

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 224

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 7 SEPTEMBER 2016

1. Meeting of Assembly

The Assembly met at 12 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Papers

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

By the Clerk –

Auditor General, Office of the – Ord-East Kimberly Development – Report 20: September 2016 (4496).

Local Government Standards Panel – Annual Report 2015–2016 (4497).

3. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper which was tabled on 22 September 2015 –

Western Australian Museum – Annual Report 2014–2015 (3330).

Paper

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

By the Speaker –

Western Australian Museum – Annual Report 2014–2015 – Erratum (4499).

4. Brief Ministerial Statement

A Brief Ministerial Statement was made by –

The Minister for Health on the appointments made to the new Healthway Board.

5. Withdrawal of Notice of Motion

The Leader of the House withdrew Business of the Assembly – Notice of Motion No. 1.

6. Sale of Land 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 7 agreed to.

Clause 8.

The Minister for Lands moved,

Page 12, lines 20 to 29 – To delete the lines and substitute:

“

- (1) If a vendor's condition in a future lot contract is not satisfied —
 - (a) the purchaser may terminate the contract by notice in writing to the vendor; or
 - (b) the vendor may terminate the contract by notice in writing to the purchaser but only if the vendor has complied with section 13G.
- (2) If the vendor's condition is taken not to have been satisfied under section 13H(4), the purchaser may terminate the contract by notice in writing to the vendor.
- (2A) To avoid doubt, nothing in this section confers on the vendor the right to terminate a future lot contract if the vendor's condition is taken not to have been satisfied under section 13H(4).

”.

Amendment put and passed.

The Minister for Lands moved,

Page 12, lines 30 and 31 – To delete “subsection (2)(a) or (b),” and substitute:

“ subsection (1)(a) or (b) or subsection (2), ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 9 to 14 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.

7. Universities 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.

Debate interrupted by the Chair (Dr A.D. Buti speaking) and adjourned until a later stage of the sitting.

8. Questions

Questions without Notice were taken.

Distinguished Visitors

The Speaker advised that today was the commemoration of the Battle for Australia and noted the presence in the Speaker's Gallery of Mr Peter Hackett and Ms Ronnie Roach, two of the last remaining Western Australian gunners from the Second World War.

Questions on Notice Nos 5513, 5536, 5556, 5601, 5614, 5714 and 5804 were answered.

Paper tabled by the Minister for Transport -

Question on Notice No. 5513 – Figures relating to contracts awarded by Main Roads that came in over budget, between 1 July 2014 and 18 May 2016 (4498).

9. Suspension of Standing Orders

Mr B.S. Wyatt, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House condemns the Liberal National Government for its failure to adequately plan, assess and deliver on the Ord-East Kimberley Development project.

Debate ensued.

The Leader of the House moved, To add to the motion –

“

, subject to the debate being limited to 20 minutes for government members, 20 minutes for non-government members and 5 minutes for independent members.

”.

Debate ensued.

Amendment put and passed.

On the question, That the motion, as amended, be agreed to,

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion, as amended, to be carried with the concurrence of an absolute majority of the whole number of members of the House.

10. Ord-East Kimberley Development Project

Mr B.S. Wyatt, pursuant to the foregoing motion, moved,

That this House condemns the Liberal National Government for its failure to adequately plan, assess and deliver on the Ord-East Kimberley Development project.

Debate ensued.

Question put.

The Assembly divided.

Ayes (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 J.R. Quigley
 Mrs M.H. Roberts
 Ms R. Saffioti

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

Noes (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 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 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 J. Norberger
 Mr D.T. Redman
 Mr A.J. Simpson
 Mr M.H. Taylor
 Mr A. Krsticevic (*Teller*)

Question thus negatived.

11. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

12. Universities 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.

Debate interrupted by the Chair (Mr C.J. Tallentire speaking) and adjourned until a later stage of the sitting.

13. Variation to the Order of Business

Ordered, That Private Members' Business Orders of the Day Nos 20 and 11 be next considered.

14. Skippers Row Wetlands Area

The Order of the Day having been read for the resumption of debate on the motion moved by Ms L.L. Baker,

That this House condemns the Liberal National Government for its poor management of the Skippers Row Wetlands area in Bayswater, for failing to protect vital urban wetlands through either planning or environmental legislation, and calls for the urgent protection of the remaining Bayswater wetlands known as Carter's Block which are still currently at risk.

Debate resumed.

Question put.

The Assembly divided.

Ayes (18)

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 J.R. Quigley

Mrs M.H. Roberts
 Ms R. Saffioti
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Noes (32)

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
 Ms W.M. Duncan
 Ms E. Evangel

Mr J.M. Francis
 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 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 negatived.

15. Criminal Laws (Domestic Violence) 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.

Debate interrupted by the Chair (Ms J.M. Freeman speaking) and adjourned until a later stage of the sitting.

16. Taxi 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.

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

Question put and passed.

17. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 8.01 p.m. until Thursday, 8 September 2016 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr P. Papalia, Ms M.M. Quirk and Mr T.K. Waldron.

KIRSTEN M. ROBINSON
 Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
 Speaker of the Legislative Assembly