

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

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No. 131

FIRST SESSION OF THE FORTIETH PARLIAMENT

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TUESDAY, 11 JUNE 2019

### 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. 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 Premier, the Leader of the Opposition, the Leader of the Nationals WA and other members to make statements to mark the passing of former Prime Minister Hon Bob Hawke.

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.

### 3. Statements on the Passing of Former Prime Minister Hon Bob Hawke AC

Pursuant to the foregoing motion, statements were made by the Premier, Dr M.D. Nahan, Ms M.J. Davies, Mr D.A. Templeman, Mrs M.H. Roberts, Mr R.R. Whitby, Ms S.E. Winton, Mr V.A. Catania, Ms J.J. Shaw, Mr T.J. Healy and Mr D.R. Michael.

Statements concluded with members and officers of the Assembly standing in their places as a mark of respect.

### 4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the Department of Health initiative to centralise the release of influenza and winter respiratory illness data.

The Minister for Culture and the Arts on the death of Max Kay AM.

The Treasurer on his visit to North Asia accompanied by the Western Australian Treasury Corporation.

## **5. Speaker's Statement – Legislative Assembly Services to Members Survey**

The Speaker advised members that the Legislative Assembly annual survey had been distributed and encouraged members to complete the survey as the results appear in the Legislative Assembly Annual Report.

## **6. Questions**

Questions without Notice were taken.

Questions on Notice Nos 5188 to 5198 were asked.

Questions on Notice Nos 4857, 5053 to 5055, 5085 to 5087, 5089, 5091, 5096, 5099, 5105, 5106, 5108 to 5114, 5116, 5117, 5121 to 5123, 5125 to 5131, 5133, 5134, 5137, 5138, 5140 to 5144, 5146, 5147, 5149, 5150, 5152, 5153, 5156, 5157, 5159 and 5166 were answered.

Paper tabled by the Minister for Energy –

Question on Notice No. 5116 – Information relating to power outages in Walpole and surrounding districts between 13 April and 28 April 2019 (2475).

## **7. Additional Information**

The Minister for Health provided additional information relating to an answer given in Estimates Committee A on Division 21 on 22 May 2019.

### *Paper*

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

By the Minister for Health –

Health, Minister for – Estimates Committee A, Division 21 – Supplementary Information Answer A14 (2476).

The Premier provided additional information relating to Question without Notice No. 405 from Mrs L.M. Harvey.

The Minister for Tourism provided additional information relating to Question on Notice No. 5083 from Ms L. Mettam.

The Minister representing the Minister for Education and Training provided additional information relating to an answer given in Estimates Committee B on Division 23 on 21 May 2019.

### *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 Estimates Committee B, Division 23 (2477).

The Minister for Fisheries and Science provided additional information and corrections relating to answers given in Estimates Committee A, in Division 15 (Service 1: Science) and Division 16 (Services 6 and 7: Fisheries) on 23 May 2019.

### *Papers*

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

By the Minister for Science –

Science, Minister for – Estimates Committee A, Division 15, Service 1 (Science) – Supplementary Information Answer A43 (2478).

Science, Minister for – Estimates Committee A, Division 15, Service 1 (Science) – Supplementary Information Answer A44 (2479).

Science, Minister for – Estimates Committee A, Division 15, Service 1 (Science) – Supplementary Information Answer A45 (2480).

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The Parliamentary Secretary to the Minister for Disability Services provided additional information relating to an answer given in Estimates Committee B on Division 33 on 22 May 2019.

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*Paper*

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

By the Parliamentary Secretary to the Minister for Disability Services –

Disability Services, Parliamentary Secretary to the Minister for – Estimates Committee B, Division 33, Supplementary Information Answer B27 (2484).

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### **8. Unanswered Question on Notice**

Mr W.R. Marmion asked why no answer had been received in respect of his Question on Notice No. 4506.

### **9. Petition**

Dardanup Shire – Mr M.P. Murray presented a petition from 1,759 people requesting the Minister for Planning and the State Planning Tribunal support residents of Dardanup Shire and the community in their opposition to a lithium tailings facility at the landfill precinct in Dardanup (P. 136).

### **10. Economics and Industry Standing Committee – Extension of Reporting Date**

The Speaker advised that the Economics and Industry Standing Committee had resolved to extend its reporting date to the House on its inquiry into short stay accommodation to 29 August 2019.

### **11. Message from the Governor**

Message No. 9 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the TAB (Disposal) Bill 2019.

### **12. Messages from the Legislative Council**

Messages from the Legislative Council were reported returning the following bills without amendment –  
4 June 2019

Pay-roll Tax Assessment Amendment Bill 2019 (Message No. 83).

5 June 2019

Taxation Administration Amendment Bill 2018 (Message No. 84).

Revenue Laws Amendment Bill 2018 (Message No. 85).

### **13. 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 Court Custody Centres and Fiona Stanley Hospital Secure Facility (Received by the Speaker of the Legislative Assembly on 29 April 2019 and held for a period of 30 days) (2450).

By the Clerk –

Auditor General, Office of the – Engaging Consultants to Provide Strategic Advice, Report No. 21, June 2019 (2451).

Auditor General, Office of the – Opinions on Ministerial Notifications, Report No. 22, June 2019 (2452).

Biosecurity and Agriculture Management Act 2007 – Regulations (Biosecurity and Agriculture Management (Declared Pest Account) Amendment Regulations 2019 G.G. 17/05/2019) (2453).

Bush Fires Act 1954 – Local Laws (City of Armadale Bush Fire Brigades Local Law 2019 G.G. 24/05/2019) (2454).

Combat Sports Act 1987 – Regulations (Combat Sports Amendment Regulations 2019 G.G. 17/05/2019) (2455).

Corruption and Crime Commission – Serious misconduct in procurement of environmental services (Received by the Clerk of the Legislative Assembly and deemed tabled on 21 May 2019) (2449).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Minister for Emergency Services to not provide information in relation to Legislative Assembly Question on Notice 4964 part (f) asked by the Hon Terry Redman MLA (2456).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Ngari Capes Marine Park) Amendment Order 2019 [1418] G.G. 14/05/2019) (2457).

Gaming and Wagering Commission Act 1987 – Regulations (Gaming and Wagering Commission Amendment Regulations (No. 3) 2019 G.G. 31/05/2019) (2458).

Health Services Act 2016 – Orders (Health Services (Fees and Charges) Amendment Order (No. 3) 2019 G.G. 07/06/2019) (2459).

Jetties Act 1926 – Regulations (Jetties Amendment Regulations (No. 2) 2019 G.G. 31/05/2019) (2460).

Jetties Act 1926 – Regulations (Transport Regulations Amendment (Fees and Charges) Regulations 2019 G.G. 17/05/2019) (2461).

Legal Profession Act 2008 – Regulations (Legal Profession Amendment Regulations 2019 G.G. 21/05/2019) (2462).

Local Government Act 1995 – Local Laws (City of Armadale Parking and Parking Facilities Amendment Local Law 2019 G.G. 24/05/2019) (2463).

Local Government Act 1995 – Local Laws (City of Perth Outdoor Dining Local Law 2019 G.G. 27/05/2019) (2464).

Local Government Act 1995 – Local Laws (Olympic Swimming Pool Repeal Local Law 2019 G.G. 31/05/2019) (2465).

Local Government Act 1995 – Local Laws (Shire of Manjimup Parking Local Law 2018 G.G. 04/06/2019) (2466).

Marine and Harbours Act 1981 – Regulations (Transport Regulations Amendment (Fees and Charges) Regulations (No. 2) 2019 G.G. 31/05/2019) (2467).

Metropolitan Redevelopment Authority Act 2011 – Regulations (Metropolitan Redevelopment Authority Amendment Regulations 2019 G.G. 31/05/2019) (2468).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 3) 2019 G.G. 24/05/2019) (2469).

Misuse of Drugs Act 1981 – Regulations (Misuse of Drugs Amendment Regulations 2019 G.G. 28/05/2019) (2470).

Official Travel – Report of Overseas Air Travel undertaken by Ministers, Parliamentary Secretaries and Government Officers on Official Business for the Three Months Ended 31 December 2018 (2471).

Queen Elizabeth II Medical Centre Act 1966 – By-laws (Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2019 G.G. 07/06/2019) (2472).

Registration of Deeds Act 1856 – Regulations (Lands Regulations Amendment (Fees and Charges) Regulations 2019 G.G. 21/05/2019) (2473).

Western Australian Health Promotion Foundation Act 2016 – Regulations (Western Australian Health Promotion Foundation Amendment Regulations 2019 G.G. 14/05/2019) (2474).

#### 14. Correction to Tabled Paper

The Acting Speaker announced that the Speaker had authorised corrections to the following Tabled Paper tabled on 15 May 2019 –

Auditor General, Office of the – Audit Results Report – Annual 2018 Financial Audits, Report 19, May 2019 (2436).

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#### *Paper*

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

By the Acting Speaker –

Auditor General, Office of the – Audit Results Report – Annual 2018 Financial Audits, Report 19: Erratum (2481).

#### 15. Removal of Order of the Day

The Acting Speaker advised that Private Members' Business Order of the Day, McGowan Government, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

#### 16. Notices of Motion

#### 17. Variation to the Order of Business

Ordered, That Business of the Assembly Order of the Day No. 1 be postponed until the next sitting of the Assembly.

#### 18. Appropriation (Recurrent 2019–20) Bill 2019

##### **Appropriation (Capital 2019–20) Bill 2019**

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

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#### *Papers*

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

By Ms J.M. Freeman on behalf of the Deputy Speaker –

Estimates Committee A – Report and Minutes (2482).

Estimates Committee B – Report and Minutes (2483).

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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 2019–20) Bill 2019* and the *Appropriation (Capital 2019–20) Bill 2019*:

Division Nos	1 and 2;
	3 (Services 1 to 5);
	4 and 5;
	7 to 10;
	12 to 14;
	15 (Service 1);
	16 (Services 1 to 7);
	17 (Services 1 to 3);
	20 to 22; 25;
	26 (Services 1 to 7);

28 to 30; 32;  
 33 (Services 7 to 9);  
 36 to 38;  
 39 (Services 1 to 3);  
 41 (Services 1, 2 and 4);  
 42 and 43.

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 2019–20) Bill 2019* and the *Appropriation (Capital 2019–20) Bill 2019*:

Division Nos      6;  
                          11;  
                          12 (Service 4);  
                          15 (Services 1 to 4);  
                          16 (Services 6 and 7);  
                          17 (Services 1 to 3);  
                          18 and 19;  
                          23 and 24;  
                          26 (Services 8 and 9);  
                          27;  
                          31;  
                          33 (Services 1 to 6, 10 and 11);  
                          34 and 35;  
                          39 (Services 4 to 9);  
                          40;  
                          41 (Service 3);  
                          44 and 45.

Question put and passed.

The Treasurer moved, That the Appropriation (Recurrent 2019–20) Bill 2019 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.      Appropriation (Capital 2019–20) Bill 2019**

The Order of the Day for the third reading of the bill having been read, the Treasurer 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.

### **20.      TAB (Disposal) Bill 2019**

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

*Cognate Debate*

Leave was granted to debate the Betting Control Amendment (Taxing) Bill 2019 in conjunction with the TAB (Disposal) Bill 2019.

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Debate resumed.

Question put and passed.

TAB (Disposal) Bill 2019 read a second time.

*CONSIDERATION IN DETAIL*

Clauses 1 to 25 agreed to.

Clause 26.

Mr V. Catania moved,

Page 18, line 25 – To delete “35%” and substitute:

“ 100% ”.

Amendment put.

The Assembly divided.

Ayes (14)

Mr I.C. Blayney  
Mr V.A. Catania  
Ms M.J. Davies  
Mrs A.K. Hayden  
Dr D.J. Honey

Mr Z.R.F. Kirkup  
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  
Ms L. Mettam (*Teller*)

Noes (27)

Dr A.D. Buti  
Mr J.N. Carey  
Mr R.H. Cook  
Ms J.M. Freeman  
Ms E.L. Hamilton  
Mr T.J. Healy  
Mr M. Hughes  
Mr W.J. Johnston  
Mr F.M. Logan

Ms S.F. McGurk  
Mr K.J.J. Michel  
Mr S.A. Millman  
Mrs L.M. O'Malley  
Mr P. Papalia  
Mr S.J. Price  
Mr J.R. Quigley  
Ms M.M. Quirk  
Mrs M.H. Roberts

Ms C.M. Rowe  
Ms A. Sanderson  
Ms J.J. Shaw  
Mrs J.M.C. Stojkovski  
Mr C.J. Tallentire  
Mr D.A. Templeman  
Mr R.R. Whitby  
Mr B.S. Wyatt  
Mr D.R. Michael (*Teller*)

Amendment thus negatived.

Clause 26 agreed to.

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

Question put and passed.

**21. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 1.56 am on Wednesday, 12 June 2019 until 12.00 noon on the same day.

*Members present during any part of the day's proceedings* – All the members except Ms L.L. Baker, Ms J. Farrer and Mr M.J. Folkard.

**KIRSTEN M. ROBINSON**  
Clerk of the Legislative Assembly

**HON. PETER WATSON**  
Speaker of the Legislative Assembly