

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 173

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 20 OCTOBER 2015

### 1. Meeting of Assembly

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on new regulations introduced for branding animal carcasses, effective from 12 August 2015.

The Minister for Planning on an update of the Chevron project development agreement for Elizabeth Quay.

The Minister for Mines and Petroleum on the introduction of the *Guide to the Regulatory Framework for Shale and Tight Gas in Western Australia*.

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#### *Paper*

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

By the Minister for Mines and Petroleum –

Mines and Petroleum, Minister for – *Guide to the Regulatory Framework for Shale and Tight Gas in Western Australia: A Whole-of-Government Approach*, 2015 Edition (3541).

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The Minister for Transport on a month long trial of a flashing caution light at the intersection of William Street and St Georges Terrace to reinforce the give way to pedestrians law and improve driver behaviour.

### 3. Questions

Questions without Notice were taken.

Questions on Notice Nos 4631 to 4635 were asked.

Questions on Notice Nos 4483, 4485, 4489, 4553 to 4564, 4566, 4570 and 4573 were answered.

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

Question on Notice No. 4489 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3537).

Question on Notice No. 4560 – Current and Projected Bed Numbers for Each Hospital for the Clinical Services Framework Period From 2014 to 2024 (3538).

Paper tabled by the Minister for Police; Road Safety; Training and Workforce Development; Women's Interests –

Question on Notice No. 4485 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3539).

Paper tabled by the Minister Representing the Attorney General; Minister for Commerce –

Question on Notice No. 4483 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3540).

#### **4. Unanswered Question on Notice**

Mr W.J. Johnston asked why no answer had been received in respect of his Question on Notice No. 4549.

#### **5. Speaker's Statement – Legislative Council Committee Corresponding with Legislative Assembly Committees**

The Speaker advised members that in separate letters dated 22 September 2015, the Chair of the Legislative Council Standing Committee on Estimates and Financial Operations wrote to each Chair of the Standing Committees of the Legislative Assembly requesting input into an inquiry being undertaken by that committee.

The Speaker advised that he had considered whether a request of this nature should have been by way of message and had concluded that it was not necessary for the Assembly to insist on a message. Nevertheless the Speaker advised that it was appropriate for him to bring this request to the attention of all members and to provide some guidance to the Assembly Committees in this matter.

The Speaker advised that the Assembly Committees were free to respond to the request for advice in any manner they saw fit, subject, of course, to any direction from this House.

#### **6. Speaker's Statement – Heritage Day**

The Speaker advised members that on Sunday, 18 October 2015 Parliament participated in the Perth Heritage Days event 'People who Shaped Perth' and commemorated Edith Cowan as the first female Member of Parliament in Australia as well as the women's suffrage movement of the 1890s. The day was considered a success with 633 members of the public attending. The Speaker noted that event could not have been delivered without the support of:

- Michael Loney and his fellow actors providing an entertaining and informative performance on Edith Cowan in the Legislative Assembly Chamber;
- The WA International Women's Day Collaboration who spoke to the women's firsts in Parliament (in the Legislative Council Chamber) at both a State and Federal level;
- Edith Cowan University and the Peter Cowan Writers' Centre which collectively put in an inordinate amount of effort into compiling a display of Edith Cowan memorabilia in the Aboriginal Peoples' Gallery; and
- Parliamentary staff who brought the event together and who nominated to be Education Presenters on the day.

## 7. Petitions

Reform of Sex Offender Laws – Mr P.C. Tinley presented a petition from 147 persons requesting the Barnett Government and the Legislative Assembly respond to a review of sex offender laws, and improve the supervision of sex offenders that have been released, and to urgently introduce legislation into the Parliament to improve these laws to make our community safer (P. 301).

Italian Language Program – Mr W.J. Johnston presented a petition from 5 persons requesting the Legislative Assembly call on the Barnett Government to immediately reverse its decision to cut funding to the Italian Language Program (P. 302).

Financial Counselling Services – Mr W.J. Johnston presented a petition from 174 persons requesting the Legislative Assembly call on the Barnett Government to retain funding for Financial Counselling services, as this cut will have a devastating impact on many people (P. 303).

Land Designated for use by off-road Vehicles in Kwinana – Mr R.H. Cook presented a petition from 53 persons requesting that the Government re-evaluate the land off Thomas Road, Kwinana, as a designated off-road vehicle site, or make users accountable for maintaining and policing the site, and to implement strong laws as a deterrent to those who are currently responsible for the damage to public property and environmentally sensitive areas (P. 304).

Uranium Mining in Western Australia – Mr D.J. Kelly presented a petition from 476 persons requesting the Legislative Assembly recognise the unacceptable risk to the community and the environment posed by uranium mining and to immediately instate a ban on uranium mining in Western Australia (P. 305).

## 8. Papers

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

By the Clerk –

Bank of Western Australia Act 1995 – Annual Certificate of Compliance as at 30 June 2015 (3522).

Busselton Water – Statement of Corporate Intent 2015–2016 (3523).

Conservation and Land Management Act 1984 – Lease No. 2434/100 Between the Department of Parks and Wildlife and Canopy Adventure Pty Ltd for the Purpose of Developing and Operating a High Ropes Course at Lane Poole Reserve, Near Dwellingup (3524).

Electronic Conveyancing Act 2014 – Notices (Electronic Conveyancing Act (Making and Publication of Participation Rules and Operating Requirements) Notice 2015 G.G. 16/10/2015) (3525).

Fish Resources Management Act 1994 – Management Plans (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment 2015 [1257] G.G. 16/10/2015) (3526).

Fish Resources Management Act 1994 – Management Plans (West Coast Estuarine Managed Fishery Management Plan Amendment (No. 2) 2015 [1258] G.G. 16/10/2015) (3527).

Hospitals and Health Services Act 1927 – Regulations (Hospitals (Services Charges) Amendment Regulations (No. 4) 2015 G.G. 16/10/2015) (3528).

Land Administration Act 1997 – Regulations (Land Administration Amendment Regulations 2015 G.G. 13/10/2015) (3529).

Law Reform Commission of Western Australia – Representative Proceedings Project 103, Final Report: June 2015 (3530).

Legal Profession Act 2008 – Regulations (Legal Profession Amendment Regulations (No. 3) 2015 G.G. 16/10/2015) (3531).

Metropolitan Redevelopment Authority – Operational Plan 2015–2016 (3532).

Rail Safety National Law (WA) Act 2015 – Regulations (Rail Safety National Law (WA) (Alcohol and Drug Testing) Regulations 2015 G.G. 16/10/2015) (3533).

Rail Safety National Law (WA) Act 2015 – Regulations (Rail Safety National Law (WA) Regulations 2015 G.G. 16/10/2015) (3534).

Road Traffic Act 1974 – Regulations (Road Traffic Code Amendment Regulations (No. 3) 2015 G.G. 16/10/2015) (3535).

Workers' Compensation and Injury Management Act 1981 – Regulations (Workers' Compensation and Injury Management (Scales of Fees) Amendment Regulations (No. 2) 2015 G.G. 16/10/2015) (3536).

## 9. Notices of Motion

### 10. Expiration of Notice of Motion

The Speaker advised members that Private Members' Business Notice of Motion No. 1, notice of which was given on 11 November 2014 and renewed for a further 30 sitting days on 12 May 2015, would be removed and would not appear on the next Notice Paper.

### 11. Matter of Public Interest – Dangerous Sexual Offenders Act 2006

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

At least five members having risen in support,

Mr M. McGowan moved,

That this House calls on the Government to urgently release the 2014 review of the Dangerous Sex Offenders Act and immediately introduce amendments to the Act which the Government promised would be introduced a year ago in the Spring session of 2014.

Debate ensued.

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#### *Paper*

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

By the Minister for Police –

Police, Minister for – Supervision Order Made by the Hon Justice Martino on 15 October 2015: Supreme Court of Western Australia (3542).

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Question put.

The Assembly divided.

#### Ayes (19)

Ms L.L. Baker

Dr A.D. Buti

Mr R.H. Cook

Ms J.M. Freeman

Mr R.F. Johnson

Mr W.J. Johnston

Mr D.J. Kelly

Mr F.M. Logan

Mr M. McGowan

Ms S.F. McGurk

Mr M.P. Murray

Mr P. Papalia

Mr J.R. Quigley

Mrs M.H. Roberts

Ms R. Saffioti

Mr C.J. Tallentire

Mr P.C. Tinley

Mr P.B. Watson

Mr D.A. Templeman (*Teller*)

## Noes (33)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
 Mr M.J. Cowper  
 Ms M.J. Davies  
 Mr J.H.D. Day  
 Ms W.M. Duncan  
 Ms E. Evangel

Mrs G.J. Godfrey  
 Mr B.J. Grylls  
 Dr K.D. Hames  
 Mrs L.M. Harvey  
 Mr C.D. Hatton  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr S.K. L'Estrange  
 Mr R.S. Love  
 Mr W.R. Marmion  
 Mr J.E. McGrath

Ms L. Mettam  
 Mr P.T. Miles  
 Ms A.R. Mitchell  
 Mr N.W. Morton  
 Dr M.D. Nahan  
 Mr D.C. Nalder  
 Mr J. Norberger  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.H. Taylor  
 Mr A. Krsticevic (*Teller*)

Question thus negated.

## 12. Terrorism (Extraordinary Powers) Amendment Bill 2015

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.

## 13. Sentencing Amendment Bill 2014

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 Minister for Corrective Services 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.

## 14. Messages from the Legislative Council

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

20 October 2015

Associations Incorporation Bill 2014 (Message No. 107).

Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill 2015 (Message No. 108).

**15. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 9.48 p.m. until Wednesday, 21 October 2015 at 12 noon.

*Members present during any part of the day's proceedings* – All the members except Mr I.M. Britza, Ms J. Farrer, Mr T.K. Waldron and Mr B.S. Wyatt.

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

**HON. MICHAEL SUTHERLAND**  
Speaker of the Legislative Assembly