

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 77

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 14 AUGUST 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. Electoral District of Darling Range – Return of Writ and Member Sworn

The Clerk produced the certified copy of the returned writ for the Electoral District of Darling Range and reported that it certified that Alyssa Hayden had been duly elected to serve in the Legislative Assembly for that district.

Mrs Hayden took and subscribed the Oath of Office according to law.

3. Speaker's Statement – Media Presence

The Speaker advised members that he had approved the presence of photographers and television cameras in the Press and Public Galleries and at the north and south entrances of the Chamber for the first ten minutes of Question Time.

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the appointments of Ms Sharyn O'Neill as Public Sector Commissioner, and Ms Jodi Cant as Director General of Finance.

The Minister for Corrective Services on the Greenough Regional Prison riot.

The Attorney General on the retirement of the Chief Justice of Western Australia, the Honourable Wayne Martin QC AC.

The Minister for Sport and Recreation on the passing of Mr John Gilmour OAM.

The Minister for Veterans Issues on the passing of Mr John Gilmour OAM.

5. Questions

Questions without Notice were taken.

Questions on Notice Nos 3450 to 3900 were asked.

Questions on Notice Nos 2882, 2900, 2931, 2948, 2991, 3078, 3100 to 3103, 3106 to 3110, 3112, 3113, 3115 to 3120, 3123 to 3127, 3129, 3130, 3132 to 3138, 3140 to 3144, 3146, 3148 to 3156, 3158 to 3162, 3164, 3165, 3167 to 3171, 3173, 3174, 3177, 3178, 3182 to 3184, 3187, 3188, 3192 to 3195, 3198 to 3202, 3205, 3207 to 3210, 3212, 3215 to 3219, 3221 to 3290, 3293, 3294, 3296 to 3299, 3301 to 3314, 3316 to 3322, 3324, 3325, 3327 to 3335, 3338, 3340 to 3342, 3344, 3347 to 3351, 3357, 3359 to 3362, 3364 to 3369, 3371, 3374, 3376 to 3379, 3381 to 3385, 3388, 3391 to 3410, 3412, 3414 to 3416, 3418 to 3433, 3437 to 3441, and 3443 to 3447 were answered.

Papers tabled by the Premier; Minister representing the Minister for Regional Development; Agriculture and Food –

Question on Notice No. 3187 – Mobile usage by employees under departments, agencies and government trading enterprises under the Minister’s portfolio of responsibilities (1544).

Question on Notice No. 3342 – Table detailing training completed by staff within the Premier’s Ministerial Office (1545).

Question on Notice No. 3443 – Pamphlet detailing regulations for record keeping procedures for voicemail and text messages (1546).

Paper tabled by the Deputy Premier; Minister for Health; Mental Health –

Question on Notice No. 3307 – Information relating to not-for-profit and Local Government Organisations that have grant and service agreements expiring on 30th June 2018 (1547).

Papers tabled by the Minister for Local Government; Heritage; Culture and the Arts –

Question on Notice No. 3316 – Details of the voluntary targeted separation scheme for departments and agencies under the Minister’s portfolio of responsibilities (1548).

Question on Notice No. 3320 – Table detailing the dollar value of rates for each individual metropolitan and regional council (1549).

Question on Notice No. 3321 – Table detailing the average percentage increase in rates for each individual metropolitan and regional council (1550).

Question on Notice No. 3402 – Table detailing training requests and sessions provided by the State Records Office over the past five years (1551).

Question on Notice No. 3404 – Table listing the total number of complaints received by the Department of Local Government, Sport and Cultural Industries during 2017–2018 (1552).

Question on Notice No. 3409 – Table detailing unauthorised credit card use by employees under departments, agencies and government trading enterprises within the Minister’s portfolio of responsibilities (1553).

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

Question on Notice No. 3313 – Table listing Treasury Corp account balances and total drawdowns as at 31 May 2018 (1554).

Paper tabled by the Minister for Child Protection; Women’s Interests; Prevention of Family and Domestic Violence; Community Services –

Question on Notice No. 3215 – Table detailing grants under the Hardship Utility Grants Scheme (1555).

Paper tabled by the Minister for Water –

Question on Notice No. 3078 – Table detailing household annual water consumption greater than 500 kl during 2016–2017 (1556).

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

Question on Notice No. 3447 – Table detailing assaults and physically threatening behaviour against Department of Education employees at schools during 2017 (1557).

6. Message from the Governor

Message No. 14 from His Excellency the Governor was reported assenting to the following bills –

Liquor Control Amendment Bill 2018, Act No. 9 of 2018.

Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017, Act No. 10 of 2018.

Terrorism (Extraordinary Powers) Amendment Bill 2018, Act No. 11 of 2018.

7. 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 Albany Regional Prison, Report No. 118, June 2018 (1468).

Inspector of Custodial Services, Office of the – Direct Review of Allegations made by Amnesty International Australia about ill-treatment at Banksia Hill Detention Centre, June 2018 (1469).

By the Clerk –

Associations Incorporation Act 2015, Associations Incorporation Act 2015, Auction Sales Act 1973, Building Services (Complaint Resolution and Administration) Act 2011, Building Services (Registration) Act 2011, Construction Contracts Act 2004, Co-operatives Act 2009, Debt Collectors Licensing Act 1964, Electricity Act 1945, Employment Agents Act 1976, Gas Standards Act 1972, Land Valuers Licensing Act 1978, Limited Partnerships Act 2016, Motor Vehicle Dealers Act 1973, Motor Vehicle Repairers Act 2003, Occupational Safety and Health Act 1984, Plumbers Licensing Act 1995, Real Estate and Business Agents Act 1978, Residential Tenancies Act 1987, Settlement Agents Act 1981 – Regulations (Commerce and Industrial Relations Regulations Amendment (Fees and Charges) Regulations 2018 G.G. 25/06/2018) (1470).

Bail Act 1982 – Regulations (Bail Amendment Regulations 2018 G.G. 29/06/2018) (1471).

Biosecurity and Agriculture Management Act 2007 – Determinations (Biosecurity and Agriculture Management Determination under s. 130 - Pastoral lease in the Prescribed Areas 2018 G.G. 06/07/2018) (1472).

Biosecurity and Agriculture Management Act 2007 – Determinations (Biosecurity and Agriculture Management Determination under s. 130 - Rates and Charges 2018 G.G. 06/07/2018) (1473).

Bush Fires Act 1954 – Local Laws (Shire of Morawa Bush Fire Brigades Local Law 2018 G.G. 06/08/2018) (1474).

Carers Advisory Council – Compliance Report 2016–2017 (1475).

Children's Court of Western Australia Act 1988, Civil Judgments Enforcement Act 2004, Coroners Act 1996, District Court of Western Australia Act 1969, Magistrates Court Act 2004, State Administrative Tribunal Act 2004, Supreme Court Act 1935 – Regulations (Justice Regulations Amendment (Fee Relief) Regulations 2018 G.G. 20/07/2018) (1476).

Coal Industry Superannuation Act (1989) WA – Review of the Act by the Department of Treasury, March 2018 (1477).

Conservation and Land Management Act 1984 – Lease No. 2522/100 between the Department of Biodiversity, Conservation and Attractions and Canopy Adventure Yanchep Pty Ltd in Yanchep National Park (1478).

Criminal Investigation (Covert Powers) Act 2012 – Western Australia Police – Report Pursuant to section 76 (1) of the Act – Assumed Identities Annual Report 1 July 2015 to 30 June 2016 (1479).

Criminal Procedure Act 2004 – Regulations (Criminal Procedure Amendment Regulations (No. 2) 2018 G.G. 26/06/2018) (1480).

Criminal Procedure Act 2004 – Regulations (Criminal Procedure Amendment Regulations 2018 G.G. 27/06/2018) (1481).

Curtin University Act 1966 – Statutes (Curtin University Statute No. 1 - Common Seal and Graduation Seal G.G. 26/06/2018) (1482).

Curtin University Act 1966 – Statutes (Curtin University Statute No. 3 - Rules and By-laws G.G. 26/06/2018) (1483).

Curtin University Act 1966 – Statutes (Curtin University Statute No. 8 - Affiliation of University Colleges (Repeal) Statute 2018 G.G. 26/06/2018) (1484).

Dangerous Goods Safety Act 2004, Mines Safety and Inspection Act 1994, Mining Act 1978, Offshore Minerals Act 2003, Petroleum (Submerged Lands) Act 1982, Petroleum (Submerged Lands) Registration Fees Act 1982, Petroleum and Geothermal Energy Resources (Registration Fees) Act 1967, Petroleum and Geothermal Energy Resources Act 1967, Petroleum Pipelines Act 1969 – Regulations (Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2018 G.G. 25/06/2018) (1485).

Dog Act 1976 – Local Laws (Shire of Northam Dogs Amendment Local Law 2018 G.G. 10/07/2018) (1486).

Education and Care Services National Law (WA) Act 2012 – Regulations (Education and Care Services National Amendment Regulations (No. 2) 2018 G.G. 26/06/2018) (1487).

Electricity Industry Act 2004, Gas Services Information Act 2012 – Regulations (Energy Regulations Amendment (Independent Market Operator) Regulations 2018 G.G. 27/07/2018) (1488).

Electricity Industry Act 2004 – Rules (Wholesale Electricity Market Rules Amending Rules 2018 (No. 2) G.G. 27/06/2018) (1489).

Electricity Industry Act 2004 – Rules (Wholesale Electricity Market Rules Amending Rules 2018 (No. 3) G.G. 29/06/2018) (1490).

Energy Operators (Powers) Act 1979 – By-laws (Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-laws (No. 2) 2018 G.G. 26/06/2018) (1491).

Energy Operators (Powers) Act 1979 – By-laws (Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2018 G.G. 26/06/2018) (1492).

Fair Trading Act 2010 – Notices (Competition and Consumer Amendment (Australian Consumer Law Review) Regulations 2018 G.G. 29/06/2018) (1493).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Regional Development to not provide information for a question prior to 2018–19 Budget Estimates Hearings by the Hon Colin de Grussa MLC in relation to the Department of Primary Industry and Regional Development's target for completion of VTSS (Received by the Clerk of the Legislative Assembly and deemed tabled on 19 July 2018) (1464).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister Regional Development to not provide information for a question prior to 2018–19 Budget Estimates Hearings by the Hon Martin Aldridge MLC in relation to remote swimming pools (Received by the Clerk of the Legislative Assembly and deemed tabled on 19 July 2018) (1463).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Premier to not provide an answer to a question prior to 2018–19 Budget Estimates Hearings from the Hon Colin de Grussa relating to a target for completion of the VTSS (1494).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Premier to not provide an answers to Questions 2 (a) – (c) prior to 2018–19 Budget Estimates hearings from the Hon Robin Chapple MLC regarding tourism investment strategies (1495).

Financial Management Act 2006 – Notice under section 82 of the Act, from the Attorney General, with regards to Legislative Council Question Without Notice No. 534 (Received by the Clerk of the Legislative Assembly and deemed tabled on 13 July 2018) (1462).

Financial Management Act 2006 – Notice under section 82 of the Act, from the Minister for Tourism, with regards to Legislative Council Question Without Notice No. 543 (Received by the Clerk of the Legislative Assembly and deemed tabled on 13 July 2018) (1461).

Firearms Act 1973, Pawnbrokers and Second-hand Dealers Act 1994, Police Act 1892, Security and Related Activities (Control) Act 1996 – Regulations (Police Regulations Amendment (Fees and Charges) Regulations 2018 G.G. 26/06/2018) (1496).

Fish Resources Management Act 1994 – Management Plans (Marine Aquarium Fish Managed Fishery Management Plan 2018 [1191] G.G. 03/08/2018) (1497).

Fish Resources Management Act 1994 – Management Plans (Marine Aquarium Fish Managed Fishery Management Plan Revocation Notice 2018 [1191] G.G. 03/08/2018) (1498).

Fish Resources Management Act 1994 – Management Plans (Shark Bay Crab Managed Fishery Management Plan Amendment 2018 [1381] G.G. 31/07/2018) (1499).

- Fish Resources Management Act 1994 – Management Plans (Shark Bay Prawn Managed Fishery Management Plan Amendment 2018 [989] G.G. 31/07/2018) (1500).
- Fish Resources Management Act 1994 – Management Plans (West Coast Rock Lobster Managed Fishery Management Plan Amendment 2018 [1358] G.G. 29/06/2018) (1501).
- Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Amendment Order 2018 [1349] G.G. 03/08/2018) (1502).
- Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Ningaloo Marine Park) Amendment Order 2018 [1348] G.G. 03/08/2018) (1503).
- Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Shark Bay Marine Park) Amendment Order 2018 [1347] G.G. 03/08/2018) (1504).
- Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Shoalwater Islands Marine Park) Amendment Order 2018 [1346] G.G. 03/08/2018) (1505).
- Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery) Order 2018 [1378] G.G. 29/06/2018) (1506).
- Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (West Coast Demersal Gillnet and Demersal Longline Interim Managed Fishery) Order 2018 [1376] G.G. 29/06/2018) (1507).
- Fish Resources Management Act 1994 – Orders (Prohibition on Fishing for Coral (Port Gregory) Revocation Order 2018 [1345] G.G. 03/08/2018) (1508).
- Fish Resources Management Act 1994 – Orders (Prohibition on Fishing for Rock Lobster Order 2018 [1375] G.G. 29/06/2018) (1509).
- Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 2) 2018 G.G. 26/06/2018) (1510).
- Health (Miscellaneous Provisions) Act 1911 – Notices (City of Bunbury - Fees Notice 2018 G.G. 10/07/2018) (1511).
- Health Services Act 2016 – Regulations (Health Services (Information) Amendment Regulations 2018 G.G. 10/08/2018) (1512).
- Inspector of Custodial Services, Office of the – 2017 Inspection of Malaleuca Remand and Reintegration Facility: Report No. 117, May 2018 (Received by the Speaker of the Legislative Assembly on 29 May 2018 and held for a period of 30 days and deemed tabled by the Clerk on 29 June 2018) (1460).
- Liquor Control Act 1988 – Regulations (Liquor Control (Cheeditha Restricted Area) Amendment Regulations 2018 G.G. 10/07/2018) (1513).
- Liquor Control Act 1988 – Regulations (Liquor Control (Kalumburu Restricted Area) Amendment Regulations 2018 G.G. 06/07/2018) (1514).
- Liquor Control Act 1988 – Regulations (Liquor Control (Parnngurr Restricted Area) Regulations 2018 G.G. 06/07/2018) (1515).
- Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 2) 2018 G.G. 20/07/2018) (1516).
- Local Government Act 1995 – Local Laws (City of Joondalup Animals Amendment Local Law 2018 G.G. 03/08/2018) (1517).
- Local Government Act 1995 – Local Laws (City of Joondalup Parking Amendment Local Law 2018 G.G. 03/08/2018) (1518).
- Local Government Act 1995 – Local Laws (Shire of Donnybrook-Balingup Meeting Procedures Local Law 2017 G.G. 04/07/2018) (1519).
- Local Government Act 1995 – Local Laws (Shire of Esperance Fencing Local Law 2018 G.G. 03/07/2018) (1520).
- Local Government Act 1995 – Local Laws (Shire of Morawa Extractive Industries Local Law 2018 G.G. 06/08/2018) (1521).
- Local Government Act 1995 – Local Laws (Shire of Morawa Fencing Local Law 2018 G.G. 06/08/2018) (1522).
- Local Government Act 1995 – Local Laws (Shire of Mt Marshall Health Local Law 2018 G.G. 31/07/2018) (1523).

Local Government Act 1995 – Local Laws (Shire of Northam Extractive Industries Amendment Local Law 2018 G.G. 10/07/2018) (1524).

Local Government Act 1995 – Local Laws (Town of Cambridge Local Government and Property Amendment Local Law 2018 G.G. 06/07/2018) (1525).

Local Government Act 1995 – Regulations (Local Government Regulations Amendment (Auditing) Regulations 2018 G.G. 26/06/2018) (1526).

Mining Act 1978 – Regulations (Mining Amendment Regulations 2018 G.G. 24/07/2018) (1527).

Planning and Development Act 2005 – Regulations (Planning and Development (Development Assessment Panels) Amendment Regulations 2018 G.G. 26/06/2018) (1528).

Police Act 1892 – Regulations (Police Force Amendment Regulations (No. 2) 2018 G.G. 10/08/2018) (1529).

Public Sector Commission – Review of Response to a Complaint and Approach to Gender Inclusion by the Department of Fire and Emergency Services (Received by the Clerk of the Legislative Assembly and deemed tabled on 27 July 2018) (1467).

Public Transport Authority Act 2003 – Regulations (Public Transport Authority Amendment Regulations 2018 G.G. 06/07/2018) (1530).

Racing Bets Levy Act 2009 – Regulations (Racing Bets Levy Amendment Regulations 2018 G.G. 06/07/2018) (1531).

Road Traffic Act 1974 – Regulations (Road Traffic (Events on Roads) Amendment Regulations 2018 G.G. 26/06/2018) (1532).

Salaries and Allowances Act 1975 – Regulations (Salaries and Allowances Amendment Regulations (No. 2) 2018 G.G. 10/08/2018) (1533).

Salaries and Allowances Act 1975 – Regulations (Salaries and Allowances Amendment Regulations 2018 G.G. 06/07/2018) (1534).

Salaries and Allowances Tribunal – Report on the Remuneration of Judges, District Court Judges, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission, dated 30 July 2018 (1535).

School Education Act 1999, Teacher Registration Act 2012 – Regulations (Education and Training Regulations Amendment (Fees and Charges) Regulations 2018 G.G. 31/07/2018) (1536).

State Administrative Tribunal Act 2004 – Regulations (State Administrative Tribunal Amendment Regulations 2018 G.G. 26/06/2018) (1537).

Statutory Corporations (Liability of Directors) Act 1996 – Regulations (Statutory Corporations (Liability of Directors) (Act Amendment) Regulations 2018 G.G. 27/07/2018) (1538).

Supreme Court Act 1935 – Rules (Supreme Court Amendment Rules (No. 2) 2018 G.G. 29/06/2018) (1539).

Synergy – Statement of Corporate Intent 2018–19 (Received by the Clerk of Legislative Assembly and deemed tabled on 24 July 2018) (1466).

Terrorism (Preventative Detention) Act 2006 – Quarterly Report for the Quarter Ended 30 June 2018 (1540).

Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2018 G.G. 10/08/2018) (1541).

Western Power – Statement of Corporate Intent 2018–2019 (Received by the Clerk of the Legislative Assembly and deemed tabled on 20 July 2018) (1465).

Workers' Compensation and Injury Management Act 1981 – Regulations (Workers' Compensation and Injury Management Amendment Regulations 2018 G.G. 29/06/2018) (1542).

Workers' Compensation and Injury Management Act 1981 – Rules (Workers' Compensation and Injury Management Arbitration Amendment Rules 2018 G.G. 29/06/2018) (1543).

8. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper tabled on 10 October 2017 –

WA Country Health Service – Annual Report 2016–2017 (806).

Paper

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

WA Country Health Service – Annual Report 2016–2017, Erratum (1558).

9. Notices of Motion

10. Expiration of Notices of Motion

The Speaker advised members that Private Members' Business Notices of Motion Nos 1 to 4, notice of which were given on 8 August 2017 and renewed for a further 30 sitting days on 13 February 2018, would be removed and would not appear on the next Notice Paper.

11. Removal of Orders of the Day

The Speaker advised members that the Orders of the Day that appeared on the last Notice Paper as Nos 1 to 3 under Private Members' Business, Increases to Household Fees and Charges, Royalties for Regions and Western Australia's Economy, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

12. Tobacco Products Control Amendment Bill 2017

Message No. 39 dated 28 June 2018 from the Legislative Council was reported forwarding for concurrence a bill for "An Act to amend the *Tobacco Products Control Act 2006*."

The Minister for Health moved, That the bill be read a first time.

Question put and passed.

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

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

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

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

Question put and passed.

13. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

14. Criminal Law Amendment (Intimate Images) Bill 2018

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

The Leader of the House moved, That the debate be adjourned to a later stage of the sitting.

Question put and passed.

15. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 13 be next considered.

16. Premier's Statement

The Order of the Day for the resumption of the debate upon the question, That the Premier's Statement be noted, was read.

Debate resumed.

Maiden Speech

Mrs A.K. Hayden gave her maiden speech.

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

Question put and passed.

17. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

18. Criminal Law Amendment (Intimate Images) 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 14 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.

19. Adjournment

The Minister for Police moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 9.34 pm until Wednesday, 15 August 2018 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms M.J. Davies and Ms R. Saffioti.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly