensued.

Debate interrupted by the Chair (Mr W.R. Marmion speaking) and adjourned until a later stage of the sitting.

### 12. Variation to the Order of Business

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

### 13. TAB (Disposal) Bill 2019

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

#### *CONSIDERATION IN DETAIL*

Clauses 40 to 45 agreed to.

Clause 46.

Dr D.J. Honey moved,

Page 36, lines 14 to 16 – To delete the lines and substitute:

“ This Act does not authorise betting on a simulated race. ”.

Amendment put.

The Assembly divided.

## Ayes (10)

Mrs L.M. Harvey	Mr S.K. L'Estrange	Mr D.C. Nalder
Mrs A.K. Hayden	Mr R.S. Love	Ms L. Mettam ( <i>Teller</i> )
Dr D.J. Honey	Mr W.R. Marmion	
Mr A. Krsticevic	Dr M.D. Nahan	

## Noes (29)

Ms L.L. Baker  
 Dr A.D. Buti  
 Mrs R.M.J. Clarke  
 Mr R.H. Cook  
 Ms M.J. Davies  
 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  
 Mrs L.M. O'Malley  
 Mr S.J. Price  
 Mr D.T. Punch  
 Ms M.M. Quirk  
 Mr D.T. Redman  
 Mr P.J. Rundle

Ms A. Sanderson  
 Ms J.J. Shaw  
 Mrs J.M.C. Stojkovski  
 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 46 agreed to.

New Clause 46A.

Mr D.C. Nalder moved,

Page 36, after line 16 – To insert:

“

**5D. Revenue from simulated races**

This Act authorises betting on a simulated race only if all revenue from wagering on simulated racing is given to Healthway or Lotterywest to address problem gambling.

”.

New Clause put.

The Assembly divided.

## Ayes (14)

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

Mr A. Krsticevic  
 Mr S.K. L'Estrange  
 Mr R.S. Love  
 Mr W.R. Marmion  
 Dr M.D. Nahan

Mr D.C. Nalder  
 Mr D.T. Redman  
 Mr P.J. Rundle  
 Ms L. Mettam (*Teller*)

## Noes (26)

Ms L.L. Baker  
 Dr A.D. Buti  
 Mrs R.M.J. Clarke  
 Mr R.H. Cook  
 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  
 Mrs L.M. O'Malley  
 Mr S.J. Price  
 Mr D.T. Punch  
 Ms M.M. Quirk  
 Ms A. Sanderson

Ms J.J. Shaw  
 Mrs J.M.C. Stojkovski  
 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*)

New Clause thus negatived.

Clause 47 agreed to.

Mr D.R. Michael moved, That the debate be adjourned.

Question put and passed.

**14. Infrastructure Western Australia Bill 2019**

Message No. 86 dated 12 June 2019 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Infrastructure Western Australia Bill 2019* 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 Infrastructure Western Australia Bill 2019.*

**No. 1**

Clause 10, page 9, line 19 — To delete “may” and insert:

must

**No. 2**

Clause 10, page 9, after line 20 — To insert:

- (6) Infrastructure WA may remove from an annual work programme any information that it considers to be confidential or otherwise not suitable to be made publicly available, prior to making the programme publicly available.

**No. 3**

Clause 21, page 16, line 26 — To delete “may” and insert:

must

**No. 4**

New Clause 43A, page 27, after line 12 — To insert:

**43A. Financial interest in a matter**

For the purposes of this Subdivision, a member of the Board or of a committee has a direct or indirect financial interest in a matter if it is reasonable to expect that the matter may, if dealt with by the Board or committee in a particular way, result in a financial gain, loss, benefit or detriment for the member or a person closely associated with the member.

**No. 5**

Clause 44, page 28, after line 6 — To insert:

- (6) Infrastructure WA must keep a record of each disclosure or determination under this section that relates to a direct or indirect financial interest in a matter, and make a summary of the record available, on request, for inspection.
- (7) Without limiting section 71, the regulations may provide for how the record is to be made available.

**No. 6**

Clause 46, page 29, lines 9 to 13 — To delete the lines.

**No. 7**

Clause 72, page 43, lines 13 to 20 — To delete the clause.

**No. 8**

New Clause 72, page 43, after line 20 — To insert:

**72. Review of Act**

- (1) The Premier must review the operation and effectiveness of this Act, and prepare a report based on the review —
  - (a) as soon as practicable after the 5<sup>th</sup> anniversary of the day on which this section comes into operation; and
  - (b) after that, at intervals of not more than 5 years.
- (2) The obligation under subsection (1) is limited to 3 occasions.
- (3) The Premier must cause each report to be laid before each House of Parliament as soon as practicable after the report is prepared, but not later than 12 months after the 5<sup>th</sup> anniversary or the expiry of the period of 5 years (whichever is relevant).

Ordered, That consideration in detail of Legislative Council Message No. 86 be made an Order of the Day for the next sitting of the Assembly.

**15. Notice of Motion after the Time Prescribed**

Mr D.R. Michael, on behalf of the Leader of the House, was granted leave to present a late notice of motion.

**16. Adjournment**

Mr D.R. Michael moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 8.58 pm until Thursday, 13 June 2019 at 9.00 am.

*Members present during any part of the day's proceedings* – All the members except Ms J. Farrer, Mr M.J. Folkard and Mr M.P. Murray.

**KIRSTEN M. ROBINSON**  
Clerk of the Legislative Assembly

**HON. PETER WATSON**  
Speaker of the Legislative Assembly