

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 62

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 8 MAY 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 appointment of the Honourable Kim Beazley AC as the thirty-third Governor of Western Australia.

The Premier on the passing of prominent Western Australian Tony Cooke.

The Minister for Commerce and Industrial Relations on the audit to identify State buildings with potentially dangerous cladding.

The Minister for Veterans Issues on the 20th anniversary of the fire aboard HMAS Westralia.

3. Speaker's Statement – Budget Day

The Speaker advised members that in accordance with standard practice, the government has requested that the budget be presented at 2.00 pm on Thursday. Accordingly, members' 90-second statements would occur at 12.20 pm and Questions without Notice at 12.30 pm on Thursday 10 May 2018.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 3044 to 3076 were asked.

Questions on Notice Nos 2367, 2385, 2402, 2425, 2474, 2481, 2498, 2515, 2532, 2576, 2598, 2599, 2601 to 2604, 2619, 2620, 2622 to 2646, 2648 to 2653, 2656 to 2659, 2661, 2663 to 2665, 2667 to 2669, 2673, 2675 to 2681, 2684 to 2686, 2692 to 2699, 2701 to 2704, 2707, 2711, 2713 to 2716, 2718 to 2721, 2724, 2728, 2756, 2767, 2778, 2793, 2794, 2796, 2798 to 2801, 2808, 2810, 2811, 2813, 2815 to 2818, 2825, 2827 to 2830, 2833 to 2835, 2838, 2841 to 2847, 2850 to 2852, 2855, 2858 to 2864, 2866, 2868, 2869, 2875 to 2881, 2884 to 2886, 2892 to 2897, 2899, 2902 to 2904, 2907, 2910 to 2912, 2914, 2916, 2922 to 2926, 2928, 2929, 2933 to 2935, 2939, 2941, 2942, 2944 to 2947, 2949 to 2952, 2955, 2958, 2960, 2962 to 2965, 2967 to 2971, and 2977 to 2979 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. 2838 – List of Government vehicles reported stolen for each department, agency and government trading enterprise (GTEs) under the Minister's portfolio in the past five years up to the present date (1299).

Question on Notice No. 2855 – List of Government vehicles reported stolen for each department, agency and government trading enterprise (GTEs) under the Minister's portfolio in the past five years up to the present date (1300).

Question on Notice No. 2907 – List of Government staff vehicles involved with a crash and or repairs in the year 2016 to 2018 under the Ministers' portfolio of responsibilities (1301).

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

Question on Notice No. 2951 – Gift Register for the Ministerial Office of the Minister for Seniors and Ageing; Volunteering; Sport and Recreation (1302).

Paper tabled by the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests –

Question on Notice No. 2949 – Gift Registry for the Ministerial Office of the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests (1303).

Paper tabled by the Minister for Mines and Petroleum; Commerce and Industrial Relations; Electoral Affairs; Asian Engagement –

Question on Notice No. 2385 – List of Government department vehicles under the Minister's portfolio of responsibilities that have received a traffic infringement since 1 January 2017 (1304).

Question on Notice No. 2367 – Table detailing contact between the Minister and Ministerial staff and registered lobbyist Cannings Purple since 17 March 2017 (1305).

Paper tabled by Minister for Housing; Veterans Issues; Youth –

Question on Notice No. 2946 – Gift Registry for the Ministerial Office of the Minister for Housing; Veterans Issues; Youth (1306).

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

Question on Notice No. 2944 – Gift Registry for the Ministerial Office of the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science (1307).

5. Procedure and Privileges Committee

The Speaker, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Procedure and Privileges Committee – Misleading the House: Statements Made by the Member for Darling Range, Report No. 2 (1308).

Ms L.L. Baker, Mr P.J. Rundle, Mr K.J.J. Michel, and Mr I.C. Blayney spoke on the report.

6. Personal Explanation

Mr B. Urban made a personal explanation.

7. Resignation of the Member for Darling Range

The Speaker advised members that he had received the resignation of Mr Barry Urban, MLA as member for the Electoral District of Darling Range in the following terms –

To the Speaker of the House,

It is with great sadness and regret that as of 8 May 2018 I hereby formally submit my resignation as Member for Darling Range from the Legislative Assembly.

Regards,

Barry Urban

The Speaker advised members that under section 67(1) of the *Electoral Act 1907*, whenever a vacancy occurs in the Legislative Assembly from any cause, the House must pass a motion declaring such vacancy, which then enables the Speaker to cause a writ to be issued.

The Premier, without notice, moved,

That the seat for the electoral district of Darling Range be and is hereby declared vacant by reason of the resignation of Barry Urban.

Question put and passed.

The Speaker advised that he would notify the House at the earliest opportunity as to when a writ would be issued directing the Electoral Commissioner to conduct a by-election for the Darling Range electoral district.

8. Suspension of Standing Orders

The Leader of the House, 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 accepts Report No. 2, “Misleading the House: Statements Made by the Member for Darling Range” of the Procedure and Privileges Committee and endorses all 8 of the Committee’s recommendations, and hereby revokes any and all privileges the Member for Darling Range would otherwise have as a former member of the Parliament.

Debate ensued.

Dr M.D. Nahan moved, To add the words –

“

and defers debate on this serious issue until the next day’s sitting of Parliament to allow members to consider the report and the recommendations contained therein.

”.

Debate ensued.

Amendment put and passed.

On the question, That the motion, as amended, be agreed to,

The 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.

9. Messages from the Governor

Message No. 5 from Her Excellency the Governor was reported assenting to the following bills –

Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Bill 2017, Act No. 3 of 2018.

Health Practitioner Regulation National Law (WA) Amendment Bill 2017, Act No. 4 of 2018.

Message No. 6 from Her Excellency the Governor was reported assenting to the following bills –

Land Tax Assessment Amendment Bill 2017, Act No. 5 of 2018.

10. Petitions

Community Resource Centres – Petitions requesting that the Legislative Assembly call upon the Premier Mark McGowan to ensure adequate funding to support the ongoing operation of all Community Resource Centres, without reducing service delivery were presented by –

Ms M.J. Davies from 846 persons (P. 78);
Mr D.T. Redman from 70 persons (P. 79); and
Mr P.J. Rundle from 68 persons (P. 80).

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 – 2017 Inspection of Banksia Hill Detention Centre Report No. 116 February 2018 (Received by the Clerk of the Legislative Assembly on 13 March 2018 and deemed tabled on 17 April 2018) (1265).

By the Clerk –

Auditor General, Office of the – Audit Results Report – Annual 2017 Financial Audits and Management of Contract Extensions and Variations: Report No. 6, May 2018 (1267).

Auditor General, Office of the – Confiscation of the Proceeds of Crime: Report No. 5, May 2018 (Received by the Clerk of the Legislative Assembly and deemed tabled on 2 May 2018) (1266).

Bush Fires Act 1954 – Local Laws (Shire of Collie Bush Fire Brigades Amendment Local Law 2018 G.G. 04/05/2018) (1268).

Business Names (Commonwealth Powers) Act 2012 – Statutory Review Report of the Act October 2017 (1269).

Cemeteries Act 1986 – Local Laws (Shire of Northam Cemeteries Amendment Local law 2017 (No. 2) G.G. 24/04/2018) (1270).

Dangerous Goods Safety Act 2004 – Codes (Approved Codes of Practice in accordance with section 20 of the Dangerous Goods Safety Act 2004 (2018) G.G. 01/05/2018) (1271).

Electricity Industry Act 2004 – Regulations (Electricity Industry (Independent Market Operator) Repeal Regulations 2018 G.G. 27/04/2018) (1272).

Electricity Industry Act 2004 – Rules (Wholesale Electricity Market Rules Amending Rules 2018 G.G. 27/04/2018) (1273).

Environmental Protection Act 1986 – Regulations (Environmental Protection Amendment Regulations 2018 G.G. 27/04/2018) (1274).

Financial Management Act 2006 – Notice given under Section 82 of the Act by the Minister for Forestry to not provide information relevant to 2016–2017 Annual Report hearings – request for supplementary information and additional questions, Question 13A regarding pricing for the sale of pine (1275).

Financial Management Act 2006 – Notice given under Section 82 of the Act by the Minister for Transport in relation to not providing a response to Legislative Council 2016–2017 Annual Report Hearings Supplementary Information A1 regarding the Taxi Users' Subsidy Scheme Review report (1277).

Financial Management Act 2006 – Notice given under Section 82 of the Act by the Minister for Transport in relation to not providing a response to Legislative Council Question on Notice 120 regarding minutes of a METRONET Taskforce meeting on 27 February 2018 (1276).

Gas Services Information Act 2012 – Rules (Gas Services Information Rules Amending Rules 2018 G.G. 27/04/2018) (1278).

Health (Miscellaneous Provisions) Act 1911 – Regulations (Health Regulations Amendment (Cervical Screening Register) Regulations 2018 G.G. 10/04/2018) (1279).

Health Services Act 2016 – Orders (Health Services (Fees and Charges) Amendment Order (No. 4) 2018 G.G. 27/04/2018) (1280).

Liquor Control Act 1988 – Regulations (Liquor Control (Kunawarritji Restricted Area) Amendment Regulations 2018 G.G. 13/04/2018) (1281).

Liquor Control Act 1988 – Regulations (Liquor Control (Yakanarra Restricted Area) Amendment Regulations 2018 G.G. 17/04/2018) (1282).

Local Government Act 1995 – Local Laws (City of Kalgoorlie-Boulder Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2018 G.G. 04/05/2018) (1283).

Local Government Act 1995 – Local Laws (City of Kalgoorlie-Boulder Local Government Property Amendment Local Law 2018 G.G. 04/05/2018) (1284).

Local Government Act 1995 – Local Laws (City of Karratha Standing Orders Local Law 2018 G.G. 03/05/2018) (1285).

Local Government Act 1995 – Local Laws (City of Vincent Standing Orders Amendment Local Law 2017 G.G. 20/04/2018) (1286).

Local Government Act 1995 – Local Laws (Shire of Broome Parking and Parking Facilities Amendment Local Law 2018 G.G. 24/04/2018) (1287).

Local Government Act 1995 – Local Laws (Shire of Murray Consolidated Amendment Local Law 2018 G.G. 10/04/2018) (1288).

Local Government Act 1995 – Local Laws (Shire of Northam—Standing Orders Local Law 2018 G.G. 24/04/2018) (1289).

Lotteries Commission Act 1990 – Rules (Lotteries Commission (Authorised Lotteries) (Powerball) Amendment Rules 2018 G.G. 10/04/2018) (1290).

Mental Health Act 2014 – Regulations (Mental Health Amendment Regulations 2018 G.G. 01/05/2018) (1291).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 2) 2018 G.G. 04/05/2018) (1292).

Petroleum Products Pricing Act 1983 – Regulations (Petroleum Products Pricing Amendment Regulations 2018 G.G. 01/05/2018) (1293).

Premier and Cabinet, Department of – Ministerial Resourcing Report as at 22 March 2018 (1294).

State Administrative Tribunal Act 2004 – Rules (State Administrative Tribunal Amendment Rules 2018 G.G. 24/04/2018) (1295).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (City of Albany Waste Local Law 2017 G.G. 10/04/2018) (1296).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (City of Busselton Waste Amendment Local Law 2018 G.G. 13/04/2018) (1297).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (City of Nedlands Waste Amendment Local Law 2017 G.G. 20/04/2018) (1298).

12. Notices of Motion

13. Notice of Motion Lapsed

The Acting 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.

14. Financial Transaction Reports 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.

15. Variation to the Order of Business

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

16. Heritage 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.

Ordered, That the consideration in detail of the bill be made an Order of the Day for the next sitting of the Assembly.

17. Railway and Port (The Pilbara Infrastructure Pty Ltd) Agreement Amendment Bill 2018

Message No. 33 dated 8 May 2018 from the Legislative Council was reported agreeing to the bill without amendment.

18. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 11.07 pm until Wednesday, 9 May 2018 at 12.00 noon.

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

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly