

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 29

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 10 OCTOBER 2017

1. Meeting of Assembly

The Assembly met at 2.00 pm pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Distinguished Visitor

The Speaker welcomed Michael D. Higgins, President of Ireland, onto the floor of the House.

3. 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, by this motion, the President of Ireland, Michael D. Higgins, to address this House.

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion to be carried with the concurrence of an absolute majority of the whole number of members of the House.

Michael D. Higgins, President of Ireland, addressed the House.

4. Questions

Questions without Notice were taken.

Suspension of Member

The Speaker, having called Mr V.A. Catania to order more than three times, suspended the member from the service of the Assembly for the remainder of the sitting.

Questions on Notice Nos 2094 to 2149 were asked.

Questions on Notice Nos 1680, 1697, 1714, 1731, 1748, 1769, 1775, 1777, 1778, 1782 to 1784, 1786, 1788, 1791 to 1795, 1799 to 1801, 1803, 1808 to 1810, 1812, 1813, 1817 to 1821, 1823, 1826 to 1830, 1849, 1850, 1854 to 1858, 1860, 1863 to 1867, 1871 to 1875, 1880 to 1884, 1888 to 1892, 1897 to 1901, 1905 to 1909, 1914 to 1918, 1922 to 1926, 1931 to 1935, 1939 to 1943, 1948, 1950 to 1952, 1956 to 1958, 1960, 1962, 1965 to 1967, 1969, 1975 to 1983, 1987 to 1989, 1991, 1993, 1996 to 1998, 2012,

2024, 2026 to 2028, 2032 to 2036, 2038, 2041 to 2045, 2049 to 2053, 2055, 2058 to 2064, 2068 to 2072, 2074, 2077 to 2082, 2089, 2091 and 2093 were answered.

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

Question on Notice No. 1792 – Table detailing vehicles owned or under lease in the Department of Health which have not been procured through existing State Fleet arrangements as at 1 July 2017 (812).

Question on Notice No. 1932 – Table detailing contact between Ministerial staff and representatives of Campaign Capital since 17 March 2017 (813).

Question on Notice No. 1980 – Table detailing Department of Health employees who left using the Voluntary Severance Scheme in the years 2015, 2016, and 2017 to date (814).

Question on Notice No. 2082 – Breakdown of patients placed in over-census beds across public hospitals and contracted health entities between 1 January 2017 to 31 August 2017 and between 1 January 2016 and 31 August 2016 (815).

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

Question on Notice No. 1786 – Table detailing vehicles owned or under lease by the departments under the Minister's portfolio of responsibilities which have not been procured through existing State Fleet arrangements as at 1 July 2017 (816).

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

Question on Notice No. 1783 – Table detailing vehicles owned or under lease by Horizon Power which have not been procured through existing State Fleet arrangements as at 1 July 2017 (817).

Question on Notice No. 1906 – Table detailing contact between Ministerial staff and representatives of Hawker Britton Group Pty Ltd since 17 March 2017 (818).

Question on Notice No. 1923 – Table detailing contact between Ministerial staff and representatives of Campaign Capital since 17 March 2017 (819).

Question on Notice No. 1940 – Table detailing contact between Ministerial staff and representatives of GRA Everingham (820).

Question on Notice No. 2012 – Tables detailing events attended by officers or board members under the Minister's portfolio of responsibilities which were organised by a private organisation and paid for by the department or agency since 1 January 2017 (821).

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

Question on Notice No. 1777 – Table detailing vehicles owned or under lease by Aqwest which have not been procured through existing State Fleet arrangements as at 1 July 2017 (822).

Question on Notice No. 1900 – Table detailing contact between Ministerial staff and representatives of Hawker Britton Group Pty Ltd since 17 March 2017 (823).

Question on Notice No. 1917 – Table detailing contact between Ministerial staff and representatives of Campaign Capital since 17 March 2017 (824).

Question on Notice No. 1934 – Table detailing contact between Ministerial staff and representatives of GRA Everingham (825).

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

Question on Notice No. 1791 – Table detailing vehicles owned or under lease by the departments under the Minister's portfolio of responsibilities which have not been procured through existing State Fleet arrangements as at 1 July 2017 (826).

5. Additional Information

The Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests provided additional information relating to Estimates Committee B, Division 10 and in relation to Question on Notice No. 1534 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 for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests –

Question on Notice No. 1534 – Amended information relating to Tabled Paper No. 487 (827).

The Minister for Transport; Planning; Lands provided additional information relating to Question on Notice No. 1532 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 for Transport; Planning; Lands –

Question on Notice No. 1532 – Further information relating to Question on Notice 1532 (828).

6. Messages from the Governor

Messages from Her Excellency the Governor were reported assenting to the following bills –

No. 13 – 14 September 2017

Petroleum Legislation Amendment Act 2017, Act No. 7 of 2017.

No. 14 – 15 September 2017

Port Kennedy Development Act 2017, Act No. 8 of 2017.

7. Messages from the Governor

Messages from Her Excellency the Governor were reported recommending that appropriations be made for the purposes of the following bills –

Appropriation (Recurrent 2010–11 to 2015–16) Supplementary Bill 2017 (Message No. 15).

Appropriation (Capital 2010–11 to 2015–16) Supplementary Bill 2017 (Message No. 16).

8. 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 Eastern Goldfields Regional Prison, Report No. 111, August 2017 (713).

Register of Financial Interests – Annual Returns as at 30 June 2017 and Additional Information for Returns from the Years 2016–2017 and Primary Returns of Members of the Legislative Assembly under the Members of Parliament (Financial Interests) Act 1992 (714).

Speaker's Statement

The Speaker advised members that Annual Returns from the Hon. Brendon Grylls, the Hon. Dr Kim Hames, Mr Chris Hatton, Dr Graham Jacobs and Mr Matt Taylor were received after the due date of 30 September 2017.

By the Clerk –

Agriculture and Food, Department of – Final Report 2017 (715).
 Animal Resources Authority – Annual Report 2016–2017 (716).
 Attorney General, Department of – Final Report 2016–2017 (717).
 Building and Construction Training Board – Annual Report 2016–2017 (718).
 Cemeteries Act 1986 – Local Laws (City of Karratha Cemeteries Local Law 2017 G.G. 13/09/2017) (719).
 Chief Advocate for Residents of Declared Places under the Declared Places (Mentally Impaired Accused) Act 2015 – Annual Report 2017 (720).
 Chief Psychiatrist – Annual Report 2016–2017 (721).
 Child and Adolescent Health Service – Annual Report 2016–2017 (722).
 Child Care Services Act 2007 – Regulations (Child Care Services (Child Care) Amendment Regulations 2017 G.G. 19/09/2017) (723).
 Child Protection and Family Support, Department for – Final Report 2016–2017 (724).
 Commission for Occupational Safety and Health – Annual Report 2016–2017 (725).
 Conservation and Land Management Act 1984 – Orders (Eighty Mile Beach Marine Park (Alteration of Boundaries) Order 2017 G.G. 22/09/2017) (726).
 Corrective Services, Department of – Final Report 2016–2017 (727).
 Corruption and Crime Commission – Annual Report 2016–2017 (728).
 Country High Schools Hostels Authority – Annual Report 2016–2017 (729).
 Cremation Act 1929 – Regulations (Health Regulations Amendment (Public Health Consequential Amendments) Regulations 2017 G.G. 19/09/2017) (730).
 Director of Public Prosecutions, Office of the – Annual Reports 2016–2017 (731).
 East Metropolitan Health Service – Annual Report 2016–2017 (732).
 Economic Regulation Authority – Annual Report 2016–2017 (733).
 Education Services, Department of – Final Report 2016–2017 (734).
 Education, Department of – Final Report 2016–2017 (735).
 Environmental Protection Authority, Office of the – Final Report 2016–2017 (737).
 Environmental Protection Authority – Annual Report 2016–2017 (736).
 Equal Opportunity Commission – Annual Report 2016–2017 (738).
 Financial Management Act 2006 – Notice given under section 65 of the Act by the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests that the Annual Report for the Western Australian Greyhound Racing Association will not be tabled within the prescribed period (739).
 Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Health; Mental Health in relation to Legislative Council Question on Notice 5 (9)(b) (740).
 Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues Citizenship and Multicultural Interests for Legislative Council Question on Notice 92 (Received and deemed tabled by the Clerk of the Legislative Assembly on 18 September 2017) (711).
 Financial Management Act 2006 – Notice given under section 82 of the Act from the Minister for Emergency Services; Corrective Services in relation to Legislative Assembly Question without Notice 399 on 6 September 2017 (Received by the Clerk of the Legislative Assembly and deemed tabled on 19 September 2017 (712)).
 Fire and Emergency Services Act 1998 – Regulations (Fire and Emergency Services Amendment Regulations (No. 2) 2017 G.G. 15/09/2017) (741).
 Fish Resources Management Act 1994 – Management Plans (Octopus Interim Managed Fishery Management Plan Amendment 2017 [1301] G.G. 12/09/2017) (742).
 Fish Resources Management Act 1994 – Management Plans (South Coast Crustacean Managed Fishery Management Plan Amendment 2017 [1303] G.G. 12/09/2017) (743).

Fish Resources Management Act 1994 – Management Plans (West Coast Rock Lobster Managed Fishery Management Plan Amendment 2017 [1342] G.G. 22/09/2017) (744).

Fremantle Ports Authority – Annual Report 2016–2017 (745).

Gender Reassignment Board of Western Australia – Annual Report 2016–2017 (746).

GESB – Annual Report 2016–2017 (747).

Gold Corporation – Annual Report 2016–2017 (748).

Goldfields-Esperance Development Commission – Annual Report 2016–2017 (749).

Health (Miscellaneous Provisions) Act 1911 – Regulations (Health (Asbestos) Amendment Regulations 2017 G.G. 19/09/2017) (750).

Health (Miscellaneous Provisions) Act 1911 – Regulations (Public Health Regulations 2017 G.G. 19/09/2017) (751).

Health and Disability Services Complaints Office – Annual Report 2016–2017 (752).

Health Services Act 2016 – Orders (Health Services (Fees and Charges) Amendment Order (No. 5) 2017 G.G. 22/09/2017) (753).

Health Support Services – Annual Report 2016–2017 (754).

Health, Department of – Annual Report 2016–2017 (755).

Healthway – Annual Report 2016–2017 (756).

LandCorp – Annual Report 2016–2017 (757).

Law Reform Commission of Western Australia – Project 107: The Intersection of the Family Law and Caveat Systems in Western Australia – Final Report (758).

Legal Aid – Annual Report 2016–2017 (759).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 3) 2017 G.G. 12/09/2017) (760).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 5) 2017 G.G. 03/10/2017) (761).

Local Government Act 1995 – Local Laws (City of Karratha Activities in Thoroughfares and Public Places and Trading Local Law 2017 G.G. 27/09/2017) (762).

Local Government Act 1995 – Local Laws (City of Karratha Repeal Local Law 2017 G.G. 27/09/2017) (763).

Local Government Act 1995 – Local Laws (Pilbara Regional Council Standing Orders Local Law 2017 G.G. 15/09/2017) (764).

Local Government Act 1995 – Local Laws (Shire of Broome Parking and Parking Facilities Amendment Local Law (2) 2017 G.G. 06/10/2017) (765).

Local Government Act 1995 – Local Laws (Shire of Broome Parking and Parking Facilities Amendment Local Law 2017 G.G. 19/09/2017) (766).

Local Government Act 1995 – Local Laws (Shire of Donnybrook-Balingup Meeting Procedures Local Law 2017 G.G. 29/09/2017) (767).

Local Government Act 1995 – Regulations (Local Government (Regional Subsidiaries) Amendment Regulations 2017 G.G. 06/10/2017) (768).

Local Health Authorities Analytical Committee – Annual Report 2016–2017 (769).

Lotteries Commission Act 1990 – Rules (Lotteries Commission (Authorised Lotteries) Amendment Rules 2017 G.G. 04/10/2017) (770).

Mental Health Act 2014 – Regulations (Mental Health Amendment Regulations (No. 3) 2017 G.G. 06/10/2017) (771).

Mental Health Commission – Annual Report 2016–2017 (772).

Mentally Impaired Accused Review Board – Annual Report 2016–2017 (773).

Mid West Ports Authority – Annual Report 2016–2017 (774).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 2) 2017 G.G. 29/09/2017) (775).

North Metropolitan Health Service – Annual Report 2016–2017 (776).

Parks and Wildlife, Department of – Annual Report 2016–2017 (777).

Pilbara Ports Authority – Annual Report 2016–2017 (778).

Port Authorities Act 1999 – Regulations (Port Authorities Amendment Regulations 2017 G.G. 03/10/2017) (779).

Post Graduate Medical Council of Western Australia – Annual Report 2016–2017 (780).

Premier and Cabinet, Department of the – Annual Report 2016–2017 (781).

Prisoners Review Board – Annual Report 2016–2017 (782).

Professional Standards Council of Western Australia – Financial Statements of the Year Ended 30 June 2017 (783).

Professional Standards Councils – Annual Report 2016–2017 (784).

Public Trustee – Annual Report 2016–2017 (785).

Quadruplegic Centre – Annual Report 2016–2017 (786).

Queen Elizabeth II Centre Medical Trust – Annual Report 2016–2017 (787).

Racing, Gaming and Liquor, Department of – Annual Report 2016–2017 (788).

Regional Development, Department of – Final Report 2017 (789).

Rights in Water and Irrigation Act 1914 – Regulations (Water Legislation Amendment Regulations 2017 G.G. 15/09/2017) (790).

Road Traffic (Administration) Act 2008 – Regulations (Road Traffic (Administration) Amendment Regulations 2017 G.G. 03/10/2017) (791).

Road Traffic (Authorisation to Drive) Act 2008 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations 2017 G.G. 03/10/2017) (792).

Road Traffic Act 1974 – Regulations (Road Traffic (Drug Driving) Amendment Regulations 2017 G.G. 06/10/2017) (793).

Rottnest Island Authority – Annual Report 2016–2017 (794).

School Curriculum and Standards Authority – Annual Report 2016–2017 (795).

School Education Act 1999 – Regulations (School Education (Student Residential Colleges) Regulations 2017 G.G. 18/09/2017) (796).

Sentencing Act 1995 – Regulations (Sentencing Amendment Regulations (No. 2) 2017 G.G. 29/09/2017) (797).

South Metropolitan Health Service – Annual Report 2016–2017 (798).

South West Development Commission – Annual Report 2016–2017 (799).

Sport and Recreation, Department of – Annual Report 2016–2017 (800).

State Administrative Tribunal – Annual Report 2016–2017 (801).

State Coroner, Office of the – Annual Report 2016–2017 (802).

Supreme Court Act 1935 – Regulations (Supreme Court (Fees) Amendment Regulations 2017 G.G. 19/09/2017) (803).

Training Accreditation Council – Annual Report 2016–2017 (804).

VenuesWest – Annual Report 2016–2017 (805).

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

Western Australian Industrial Relations Commission, Chief Commissioner of the – Annual Report 2016–2017 (807).

Western Australian Meat Industry Authority – Annual Report 2016–2017 (808).

Wheatbelt Development Commission – Annual Report 2016–2017 (809).

Workers' Compensation and Injury Management Act 1981 – Regulations (Workers' Compensation and Injury Management (Scales of Fees) Amendment Regulations 2017 G.G. 06/10/2017) (810).

Working with Children (Criminal Record Checking) Act 2004 – Regulations (Working with Children (Criminal Record Checking) Amendment Regulations 2017 G.G. 03/10/2017) (811).

9. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper from the 39th Parliament tabled on 8 November 2016 –

Inspector of Custodial Services, Office of the – Annual Report 2015–2016 (4804).

Paper

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 – Annual Report 2015–2016: Erratum (829).

10. Notices of Motion

11. Matter of Public Interest – Gold Royalties

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 condemns the McGowan Government for its gold royalty cash grab when other revenue options are available, noting the Premier’s 2014 comments that:

“ Gold, by its nature, can often be very marginal. A lot of work, a lot of processing, a lot of employment — but at the end of the day, costs are high and if this royalty comes in, mines will close and jobs will be lost.”

Debate ensued.

Question put.

The Assembly divided.

Ayes (15)

Mr C.J. Barnett
Mr I.C. Blayney
Ms M.J. Davies
Mr P. Katsambanis
Mr Z.R.F. Kirkup

Mr A. Krsticevic
Mr S.K. L’Estrange
Mr R.S. Love
Mr J.E. McGrath
Dr M.D. Nahan

Mr D.C. Nalder
Mr K. O’Donnell
Mr D.T. Redman
Mr P.J. Rundle
Ms L. Mettam (*Teller*)

Noes (36)

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. Hamilton
Mr T.J. Healy
Mr M. Hughes
Mr W.J. Johnston
Mr D.J. Kelly

Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mr M.P. Murray
Mrs L.M. O’Malley
Mr P. Papalia
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
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Mr B. Urban
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Question thus negatived.

12. Appropriation (Recurrent 2017–18) Bill 2017**Appropriation (Capital 2017–18) Bill 2017**

The Order of the Day for the presentation of the reports and minutes of Estimates Committees A and B was read.

Papers

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

By the Deputy Speaker –

Estimates Committee A – Report and Minutes (830).

Estimates Committee B – Report and Minutes (831).

Question proposed, That the report of Estimates Committee A be adopted.

The report of Estimates Committee A was as follows –

The Estimates Committee has considered and recommended the Appropriations for the following Divisions of the Estimates of Expenditure under the *Appropriation (Recurrent 2017-18) Bill 2017* and the *Appropriation (Capital 2017-18) Bill 2017*:

Division Nos	1 to 7; 12 (Services 2, 6 and 7); 14 (Services 9 and 10); 16 (Services 4 to 12); 18 to 21; 22 (Services 2, 18, 19 and 20 to 22); 25 (Services 9 and 10); and 26 to 40.
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and agreed to the clauses, schedules and titles of the Bills without amendment.

Debate ensued.

Question put and passed.

Question proposed, That the report of Estimates Committee B be adopted.

The report of Estimates Committee B was as follows –

The Estimates Committee has considered and recommended the Appropriations for the following Divisions of the Estimates of Expenditure under the *Appropriation (Recurrent 2017-18) Bill 2017* and the *Appropriation (Capital 2017-18) Bill 2017*:

Division Nos	7 (Service 1); 8 to 11; 12 (Services 1 and 3 to 10); 13 to 17; 22 (Services 1 and 3 to 17) 23 and 24; 25 (Services 1 to 8); and 41 to 47.
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Debate ensued.

Question put and passed.

The Minister for Housing, on behalf of the Treasurer moved, That the Appropriation (Recurrent 2017–18) Bill 2017 be now read a third time.

Debate ensued.

The Leader of the House moved, That the debate be adjourned.
Question put and passed.

13. Adjournment

The Leader of the House moved, That the House do now adjourn.
Question put and passed.

The Assembly adjourned accordingly at 10.18 pm until Wednesday, 11 October 2017 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms J. Farrer, Ms C.M. Rowe, Ms J.J. Shaw and Mrs J.M.C. Stojkovski.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly