

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 101

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 20 NOVEMBER 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 Premier on the findings from the Public Sector Commission's review of contracts between Government agencies and the contractors named in the Corruption and Crime Commission report of 16 August 2018.

Paper

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

By the Premier –

Public Sector Commission – Independent Review of Contracts, 23 October 2018 (2051).

The Minister for Sport and Recreation on the sustainable funding review of sport and recreation in Western Australia.

The Minister for Prevention of Family and Domestic Violence on the International Day for the Elimination of Violence against Women, and the commencement of the 16 Days in WA campaign to stop violence against women.

The Minister for Health on the 2018 WA Health Excellence Awards.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 4380 to 4384 were asked.

Questions on Notice Nos 4025, 4027, 4028, 4031, 4032, 4034, 4037, 4038, 4040, 4041, 4043 to 4046, 4048, 4050, 4053, 4059, 4099, 4100, 4102 to 4106, 4108 to 4110, 4112 to 4114, 4119, 4124, 4131, 4133 to 4135, 4140, 4145, 4150, 4154, 4155, 4159 to 4161, 4163 to 4171, 4173, 4175, 4176, 4179, 4184,

4186, 4188, 4189, 4191 to 4193, 4200 to 4206, 4238, 4242, 4243, 4246, 4248, 4251, 4255, 4258 to 4262, 4269 to 4274, 4277, 4281, 4282 and 4293 were answered.

Papers tabled by the Premier; Minister for Public Sector Management; State Development, Jobs and Trade; Minister representing the Minister for Regional Development; Agriculture and Food –

Question on Notice No. 4119 – Table listing debts written off for each department, agency or Government Trading Enterprise under the Minister's portfolio of responsibilities from 2015 to 2018 (2027).

Question on Notice No. 4140 – Table listing Freedom of Information requests received by the Minister's office since March 2017 (2028).

Question on Notice No. 4202 – List of LotteryWest grants approved from 2013 to 2018 (2029).

Question on Notice No. 4204 – Budget allocation for the Retail Transformation Program from 2013 to 2018 (2030).

Question on Notice No. 4205 – List of total winnings paid to players of LotteryWest products from 2014 to 2018 (2031).

Question on Notice No. 4243 – List of interest accrued by local governments and organisations from Royalties for Regions funding since March 2017 (2032).

Question on Notice No. 4277 – Table listing new projects approved under the Minister for Regional Development; Agriculture and Food's portfolio of responsibilities (2033).

Papers tabled by the Minister for Mental Health –

Question on Notice No. 4112 – List of preventative and educational programs currently funded by the Department of Health and the Mental Health Commission (2034).

Question on Notice No. 4133 – Details relating to FTE administrative staff and office leasing arrangements for Metropolitan Health Services. (2035).

Papers tabled by the Minister for Seniors and Ageing; Volunteering; Sport and Recreation –

Question on Notice No. 4165 – Breakdown of all approved sport and recreation grants from 2015 to 2018 (2036).

Question on Notice No. 4171 – Volunteering Community Reference Group meeting agenda held on 6 December 2017 (2037).

Paper tabled by the Treasurer; Minister for Finance; Energy; Aboriginal Affairs –

Question on Notice No. 4124 – List of debts written off for each department, agency or Government Trading Enterprise under the Minister's portfolio of responsibilities (2041).

Papers tabled by the Minister representing the Minister for Education and Training –

Question on Notice No. 4159 – List detailing amenities expenditure for Western Australian Government Schools from 2015 to 2018 (2038).

Question on Notice No. 4167 – List of transportable classrooms used in Western Australian Government schools from 2016 to 2018 (2039).

Question on Notice No. 4168 – List of student attendance rates for Western Australian Government schools from 2016 to 2018 (2040).

Question on Notice No. 4255 – List of election commitments for public schools in the electorate of Darling Range (2042).

Papers tabled by the Minister for Transport; Planning; Lands –

Question on Notice No. 4031 – Overview of the Planning Review Teams scope of work under the new planning reform (2043).

Question on Notice No. 4034 – Contract detailing the sale of land to Landcorp to build a Medihotel (2044).

Question on Notice No. 4037 – List of Esperance Port fees and charges from July 2017 (2045).

Question on Notice No. 4043 – 2015–2016 Business case for the innovative transformation of ticketing systems for Metronet (2046).

Question on Notice No. 4045 – Toodyay Road 2017–2018 safety improvements project plan and funding submission (2047).

Question on Notice No. 4053 – Bunbury Development Committee agenda for the meeting held on 28 June 2018 (2048).

Paper tabled by the Minister for Housing –

Question on Notice No. 4173 – List of applicants on the wait list for Western Australia public housing from June 2015 to 2018 (2049).

Paper tabled by the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science –

Question on Notice No. 4170 – List of total FTE directly employed by the Water Corporation from 2007 to 2018 (2050).

4. Additional Information

The Minister representing the Minister for Education and Training provided additional information relating to Question on Notice No. 2675 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 representing the Minister for Education and Training –

Education and Training, Minister representing the Minister for – Additional Information in relation to Question on Notice No. 2675 (2052).

5. Unanswered Questions on Notice

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

Mrs L.M. Harvey – Questions on Notice Nos 4026, 4107, 4153, 4240 and 4241.

Mr P.A. Katsambanis – Questions on Notice Nos 4090, 4162, 4208, 4209, 4213 4236, 4237, 4239, 4275 and 4276.

6. Petition

3 Oceans Property Development Proposal – Mrs L.M. Harvey presented a petition from 888 persons requesting that the Legislative Assembly compels the Minister for Planning to direct the Metropolitan Redevelopment Authority to adhere to the Scarborough Planning Framework and direct the MRA Board to reject the 3 Oceans proposal at the corner of Scarborough Beach Road and West Coast Highway (P. 116).

7. Message from the Governor

Message No. 31 from His Excellency the Governor was reported assenting to the following bills –

Strata Titles Amendment Bill 2018, Act No. 30 of 2018.

Local Government Amendment (Suspension and Dismissal) Bill 2018, Act No. 31 of 2018.

Community Titles Bill 2018, Act No. 32 of 2018.

Community Titles Amendment (Consistency of Charging) Bill 2018, Act No. 33 of 2018.

Railway (METRONET) Bill 2018, Act No. 34 of 2018.

8. Railway (METRONET) Bill 2018

Message No. 63 dated 8 November 2018 from the Legislative Council was reported agreeing to the bill without amendment.

9. 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 – 2018 Inspection of Wooroloo Prison Farm, Report No. 119, September 2018 (2008).

By the Clerk –

Cemeteries Act 1986 – Local Laws (Shire of Morawa Cemeteries Local Law 2018 G.G. 13/11/2018) (2009).

Commission for Occupational Safety and Health – Annual Report 2017–2018 (2010).

Community Protection (Offender Reporting) Act 2004 – Regulations (Community Protection (Offender Reporting) Amendment Regulations 2018 G.G. 13/11/2018) (2011).

Construction Industry Portable Paid Long Service Leave Act 1985 – Regulations (Construction Industry Portable Paid Long Service Leave Amendment Regulations 2018 G.G. 09/11/2018) (2012).

Criminal Injuries Compensation, Office of – Chief Assessor's Report 2017–2018 (2013).

Criminal Procedure Act 2004 – Rules (Criminal Procedure Amendment Rules 2018 G.G. 16/11/2018) (2014).

Fish Resources Management Act 1994 – Management Plans (West Coast Deep Sea Crustacean Managed Fishery Management Plan Amendment 2018 [1352] G.G. 13/11/2018) (2015).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Greens Pool) Order 2018 [1398] G.G. 13/11/2018) (2016).

Health (Miscellaneous Provisions) Act 1911, Medicines and Poisons Act 2014 – Regulations (Health Regulations Amendment Regulations 2018 G.G. 13/11/2018) (2017).

Health Services Act 2016 – Orders (Health Services (Fees and Charges) Amendment Order (No. 7) 2018 G.G. 13/11/2018) (2018).

Local Government Act 1995 – Local Laws (City of South Perth Penalty Units Amendment Local Law 2018 G.G. 13/11/2018) (2019).

Local Government Act 1995 – Local Laws (Shire of Morawa Amenity Local Law 2018 G.G. 13/11/2018) (2020).

Local Government Act 1995 – Local Laws (Shire of Morawa Dogs Local Law 2018 G.G. 13/11/2018) (2021).

Local Government Act 1995 – Local Laws (Shire of Morawa Public Places and Local Government Property Local Law 2018 G.G. 13/11/2018) (2022).

Police Act 1892 – Regulations (Police Force (Member Testing) Amendment Regulations (No. 3) 2018 G.G. 13/11/2018) (2023).

Prisons Act 1981, Young Offenders Act 1994 – Regulations (Corrective Services Regulations Amendment Regulations 2018 G.G. 13/11/2018) (2024).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (Shire of Morawa Waste Local Law 2018 G.G. 13/11/2018) (2025).

Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations 2018 G.G. 13/11/2018) (2026).

10. Notice of Motion

11. Expiration of Notice of Motion

The Speaker advised members that Private Members' Business Notice of Motion No. 1, notice of which was given on 21 November 2017 and renewed for a further 30 sitting days on 19 June 2018, would be removed and would not appear on the next Notice Paper.

12. Notice of Motion Lapsed

The Speaker advised that Private Members' Business Notice of Motion No. 2 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

13. Matter of Public Interest – Carnegie Clean Energy

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

At least five members having risen in support,

Ms M.J. Davies moved,

That this House calls on the Premier to immediately cancel the contract with Carnegie Clean Energy and relieve the Minister for Regional Development of her responsibilities in his upcoming Cabinet reshuffle, in light of the news that Carnegie is likely to miss another milestone of the Albany Wave Energy Project.

Debate ensued.

Question put.

The Assembly divided.

Ayes (15)

Mr I.C. Blayney	Mr P.A. Katsambanis	Mr D.C. Nalder
Mr V.A. Catania	Mr S.K. L'Estrange	Mr K.M. O'Donnell
Ms M.J. Davies	Mr R.S. Love	Mr D.T. Redman
Mrs L.M. Harvey	Mr W.R. Marmion	Mr P.J. Rundle
Mrs A.K. Hayden	Dr M.D. Nahan	Mr A. Krsticevic (<i>Teller</i>)

Noes (36)

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

Question thus negatived.

14. Speaker's Statement – Petition

The Speaker advised members that the Member for Scarborough had presented a petition regarding the Scarborough Planning Framework and a proposed development contrary to that Framework and that, on a point of order, the Leader of the House queried if a member was discounted from presenting a petition if they have a potential or direct conflict of interest. The Speaker advised that members table petitions in the House on behalf of constituents, to enable individuals or groups to make requests directly to the Legislative Assembly and that tabling a petition does not mean the member agrees with or supports its content. The member is simply presenting a petition on their constituents' behalf. The Speaker therefore ruled that the petition was in order.

15. Suspension of Standing Orders

Mr D.T. Redman, 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 refers to the Public Accounts Committee an inquiry into the Albany Wave Energy Project, including all information Government used to award the tender and amend milestone payments, to ensure prudent expenditure of taxpayers' money.

The Leader of the House moved, To add to the motion –
“

, subject to the debate being limited to 10 minutes for government members and 10 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.

16. Public Accounts Committee Referral

Mr D.T. Redman, pursuant to the foregoing motion, moved,

That this House refers to the Public Accounts Committee an inquiry into the Albany Wave Energy Project, including all information Government used to award the tender and amend milestone payments, to ensure prudent expenditure of taxpayers' money.

Debate ensued.

Question put.

The Assembly divided.

Ayes (15)

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

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

Mr D.C. Nalder
Mr K.M. O'Donnell
Mr D.T. Redman
Mr P.J. Rundle
Mr A. Krsticevic (*Teller*)

Noes (35)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Mr R.H. Cook
Mr M.J. Folkard
Ms J.M. Freeman
Ms E.L. Hamilton
Mr T.J. Healy
Mr M. Hughes
Mr W.J. Johnston
Mr D.J. Kelly

Mr F.M. Logan
Mr M. McGowan
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mr M.P. Murray
Mrs L.M. O'Malley
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts

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*)

Question thus negatived.

17. Gender Reassignment Amendment 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.

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.

Question put and passed.

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

18. Animal Welfare Amendment Bill 2017

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 10 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 Local Government moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time and passed.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.17 pm until Wednesday, 21 November 2018 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr Z.R.F. Kirkup.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly