

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 182

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 24 NOVEMBER 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 Tourism on the new appointments to Tourism Western Australia's Board of Commissioners.

The Minister for Culture and the Arts on the 25th anniversary of the musical production Bran Nue Dae.

The Minister for Finance on the establishment of the GovNext Information and Communications Technology program.

The Minister for Community Services on the results of the tender process to engage providers to deliver a financial counselling service in the metropolitan area.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 4723 to 4727 were asked.

Questions on Notice Nos 4631 to 4633, 4636, 4637, 4640, 4641, 4644 to 4649, 4652, 4656, 4658 to 4660, 4669, 4676 to 4679, 4681, 4682 and 4685 to 4688 were answered.

Paper tabled by the Minister for Housing –

Question on Notice No. 4659 – Details of Properties Owned by State Government that are Managed by Perth Management Services as at 30 September 2015 (3659).

Papers tabled by the Minister for Corrective Services –

Question on Notice No. 4677 – Details of Sentence Lengths and Charges Adult Offenders Received in the 2014 Calendar Year (3660).

Question on Notice No. 4679 – Details of Sentence Lengths and Charges Adult Offenders Received in the 2014 Calendar Year (3661).

Question on Notice No. 4676 – Details of Funding Spent on in and out of Prison Programs and Services Available for Each Financial Year From 07/08 to 14/15 (3662).

Paper tabled by the Minister for Tourism –

Question on Notice No. 4678 – Details of Full or Partial Funding Spent on Tourism Related Marketing, Administration and Activity for Each Financial Year From 07/08 to 14/15 (3663).

4. Unanswered Questions on Notice

The following members asked why no answer had been received in respect of their Questions on Notice –

Mr M. McGowan – Question on Notice No. 4475.

Mr W.J. Johnston – Question on Notice No. 4638.

Mr C.J. Tallentire – Question on Notice No. 4629.

5. Petitions

Perth Freight Link – Ms S. McGurk presented a petition from 3523 persons asking the Legislative Assembly to call on the Barnett Government to stop the Perth Freight Link and use the money to improve the rail links to the existing harbour and to increase freight on rail, and to look at real freight alternatives for the future (P. 322).

Equal Opportunity Act 1984 – Ms L.L. Baker presented a petition from 115 persons asking the Legislative Assembly to remove the loophole in section 73 of the *Equal Opportunity Act 1984* that allows religious school to discriminate on the basis of sexuality and gender history (P. 323).

Wharf Street Railway Crossing – Mr W.J. Johnston presented a petition from 32 persons asking the Legislative Assembly to call on the Barnett Government to do something about the Wharf Street railway crossing in Queens Park which is dangerous and dysfunctional and needs to be improved to ease congestion (P. 324).

Puppy Farms – Mr W.J. Johnston presented a petition from 25 persons asking the Legislative Assembly to call on the Barnett Government to ban the sale of puppies in pet stores and online across Western Australia, as puppy farms are cruel, inhumane and wrong (P. 325).

TAFE Fees – Mr W.J. Johnston presented a petition from 21 persons asking the Legislative Assembly to call on the Barnett Government to immediately reverse its decision to increase TAFE fees (P. 326).

School Funding – Mr W.J. Johnston presented a petition from 36 persons asking the Legislative Assembly to call on the Barnett Government to retain full funding for schools, as cuts to funding will have a devastating effect on the quality of education for children in Western Australia (P. 327).

Seniors in Western Australia – Mr W.J. Johnston presented a petition from 25 persons asking the Legislative Assembly to call on the Barnett Government to look after Seniors in the community and provide for a fairer budget as the State's most vulnerable citizens are paying the penalty (P. 328).

6. Papers

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

By the Clerk –

Construction Industry Portable Paid Long Service Leave Act 1985 – Regulations (Construction Industry Portable Paid Long Service Leave Amendment Regulations 2015 G.G. 20/11/2015) (3647).

Dangerous Goods Safety Act 2004 – Regulations (Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Amendment Regulations (No. 2) 2015 G.G. 17/11/2015) (3648).

Declared Places (Mentally Impaired Accused) Act 2015 – Regulations (Declared Places (Mentally Impaired Accused) Regulations 2015 G.G. 20/11/2015) (3649).

Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013 – Electricity Generation and Retail Corporation Part 3 Division 1 Compliance Report and the Electricity (Standard Products) Wholesale Arrangements 2014 for the Year Ended 30 June 2015 (3651).

Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013 – Electricity Generation and Retail Corporation Compliance Report for the Year Ended 30 June 2015 (3650).

Environmental Protection Act 1986 – Orders (Environmental Protection (Gnangara Mound Crown Land) Policy Revocation Order 2015 G.G. 20/11/2015) (3652).

Environmental Protection Act 1986 – Orders (Environmental Protection (South West Agricultural Zone Wetlands) Policy Revocation Order 2015 G.G. 20/11/2015) (3653).

Environmental Protection Act 1986 – Orders (Environmental Protection (Swan Coastal Plain Lakes) Policy Revocation Order 2015 G.G. 20/11/2015) (3654).

Financial Management Act 2006 – Notice Under Section 82 of the Act from the Minister for Education in Respect to not Providing Information Requested in Legislative Council Question Without Notice No. 1155 (3655).

Health Act 1911 – Local Laws (Shire of Narrogin Health Repeal Local Law 2015 G.G. 17/11/2015) (3656).

Horizon Power – Statement of Corporate Intent 2015–2016 (3657).

Local Government Act 1995 – Local Laws (Shire of Narrogin Repeal Local Law 2015 G.G. 17/11/2015) (3658).

7. Notices of Motion

8. Expiration of Notice of Motion

The Speaker advised members that Private Members' Business Notice of Motion No. 1, notice of which was given on 17 February 2015 and renewed for a further 30 sitting days on 23 June 2015, would be removed and would not appear on the next Notice Paper.

9. Removal of Orders of the Day

The Speaker advised members that the Orders of the Day that appeared under Private Members' Business on the last Notice Paper as No. 1, *Constitution Amendment (Recognition of Aboriginal People) Bill 2014*, and No. 2 under Private Members' Business, *Council Amalgamation Process*, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

10. Matter of Public Interest – Perth Freight Link

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 condemns the Barnett Government's chaotic planning for the Perth Freight Link project and calls on the government to immediately stop all work on the Roe 8 project.

Debate ensued.

Question put.

The Assembly divided.

Ayes (17)

Dr A.D. Buti
Mr R.H. Cook
Ms J. Farrer
Mr W.J. Johnston
Mr F.M. Logan
Mr M. McGowan

Ms S.F. McGurk
Mr M.P. Murray
Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts

Mr C.J. Tallentire
Mr P.C. Tinley
Mr P.B. Watson
Mr B.S. Wyatt
Mr D.A. Templeman (*Teller*)

Noes (33)

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

Mr J.M. Francis
 Mrs G.J. Godfrey
 Mr B.J. Grylls
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr C.D. Hatton
 Mr A.P. Jacob
 Mr R.F. Johnson
 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 A.J. Simpson
 Mr M.H. Taylor
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Question thus negated.

11. Message from the Governor

Message No. 44 from Her Excellency the Governor was reported assenting to the Mental Health Amendment Act 2015, Act No. 36 of 2015.

12. Notice of Motion after the Time Prescribed

Mr F.M. Logan was granted leave to present a late notice of motion.

13. Child Support (Adoption of Laws) 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.

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

The Minister for Police moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

14. Integrity (Lobbyists) Bill 2014

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

Debate resumed.

Leave was granted for the Premier to continue his remarks in reply at a later stage of the sitting.

15. Public Health Bill 2014

The Order of the Day for the further consideration in detail of the bill was read.

The Legislation Committee on the *Public Health Bill 2014* agreed to postpone the following clauses for consideration in the Legislative Assembly.

CONSIDERATION IN DETAIL

Clause 5.

Mr R.H. Cook moved,

Page 13, lines 4 and 5 – to delete the lines.

Amendment put and negated.

Clause agreed to.

Clause 34 agreed to.

Clause 35 with the following amendment:

Page 31, lines 3 and 4 deleted.

Clause as amended agreed to.

Clause 46 agreed to.

Clauses 255 to 267 agreed to.

Clauses 280 to 282 agreed to.

Consideration in detail concluded.

The Minister for Health 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.

16. Public Health (Consequential Provisions) Bill 2014

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

17. Terrorism (Extraordinary Powers) Amendment Bill 2015

Message No. 114 dated 24 November 2015 from the Legislative Council was reported agreeing to the bill without amendment.

18. Notice of Motion after the Time Prescribed

The Leader of the House was granted leave to give a late notice of motion.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.47 p.m. until Wednesday, 25 November 2015 at 12 noon.

Members present during any part of the day's proceedings – All the members except Ms M. Davies, Dr G.G. Jacobs, Mr D.J. Kelly, Mr J.H. Norberger and Mr D.T. Redman.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly