

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 99

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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WEDNESDAY, 10 SEPTEMBER 2014

### 1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Petitions

City of Canning – Mr W.J. Johnston presented a petition from 209 persons requesting that the Legislative Assembly preserves the City of Canning with its current boundaries (P. 161).

City of Canning – Mr W.J. Johnston presented a petition from 329 persons requesting that the Legislative Assembly preserves the City of Canning where the boundaries were first established in 1843 (P. 162).

St Columba's Primary School – Ms L.L. Baker presented a petition from 1 person requesting that the Legislative Assembly provides St Columba's Primary School with flashing 40 km/hour school zone lights within the school's 40 km/hour speed zone (P. 163).

Durham Road School – Ms L.L. Baker presented a petition from 1 person requesting that the Legislative Assembly provides Durham Road School with flashing 40 km/hour school zone lights within the school's 40 km/hour speed zone (P. 164).

Guildford Road Pedestrian Crossing – Ms L.L. Baker presented a petition from 1 person requesting that the Legislative Assembly provides an overpass, underpass or traffic light pedestrian crossing at Guildford Road between Leake Street and Roberts Street, Bayswater (P. 165).

Murdoch University, Rockingham Campus – Mr M. McGowan presented a petition from 146 persons requesting that the Legislative Assembly calls on the Barnett Government to demand that the Abbott Liberal Government provides funds to ensure Murdoch University runs courses at its Rockingham campus and, if the Abbott Government refuses, that the Barnett Government takes action to ensure that the Rockingham campus continues to provide university education (P. 166).

### 3. Papers

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

By the Clerk –

Conservation and Land Management Act 1984 – Lease No. 1958/97 Between the Department of Parks and Wildlife and Kookaburra Cinema for the Purpose of a Hills Forest Outdoor Cinema and Picnicking Situated on State Forest No. 7 at Mundaring (1986).

Estimates Committees – Further Information to Supplementary Information No. A12 with Regard to Patronage Numbers for BRT to Ellenbrook (1987).

Parliamentary Travel Allowance – Report of Overseas Travel Undertaken by Members of Parliament Funded by the Parliamentary Travel Allowance for the Three Months Ended 30 June 2014 (1988).

#### **4. Notices of Motion**

#### **5. Notices of Motion Lapsed**

The Speaker advised that Private Members' Business Notices of Motion Nos 1 and 2 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

#### **6. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the Western Australian Symphony Orchestra Beethoven Series.

The Minister for Training and Workforce Development on the Worldskills and Skills West Expo events being held in Perth.

The Minister for Housing on the Department of Housing's success at the 2014 WA State Auscontact Awards.

The Parliamentary Secretary to the Minister for Commerce on the plate cutting ceremony for two Royal Navy of Oman vessels being built at Austal Limited's shipyard at the Australian Marine Complex in Henderson.

#### **7. Leave of Absence – Member for Scarborough**

Mr A. Krsticevic, pursuant to notice, moved,

That leave be given for the absence from the Legislative Assembly, until 11 November 2014, of the Member for Scarborough on account of urgent private business.

Debate ensued.

Question put and passed.

#### **8. Environmental Protection Amendment (Validation) Bill 2014**

The Minister for Environment, pursuant to notice, moved,

That a bill for "An Act to amend the *Environmental Protection Act 1986* to validate certain proceedings of the Environmental Protection Authority and for related purposes." be introduced and read a first time.

Question put and passed.

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

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

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#### *Paper*

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

By the Minister for Environment –

Environmental Protection Amendment (Validation) Bill 2014 – List of 25 Projects Identified in Relation to the Environmental Protection Amendment (Validation) Bill 2014 (1989).

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Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

**9. Mines Safety and Inspection 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.

*CONSIDERATION IN DETAIL*

Clauses 1 to 3 agreed to.

Clause 4.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

**10. Questions**

Questions without Notice were taken.

Questions on Notice Nos 2871 to 2923 were asked.

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*Suspension of Member*

The Speaker, having called Mr B.S. Wyatt to order more than three times, suspended the member from the service of the Assembly for the remainder of the sitting.

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**11. Variation to the Order of Business**

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

**12. Mines Safety and Inspection Amendment Bill 2014**

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

*CONSIDERATION IN DETAIL*

Clauses 4 to 20 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Minister for Mines and Petroleum moved, That the bill be now read a third time.

Debate ensued.

Question put.

The Assembly divided.

## Ayes (35)

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  
 Ms M.J. Davies  
 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  
 Mr C.D. Hatton  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr S.K. L'Estrange  
 Mr R.S. Love  
 Mr W.R. Marmion  
 Mr J.E. McGrath

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 T.K. Waldron  
 Mr A. Krsticevic (*Teller*)

## Noes (19)

Ms L.L. Baker  
 Dr A.D. Buti  
 Mr R.H. Cook  
 Ms J. Farrer  
 Ms J.M. Freeman  
 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*)

Question thus passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

### 13. Alcohol and Drug Authority Amendment Bill 2014

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

#### *CONSIDERATION IN DETAIL*

Clause 1.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

### 14. Variation to the Order of Business

Ordered, That Private Members' Business Order of the Day No. 17 and Private Members' Business Notices of Motion Nos 15 and 14 be next considered.

### 15. Privatisation of the TAB

The Order of the Day having been read for the resumption of debate on the motion moved by Mr M.P. Murray,

That this House condemns the Barnett Government for breaking its word in relation to the privatisation of the TAB.

Debate resumed.

Question put.

The Assembly divided.

## Ayes (19)

|                  |                  |                                     |
|------------------|------------------|-------------------------------------|
| Ms L.L. Baker    | Mr F.M. Logan    | Ms R. Saffioti                      |
| Dr A.D. Buti     | Mr M. McGowan    | Mr C.J. Tallentire                  |
| Mr R.H. Cook     | Ms S.F. McGurk   | Mr P.C. Tinley                      |
| Ms J. Farrer     | Mr M.P. Murray   | Mr P.B. Watson                      |
| Ms J.M. Freeman  | Mr P. Papalia    | Mr D.A. Templeman ( <i>Teller</i> ) |
| Mr W.J. Johnston | Mr J.R. Quigley  |                                     |
| Mr D.J. Kelly    | Mrs M.H. Roberts |                                     |

## Noes (34)

|                   |                    |                                    |
|-------------------|--------------------|------------------------------------|
| Mr P. Abetz       | Mrs G.J. Godfrey   | Ms A.R. Mitchell                   |
| Mr F.A. Alban     | Mr B.J. Grylls     | Mr N.W. Morton                     |
| Mr C.J. Barnett   | Dr K.D. Hames      | Dr M.D. Nahan                      |
| Mr I.C. Blayney   | Mr C.D. Hatton     | Mr D.C. Nalder                     |
| Mr I.M. Britza    | Mr A.P. Jacob      | Mr J. Norberger                    |
| Mr G.M. Castrilli | Dr G.G. Jacobs     | Mr D.T. Redman                     |
| Mr V.A. Catania   | Mr R.F. Johnson    | Mr A.J. Simpson                    |
| Ms M.J. Davies    | Mr S.K. L'Estrange | Mr M.H. Taylor                     |
| Mr J.H.D. Day     | Mr R.S. Love       | Mr T.K. Waldron                    |
| Ms W.M. Duncan    | Mr W.R. Marmion    | Mr A. Krsticevic ( <i>Teller</i> ) |
| Ms E. Evangel     | Mr J.E. McGrath    |                                    |
| Mr J.M. Francis   | Mr P.T. Miles      |                                    |

Question thus negated.

## 16. Council Amalgamations

Mr D.A. Templeman, pursuant to notice, moved,

That this House advises the Government that it does not support its forced council amalgamations process in the metropolitan area.

Debate ensued.

Mr P.T. Miles moved, To delete all words after "House" and insert –

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- (1) notes the various inquiries and reports over the past 50 years which recommend reforms to the structure of local government in Western Australia, so as to ensure higher capacity and more sustainable local governments, including:
  - (i) *Metropolitan Local Government Review*, undertaken by the independent Metropolitan Local Government Review Panel (Robson Report); and
  - (ii) *In Your Hands: Shaping the future of Local Government in Western Australia*, undertaken by the Systemic Sustainability Study Panel led by the WA Local Government Association (SSS Report);
- (2) notes that a range of proposals for reform in the metropolitan area are being considered by the Local Government Advisory Board;
- (3) supports the cooperative discussions which have been underway by local governments in the metropolitan area; and
- (4) supports the Minister for Local Government giving due consideration to the recommendations of the Local Government Advisory Board.

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Debate ensued.

On the question, That the words to be deleted, be deleted,

Amendment put.

The Assembly divided.

Ayes (25)

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr G.M. Castrilli  
Mr M.J. Cowper  
Ms E. Evangel  
Mrs G.J. Godfrey

Dr K.D. Hames  
Mr C.D. Hatton  
Mr A.P. Jacob  
Dr G.G. Jacobs  
Mr S.K. L'Estrange  
Mr W.R. Marmion  
Mr J.E. McGrath  
Mr P.T. Miles  
Ms A.R. Mitchell

Mr N.W. Morton  
Dr M.D. Nahan  
Mr D.C. Nalder  
Mr J. Norberger  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr A. Krsticevic (*Teller*)

Noes (22)

Ms L.L. Baker  
Dr A.D. Buti  
Mr V.A. Catania  
Mr R.H. Cook  
Ms M.J. Davies  
Ms W.M. Duncan  
Ms J. Farrer  
Mr B.J. Grylls

Mr W.J. Johnston  
Mr D.J. Kelly  
Mr F.M. Logan  
Mr R.S. Love  
Mr M. McGowan  
Mr M.P. Murray  
Mr P. Papalia  
Ms M.M. Quirk

Mr D.T. Redman  
Mrs M.H. Roberts  
Ms R. Saffioti  
Mr P.C. Tinley  
Mr P.B. Watson  
Mr D.A. Templeman (*Teller*)

Amendment thus passed.

On the question, That the words to be inserted, be inserted,

Amendment put.

The Assembly divided.

Ayes (25)

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr G.M. Castrilli  
Mr M.J. Cowper  
Ms E. Evangel  
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Mr D.C. Nalder  
Mr J. Norberger  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr A. Krsticevic (*Teller*)

Noes (22)

Ms L.L. Baker  
Dr A.D. Buti  
Mr V.A. Catania  
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Ms M.J. Davies  
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Mr M. McGowan  
Mr M.P. Murray  
Mr P. Papalia  
Ms M.M. Quirk

Mr D.T. Redman  
Mrs M.H. Roberts  
Ms R. Saffioti  
Mr P.C. Tinley  
Mr P.B. Watson  
Mr D.A. Templeman (*Teller*)

Amendment thus passed.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

**17. Adjournment**

The Deputy Premier moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 7.01 p.m. until Thursday, 12 September 2014 at 9.00 a.m.

*Members present during any part of the day's proceedings* – All the members except Mrs L.M. Harvey.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. MICHAEL SUTHERLAND**

Speaker of the Legislative Assembly