

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 1

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

THURSDAY, 29 APRIL 2021

THE PARLIAMENT of Western Australia begun and held in the City of Perth on Thursday, the Twenty-ninth day of April in the Seventieth year of the Reign of Her Majesty Queen Elizabeth II, and in the Year of Our Lord, Two thousand and twenty-one.

1. Proclamation Summoning Parliament to Meet

The Legislative Assembly met at 11.00 am pursuant to the Proclamation of His Excellency the Governor, dated 20 April 2021, which was read by the Clerk, Kirsten Robinson, and was as follows –

Constitution Act 1889

**Proclamation summoning the Legislative
Council and Legislative Assembly 2021**

Made under the *Constitution Act 1889* section 3 by the Governor in Executive Council.

1. Citation

This proclamation is the *Proclamation Summoning the Legislative Council and Legislative Assembly 2021*.

2. Place for holding the first session of the Legislative Council and the Legislative Assembly in the 41st Parliament

Parliament House in the City of Perth is fixed as the place for holding the first session of the Legislative Council and the Legislative Assembly in the 41st Parliament.

3. Time for holding the first session of the Legislative Assembly in the 41st Parliament

Thursday 29 April 2021 at 11 am is fixed as the time for holding the first sitting of the first session of the Legislative Assembly in the 41st Parliament.

4. Time for holding the first session of the Legislative Council in the 41st Parliament

Thursday 29 April 2021 at 2.45 pm is fixed as the time for holding the first sitting of the first session of the Legislative Council in the 41st Parliament.

K. BEAZLEY, Governor.

M. McGOWAN, Premier.

2. Commissioner to Administer the Oath or Affirmation to Members

The Honourable Commissioner Chief Justice Peter Quinlan, Chief Justice of Western Australia, was announced to the House and was conducted to the Chair.

The Commission was read by the Clerk as follows –

Commission
authorising
the Honourable Chief Justice Peter Damien Quinlan
Chief Justice of Western Australia
to administer the oath or affirmation of office
to members of the Legislative Assembly

To: **the Honourable Chief Justice Peter Damien Quinlan**
Chief Justice of Western Australia

I, the Governor, acting under the *Constitution Act 1889* section 22, authorise you to administer the oath or affirmation of office in a form set out in Schedule E to that Act to members of the Legislative Assembly on the first day of the 41st Parliament on Thursday 29 April 2021.

Issued under the Public Seal of the State
at Perth on 20 April 2021.

K. BEAZLEY, Governor.

3. Writs

The Clerk produced the Writs for the General Election and informed the Commissioner that the following members were duly elected –

Albany	–	Rebecca Stephens
Armadale	–	Antonio De Paulo Buti
Balcatta	–	David Robert Michael
Baldivis	–	Reece Raymond Whitby
Bassendean	–	David Kelly
Bateman	–	Kim Giddens
Belmont	–	Cassandra Michelle Rowe
Bicton	–	Lisa Margaret O'Malley

Bunbury	–	Donald Thomas Punch
Burns Beach	–	Mark James Folkard
Butler	–	John Robert Quigley
Cannington	–	William Joseph Johnston
Carine	–	Paul Robert Lilburne
Central Wheatbelt	–	Mia Jane Davies
Churchlands	–	Christine Maelisa Tonkin
Cockburn	–	David Scaife
Collie-Preston	–	Jodie Louise Hanns
Cottesloe	–	David John Honey
Darling Range	–	Hugh Trevor Jones
Dawesville	–	Lisa Munday
Forrestfield	–	Stephen James Price
Fremantle	–	Simone Frances McGurk
Geraldton	–	Lara Dalton
Hillarys	–	Caitlin Collins
Jandakot	–	Shahyaz Yezdi Mubarakai
Joondalup	–	Emily Louise Hamilton
Kalamunda	–	Matthew Hughes
Kalgoorlie	–	Alison Kent
Kimberley	–	Divina Grace D’Anna
Kingsley	–	Jessica Mary Christine Stojkovski
Kwinana	–	Roger Hugh Cook
Landsdale	–	Margaret Mary Quirk
Mandurah	–	David Alan Templeman
Maylands	–	Lisa Loraine Baker
Midland	–	Michelle Hopkins Roberts
Mirrabooka	–	Meredith Hammat
Moore	–	Ronald Shane Love
Morley	–	Amber-Jade Sanderson
Mount Lawley	–	Simon Alexander Millman
Murray-Wellington	–	Robyn Marjorie Jane Clarke
Nedlands	–	Katrina Stratton
North West Central	–	Vincent Alexander Catania
Perth	–	John Carey
Pilbara	–	Kevin Joseph Jude Michel
Riverton	–	Jagadish Krishnan
Rockingham	–	Mark McGowan
Roe	–	Peter James Rundle
Scarborough	–	Stuart Aubrey
South Perth	–	Geoffrey Baker
Southern River	–	Terence Healy
Swan Hills	–	Jessica Jane Shaw
Thornlie	–	Christopher John Tallentire

Vasse	–	Elizabeth Mettam-Knarhoi
Victoria Park	–	Hannah Mary Beazley
Wanneroo	–	Sabine Elisabeth Winton
Warnbro	–	Paul Papalia
Warren-Blackwood	–	Elizabeth Jane Kelsbie
West Swan	–	Rita Saffioti
Willagee	–	Peter Charles Tinley

4. Administration of Oath or Affirmation

The elected members took and subscribed the Oath of Office or made and subscribed an Affirmation of Office and signed the roll of members.

His Honour the Commissioner congratulated the members and then retired from the Chamber.

5. Election of the Speaker

Mrs M.H. Roberts, as the member with the longest continuous service, assumed the Chair.

The Premier moved, That Mrs M.H. Roberts do take the Chair of the Assembly as Speaker.

The Deputy Premier formally seconded the motion.

As there were no further nominations, Mrs M.H. Roberts declared herself elected as Speaker.

Mrs M.H. Roberts then reassumed the Chair as Speaker.

6. Presentation of Speaker

The Premier informed the Legislative Assembly that His Excellency the Governor would be pleased to receive the Speaker and such members as desired to accompany her at 12.30 pm that afternoon.

Sitting suspended from 12.08 pm to 2.45 pm.

7. Presentation of Speaker

The Speaker reported that, accompanied by Ms D.G. D'Anna, Dr D.J. Honey, Ms A.E. Kent and Mr R.S. Love, she had presented herself to His Excellency the Governor, and on behalf of the Legislative Assembly had laid claim to its undoubted rights and privileges, and asked that the most favourable construction be put upon its proceedings.

His Excellency the Governor had been pleased to express his satisfaction at the choice of the Legislative Assembly in the following terms –

29 April 2021

Madam Speaker

It is with great pleasure that I learn that you have been elected by the Members of the Legislative Assembly to the high and honourable office of Speaker of the House.

I congratulate you upon your election and have every confidence you will fill the office in a worthy and dignified manner.

I recognise and I shall respect the Legislative Assembly's undoubted rights and privileges.

Yours sincerely

The Honourable Kim Beazley AC
Governor of Western Australia

8. Commission to Administer the Oath or Affirmation to Members

The Speaker reported that she had received a Commission from His Excellency the Governor to swear in honourable members, which was read by the Clerk as follows –

Commission
authorising
the Honourable Michelle Hopkins Roberts MLA
Speaker of the Legislative Assembly
to administer the oath or affirmation of office
to members of the Legislative Assembly

To: **the Honourable Michelle Hopkins Roberts MLA**
Speaker of the Legislative Assembly:

I, the Governor, acting under the *Constitution Act 1889* section 22, authorise you, while you are the Speaker of the Legislative Assembly, to administer the oath or affirmation of office in a form set out in Schedule E to that Act to members of the Legislative Assembly.

Issued under the Public Seal of the State
at Perth on 29 April 2021.

K. BEAZLEY, Governor

9. Message from His Excellency the Governor

The following Message was delivered by the Usher of the Black Rod –

Madam Speaker,

His Excellency the Governor requests the attendance of the members of the Legislative Assembly in the Legislative Council Chamber to hear his reasons for summoning the present session of Parliament.

Accordingly, Madam Speaker, accompanied by members, went to attend His Excellency, and having heard His Excellency's speech, returned.

10. Ministerial and Other Government Office Holders

The Premier announced that consequent to the election held on 13 March 2021, he was sworn in as Premier, together with all Ministers, with effect from 19 March 2021. Also with effect from 19 March 2021, Mr R.H. Cook was appointed Deputy Premier and Mr D.A. Templeman was appointed Leader of the House, and on 17 March 2021 Ms C. M. Rowe was elected Government Whip.

Papers

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

Premier – State Government Ministerial Offices (23).

Premier – Ministers' Representation in the Other House – Allocation of Portfolios (24).

Ms M.J. Davies announced that with effect from 14 April 2021, she was elected Leader of the Opposition, Mr R.S. Love was elected Deputy Leader of the Opposition and Manager of Opposition Business and Mr P.J. Rundle was elected Opposition Whip.

12. Liberal Party Office Holders

Dr D.J. Honey announced that with effect from 23 March 2021, he was elected Leader of the Liberal Party and Ms L. Mettam was elected Deputy Leader of the Liberal Party.

13. Message from the Governor

Message No. 43 from His Excellency the Governor was reported assenting to the following bills –

Swan Valley Planning Bill 2020, Act No. 45 of 2020.

Births, Deaths and Marriages Registration Amendment (Change of Name) Bill 2018, Act No. 46 of 2020.

Criminal Law Amendment (Uncertain Dates) Bill 2019, Act No. 47 of 2020.

National Disability Insurance Scheme (Worker Screening) Bill 2020, Act No. 48 of 2020.

14. Papers

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

Inspector of Custodial Services, Office of the – 2020 Inspection of Bunbury Regional Prison, Report No. 134, January 2021 (Received by the Speaker of the Legislative Assembly on 22 March 2021 and held for a period of 30 days) (25).

Papers received after 5 December 2020 and deemed tabled in the 40th Parliament –
By the Clerk –

Auditor General, Office of the – COVID-19: Status of WA Public Testing Systems, Report No. 10, December 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 9 December 2020) (4046).

Western Australian Planning Commission – Improvement Plan No. 55: Bennett Springs East, October 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 14 December 2020) (4047).

Auditor General, Office of the – COVID-19: Relief Fund, Report No. 11, December 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 21 December 2020) (4048).

Legal Profession Complaints Committee Western Australia – Annual Report 2019–2020 Received by the Clerk of the Legislative Assembly and deemed tabled on 13 January 2021) (4049).

Legal Practice Board of Western Australia – Annual Report 2019–2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 19 January 2021) (4050).

Future Health Research and Innovation Fund Advisory Council – Recommendation regarding Future Health Research and Innovation Fund Priorities for 2020–2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 27 January 2021) (4051).

Future Health Research and Innovation Fund Advisory Council – Recommendation Regarding Application of Future Health Research and Innovation Account moneys in 2020–2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 27 January 2021) (4052).

Western Australian Future Health Research and Innovation Fund Act 2012 – Ministerial Direction under section 4D of the Act to the Future Health Research and Innovation Fund Advisory Council regarding funds for the 2020–2021 Financial Year (Received by the Clerk of the Legislative Assembly and deemed tabled on 27 January 2021) (4053).

Corruption and Crime Commission – Review of an investigation by Water Corporation into serious misconduct allegations in procurement (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 January 2021) (4054).

Auditor General, Office of the – Grants Administration, Report No. 12, January 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 January 2021) (4055).

Western Australian Treasury Corporation – Quarterly Report for the Quarter Ended 31 December 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 29 January 2021) (4056).

Papers received after 1 February 2021 and deemed tabled in the 41st Parliament –

By the Speaker –

Inspector of Custodial Services, Office of the – 2020 Inspection of Bandyup Women’s Prison, Report No. 131, December 2020 (Received by the Speaker of the Legislative Assembly on 20 January 2021 and held for a period of 30 days. Deemed tabled by the Clerk of the Legislative Assembly on 31 March 2021) (8).

Inspector of Custodial Services, Office of the – 2020 Inspection of Eastern Goldfields Regional Prison, Report No. 132, December 2020 (Received by the Speaker of the Legislative Assembly on 3 March 2021 and held for a period of 30 days. Deemed tabled by the Clerk of the Legislative Assembly on 12 April 2021) (20).

Inspector of Custodial Services, Office of the – 2020 Inspection of West Kimberley Regional Prison, Report No. 133, January 2021 (Received by the Speaker of the Legislative Assembly on 9 March 2021 and held for a period of 30 days. Deemed tabled by the Clerk of the Legislative Assembly on 15 April 2021) (21).

By the Clerk –

Mines, Industry Regulation and Safety, Department of – Energy Safety Business Plan 2021– 2022 (Received by the Clerk of the Legislative Assembly and deemed tabled on 2 February 2021) (1).

Auditor General, Office of the – Opinion on Ministerial Notification – Release of Schedule of Stumpage Rates, Report No. 13, February 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 24 February 2021) (2).

Auditor General, Office of the – Opinion on Ministerial Notification – Hotel Perth Campaign Reports, Report No. 14, February 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 24 February 2021) (3).

Auditor General, Office of the – Opinion on Ministerial Notification – Tax and Funding Information Relating to Racing and Wagering Western Australia, Report No. 15, February 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 February 2021) (4).

Equal Opportunity Commission – Final Report, 1 July 2020 – 30 November 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 4 March 2021) (5).

Auditor General, Office of the – Application Controls Audits 2021, Report No. 16, March 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 9 March 2021) (6).

Auditor General, Office of the – Department of Communities’ Administration of Family and Domestic Violence Support Services, Report No. 17, March 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 11 March 2021) (7).

Central Regional TAFE – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (9).

Curtin University – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (10).

Edith Cowan University – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (11).

Murdoch University – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (12).

North Metropolitan TAFE – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (13).

North Regional TAFE – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (14).

South Metropolitan TAFE – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (15).

South Regional TAFE – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (16).

University of Western Australia – Annual Report 2020 (Received by the Clerk of the Legislative Assembly and deemed tabled on 31 March 2021) (17).

Auditor General, Office of the – Regulation of Consumer Food Safety by the Department of Health, Report No. 18, April 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 1 April 2021) (18).

Auditor General, Office of the – Opinion on Ministerial Notification – Bennett Brook Disability Justice Centre, Report No. 19, April 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 8 April 2021) (19).

Auditor General, Office of the – Opinion on Ministerial Notification – Policing Information, Report No. 20, April 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 April 2021) (22).

15. Notice of Motion

16. Legislation Bill 2021

The Premier, in order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, without notice, moved,

That a bill for “An Act –

- to provide for public access to Western Australian legislation; and
- to provide for the official status of published versions of Western Australian legislation; and
- to provide for Western Australian legislation to be kept in an up-to-date form and consistent with current drafting practice; and
- to repeal the *Reprints Act 1984*; and
- for related purposes.” be introduced and read a first time.

Question put and passed.

The Premier presented an explanatory memorandum and bill read a first time.

Ordered, That the second reading of the bill be made an Order of the Day for the next sitting of the Assembly.

17. His Excellency the Governor's Speech

The Speaker reported that, accompanied by members, she attended His Excellency the Governor in the Legislative Council Chamber, where His Excellency was pleased to make a speech to both Houses of Parliament. For the sake of greater accuracy, the Speaker caused copies of the speech to be distributed amongst members of the Chamber.

18. Address in Reply to the Governor's Speech

Ms L. Dalton moved, That the following Address in Reply to His Excellency's Speech be agreed to –

To His Excellency the Honourable Kim Beazley AC, Governor of the State of Western Australia.

May it please Your Excellency –

We, the Legislative Assembly of the Parliament of the State of Western Australia in Parliament assembled, beg to express loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the speech you have been pleased to address to Parliament.

The Leader of the House formally seconded the motion.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

19. Election of Deputy Speaker

The Premier moved, That Mr S.J. Price be appointed as Deputy Speaker.

The Deputy Premier formally seconded the motion.

As there were no further nominations, the Speaker declared Mr S.J. Price elected as Deputy Speaker.

20. Speaker's Statement – Meal Breaks

The Speaker advised members that the Assembly will break for dinner on Tuesdays between 6.00 pm and 7.00 pm, on Wednesdays there will not be a break for dinner unless the business of the Assembly indicated a need for one, and on Thursdays the Assembly will break for lunch between 1.00 pm and 2.00 pm.

21. Questions

Questions without Notice were taken.

22. Speaker's Statement – Artwork

The Speaker advised members that a painting, titled Kapi Winki, painted by the late Wingu Tingima, a senior Pitjantjara woman, was now on display in the Speaker's Corridor.

23. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 4.44 pm until Tuesday, 4 May 2021 at 2.00 pm.

Members present during any part of the day's proceedings – All the members present.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly