

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 241

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 15 NOVEMBER 2016

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 Statement

A Brief Ministerial Statement was made by –

The Minister for Culture and the Arts on the Government's vision for the transformation of the Perth Cultural Centre.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 5891, 5892, 5895, 5897, 5898, 5901 to 5905, 5907, 5909, 5910, 5915, 5916, 5919, 5922, 5923, 5926, 5927, 5932, 5933, 5937, 5939, 5940, 5942 to 5944, 5946, 5947, 5949, 5951, 5953, 5968, 5969 and 5979 were answered.

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

Question on Notice No. 5923 – Details of gifts, benefits, hospitality, accommodation and travel received by officers under the Deputy Premier's portfolio of responsibilities since 1 October 2015 (4856).

Paper tabled by the Treasurer; Minister for Energy; Citizenship and Multicultural Interests –

Question on Notice No. 5919 – Details of gifts, benefits, hospitality, accommodation and travel received by officers under the Treasurer's portfolio of responsibilities since 1 October 2015 (4857).

Paper tabled by the Minister for Emergency Services; Fisheries; Corrective Services; Veterans –

Question on Notice No. 5915 – Details of gifts, benefits, hospitality, accommodation and travel received by officers under the Minister for Emergency Services' portfolio of responsibilities since 1 October 2015 (4858).

Paper tabled by the Minister for Environment; Heritage –

Question on Notice No. 5916 – Details of gifts, benefits, hospitality, accommodation and travel received by officers under the Minister for Environment's portfolio of responsibilities since 1 October 2015 (4859).

Papers tabled by the Minister for Housing; Racing and Gaming –

Question on Notice No. 5922 – Details of gifts, benefits, hospitality, accommodation and travel received by officers under the Minister for Housing's portfolio of responsibilities since 1 October 2015 (4860).

Question on Notice No. 5942 – Details of retirement villages owned and operated by Retirees WA, which have had Housing Authority involvement (4861).

Paper tabled by the Minister for Mines and Petroleum; Finance; Small Business –

Question on Notice No. 5910 – Details of gifts, benefits, hospitality, accommodation and travel received by officers under the Minister for Mines and Petroleum's portfolio of responsibilities since 1 October 2015 (4862).

Paper tabled by the Minister for Local Government; Community Services; Seniors and Volunteering; Youth –

Question on Notice No. 5909 – Details of gifts, benefits, hospitality, accommodation and travel received by officers under the Minister for Local Government's portfolio of responsibilities since 1 October 2015 (4863).

4. Unanswered Question on Notice

Mr M. McGowan asked why no answer had been received in respect of his Question on Notice No. 5936.

5. Petitions

Puppy Farms – Mr W.J. Johnston presented a petition from 16 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 (P. 421).

Bentley Hospital Surgical and Maternity Services – Mr W.J. Johnston presented a petition from 35 persons asking the Legislative Assembly to call on the Barnett Government to retain local health services, particularly surgical and maternity services at Bentley Hospital so the local community can access health services close to where they live (P. 422).

Save Bentley Hospital – Mr W.J. Johnston presented a petition from 76 persons requesting that the Legislative Assembly calls on the Barnett Government to retain local health services at Bentley Hospital so the local community can access these services close to home, in particular but not limited to – surgical, maternity and physiotherapy services (P. 423).

Save Western Power – Mr W.J. Johnston presented a petition from 96 persons asking the Legislative Assembly to stand against the Barnett Government's privatisation of Western Power (P. 424).

Compensate Genetically-Modified Free Framers – Mr M.P. Murray presented a petition from 207 persons asking the Legislative Assembly to urge the Western Australian Government to introduce Farmer Protection Legislation to compensate any non-GM farmer who suffers economic loss from GM contamination (P. 425).

Lanco Griffin Coal – Mr M.P. Murray presented a petition from 43 persons requesting that the Members of the Legislative Assembly through the Minister for Commerce request Worksafe to conduct an inquiry into Lanco Griffin Coal’s management style and effect on employee mental health (P. 426).

Wellington National Park – Mr M.P. Murray presented a petition from 323 persons asking the Legislative Assembly to expand the Wellington National Park to include the State Forests of Arcadia, Yabberup, Lowden, Mungilup and the Wellington Discovery Forest Reserve (P. 427).

Freight Trains through Bibra Lake – Mr P.C. Tinley presented a petition from 30 persons asking the Legislative Assembly to consider introducing a curfew on trains late at night; limiting the speed of trains through the area; ensure that train horns are only used when necessary and refurbishing the track to mitigate noise and vibration issues (P. 428).

Traffic Congestion in Munster – Mr F.M. Logan presented a petition from 50 persons asking the Legislative Assembly to call on the Barnett Government to modify the layout at Stock Road to allow for the duplication of Beeliar Drive to continue and the Mayor Road and Rockingham Road roundabout to be widened to allow the free flow of traffic (P. 429).

6. Paper

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

By the Clerk –

 Biosecurity and Agriculture Management Act 2007 – Management Plans (Biosecurity and Agriculture Management (Newcastle Disease) Management Plan 2016 G.G. 11/11/2016) (4855).

7. Notices of Motion

8. Notice of Motion Lapsed

The Speaker advised that Private Members’ Business Notices of Motion Nos 2 and 3 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

9. Expiration of Notice of Motion

The Speaker advised that Private Members’ Business Notice of Motion No. 1, given on 17 November 2015 and renewed for a further 30 sitting days on 21 June 2016, would not appear on the next Notice Paper.

10. Matter of Public Interest – Barnett Government Economic and Financial Management

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 Liberal National Government for its failing in its eight years of government in the vital areas of economic and financial management including failing to have a jobs plan for the future, and as such does not deserve re-election.

Debate ensued.

Question put.

The Assembly divided.

Ayes (20)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Ms J. Farrer
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
Ms M.M. Quirk

Mrs M.H. Roberts
Ms R. Saffioti
Mr C.J. Tallentire
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 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
Mrs L.M. Harvey
Mr C.D. Hatton
Mr A.P. Jacob
Dr G.G. Jacobs
Mr A. Krsticevic
Mr S.K. L'Estrange
Mr R.S. Love
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
Ms L. Mettam (*Teller*)

Question thus negatived.

11. Joint Standing Committee on the Corruption and Crime Commission

Mr P.B. Watson, as Deputy Chair, presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission, Joint Standing Committee on the – Report No. 31: The efficiency and timeliness of the current appointment process for Commissioners and Parliamentary Inspectors of the CCC (4864).

12. Removal of Order of the Day

The Acting Speaker advised that the Main Roads Amendment Bill 2015 had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

The Acting Speaker further advised that a bill removed under this Standing Order may be restored by motion to the point it had reached prior to its removal.

13. Sentencing Legislation Amendment Bill 2016

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 5 agreed to.

Clause 6.

The Parliamentary Secretary to the Minister for Innovation moved, That the question be now put.

Question put and passed.

On the question, That Clause 6 be agreed to,

Question put and passed.

Clause 7.

The Parliamentary Secretary to the Minister for Innovation moved, That the question be now put.

Question put and passed.

On the question, That Clause 7 be agreed to,

Question put and passed.

Clauses 8 to 24 agreed to.

Clause 25.

The Parliamentary Secretary to the Minister for Innovation moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (28)

Mr P. Abetz	Mr C.D. Hatton	Mr N.W. Morton
Mr F.A. Alban	Mr A.P. Jacob	Dr M.D. Nahan
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr D.C. Nalder
Mr M.J. Cowper	Mr A. Krsticevic	Mr D.T. Redman
Ms M.J. Davies	Mr S.K. L'Estrange	Mr A.J. Simpson
Ms W.M. Duncan	Mr R.S. Love	Mr M.H. Taylor
Ms E. Evangel	Mr W.R. Marmion	Mr T.K. Waldron
Mr J.M. Francis	Mr J.E. McGrath	Ms L. Mettam (<i>Teller</i>)
Dr K.D. Hames	Mr P.T. Miles	
Mrs L.M. Harvey	Ms A.R. Mitchell	

Noes (7)

Mr R.F. Johnson	Mr P. Papalia	Mr D.A. Templeman (<i>Teller</i>)
Mr D.J. Kelly	Mr J.R. Quigley	
Mr M.P. Murray	Ms M.M. Quirk	

Question thus passed.

On the question, That Clause 25 be agreed to,

Question put and passed.

Clauses 26 to 78 agreed to.

Title agreed to.

Consideration in detail concluded.

Ordered, That the third reading of the bill be made an Order of the Day for the next sitting of the Assembly.

14. Restraining Orders and Related Legislation Amendment (Family Violence) Bill 2016

Message No. 163 dated 15 November 2016 from the Legislative Council was reported forwarding for concurrence a bill for "An Act to amend the following —

- the *Restraining Orders Act 1997*;
- the *Bail Act 1982*;
- the *Children and Community Services Act 2004*;
- the *Community Protection (Offender Reporting) Act 2004*;
- *The Criminal Code*;
- the *Criminal Investigation Act 2006*;
- the *Prisons Act 1981*;
- the *Sentence Administration Act 2003*."

Ordered, That the first reading of the bill be made an Order of the Day for the next sitting of the Assembly.

15. Statutes (Repeals) Bill 2016

Message No. 164 dated 15 November 2016 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to repeal the following Acts —

- the *Coal Industry Tribunal of Western Australia Act 1992*;
- the *Labour Relations Reform Act 2002*;
- the *Spear-guns Control Act 1955*;
- the *Western Australian Marine (Sea Dumping) Act 1981*;
- the *Escheat and forfeiture of real and personal property (1834) (Imp)*,

and to amend several Acts as a consequence of those repeals.”

Ordered, That the first reading of the bill be made an Order of the Day for the next sitting of the Assembly.

16. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 11.19 p.m. until Wednesday, 16 November at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr I.M. Britza.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly