

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 229

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 20 SEPTEMBER 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. Speaker's Statement – Media Presence

The Speaker advised members that he had approved a media presence for the first 10 minutes of Question Time.

3. Brief Ministerial Statement

A Brief Ministerial Statement was made by –

The Premier on the Governor's acceptance of the resignations of the Minister for Agriculture and Food; Transport and the Minister for Local Government; Community Services; Seniors and Volunteering; Youth.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 5869 to 5875 were asked.

Questions on Notice Nos 5637, 5642, 5646, 5649, 5650 to 5652, 5657 to 5659, 5661, 5663 to 5667, 5670, 5673 to 5675, 5678, 5679, 5684, 5685, 5687, 5688, 5691 to 5695, 5698, 5701, 5702, 5704, 5705, 5709, 5710, 5715 to 5729, 5732, 5735 to 5737, 5740, 5741, 5746, 5749, 5750, 5752 to 5754, 5757, 5758, 5763 to 5787, 5789, 5791 to 5793, 5795, 5797, 5799 and 5800 were answered.

Papers tabled by the Minister for Health; Culture and the Arts –

Question on Notice No. 5637 – List of, and details for, public hospitals currently using private medical transcription services (4570).

Question on Notice No. 5664 – List of clinical services and population health programmes provided under the Indigenous Australians Health Programme Multiple Schedule Funding Agreement (4571).

Question on Notice No. 5666 – Breakdown of projected episodes of Emergency Department care in 2016–17 for each Western Australian hospital (4572).

Question on Notice No. 5758 – Details of market research and polling undertaken by agencies under the Minister's portfolio in 2015–2016 (4573).

Paper tabled by the Minister for Community Services –

Question on Notice No. 5659 – List of all property managed by the Department of Local Government and Communities (4574).

5. Petitions

Transmission Relocation – Mr W.J. Johnston presented a petition from 109 persons asking the Legislative Assembly to stop the proposed transmission relocation on Terracina Parkway, Riviera Turn, Passendale Crescent, Monticello Parkway and Skeet Road and force an alternate solution (P. 399).

Perth Freight Link: Roe Highway Extension – Mr P.C. Tinley presented a petition from 27 persons asking the Legislative Assembly to call on the Barnett Government to reverse the decision to allow the Roe 8 Highway (eastern end of the Perth Freight Link) to go ahead and to support requests by the residents of the City of Cockburn, the sons and daughters of the AWAS women and the RSL City of Cockburn sub branch to preserve, and not destroy this site (P. 400).

6. Papers

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

By the Clerk –

Animal Resources Authority – Annual Report 2015–2016 (4533).

Art Gallery of Western Australia – Annual Report 2015–2016 (4534).

Botanic Gardens and Parks Authority – Annual Report 2015–2016 (4535).

Burswood Park Board – Annual Report 2015–2016 (4536).

Country Housing Authority – Annual Report 2015–2016 (4537).

Environmental Protection Authority, Office of the – Annual Report 2015–2016 (4538).

Gaming and Wagering Commission of Western Australia – Annual Report 2015–2016 (4539).

Health and Disability Services Complaints Office – Annual Report 2015–2016 (4540).

Healthway – Annual Report 2015–2016 (4541).

Heritage Council – Annual Report 2015–2016 (4542).

Keep Australia Beautiful Council (Western Australia) Incorporated – Annual Report 2015–2016 (4543).

Land Administration Act 1997 – Proposal No. 5–2016 under section 44(1) of the Act to grant an easement over Class A Reserve 7123 (4544).

Liquor Commission of Western Australia – Annual Report 2015–2016 (4545).

Liquor Control Act 1988 – Regulations (Liquor Control (Warralong Restricted Area) Amendment Regulations 2016 G.G. 16/09/2016) (4546).

Local Government Act 1995 – Local Laws (Shire of Irwin Meeting Procedures Local Law 2016 G.G. 16/09/2016) (4547).

Local Government Act 1995 – Local Laws (Shire of Wyndham East Kimberley Meeting Procedures Local Law 2016 G.G. 13/09/2016) (4548).

Local Health Authorities Analytical Committee – Annual Report 2015–2016 (4549).

National Trust Australia (WA) – Annual Report 2015–2016 (4550).

Parliamentary Inspector of the Corruption and Crime Commission – Annual Report 2015 – 2016 (4551).

Perth Theatre Trust – Annual Report 2015–2016 (4552).
 Port Authorities Act 1999 – Regulations (Transport Regulations Amendment (Vessel Pilotage) Regulations 2016 G.G. 16/09/2016) (4553).
 Post Graduate Medical Council of Western Australia – Annual Report 2015–2016 (4554).
 Public Advocate of Western Australia – Annual Report 2015–2016 (4555).
 Quadriplegic Centre Board of Management – Annual Report 2015–2016 (4556).
 Queen Elizabeth II Medical Centre Trust – Annual Report 2015–2016 (4557).
 Racing Penalties Appeal Tribunal of Western Australia – Annual Report 2015–2016 (4558).
 Racing, Gaming and Liquor, Department of – Annual Report 2015–2016 (4559).
 Screenwest – Annual Report 2015–2016 (4560).
 State Library of Western Australia – Annual Report 2015–2016 (4561).
 Surveillance Devices Act 1998 – Regulations (Surveillance Devices Amendment Regulations 2016 G.G. 16/09/2016) (4562).
 Swan Bells Foundation Inc. – Annual Report 2015–2016 (4563).
 Taxi Act 1994 – Regulations (Taxi Amendment Regulations 2016 G.G. 16/09/2016) (4564).
 Tourism Western Australia – Annual Report 2015–2016 (4565).
 Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations 2016 G.G. 16/09/2016) (4566).
 Western Australian Museum – Annual Report 2015–2016 (4567).
 Western Australian Reproductive Technology Council – Annual Report 2015–2016 (4568).
 Zoological Parks Authority – Annual Report 2015–2016 (4569).

7. Joint Standing Committee on the Commissioner for Children and Young People

The Speaker reported that a response by the Minister representing the Attorney General and the Minister representing the Minister for Education to the recommendations of the Joint Standing Committee on the Commissioner for Children and Young People's *Report No. 7: Everybody's Business. An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse* had not been received by the required time.

8. Notices of Motion

9. Notice of Motion Lapsed

The Speaker advised that Private Members' Business Notice of Motion No. 1 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

10. Matter of Public Interest – Claims by the Members for Darling Range and Alfred Cove

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 Premier for his erratic, illogical and irrational decision-making as claimed by the members for Darling Range and Alfred Cove.

Debate ensued.

Question put.

The Assembly divided.

Ayes (21)

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

Noes (35)

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

Question thus negated.

11. Speaker's Ruling on the Constitution and Electoral Amendment Bill 2016

Mr B.J. Grylls, pursuant to notice, moved,

That this House –

- (a) recognises that the Speaker's ruling in relation to the Constitution and Electoral Amendment Bill 2016 is in conformity with the practice of the House;
- (b) acknowledges there is a public interest in having the Bill debated in this House;
- (c) suspends so much of the standing orders as is necessary for the Bill to be accepted from the Council and, subject to the House voting in the affirmative with an absolute majority at each stage of the Bill, to proceed through its stages in the House; and
- (d) directs that the following message be sent to the Legislative Council –
 - (i) informs the Legislative Council that the Constitution and Electoral Amendment Bill 2016 forwarded from the Legislative Council to the Legislative Assembly on 8 September 2016 contains a clear appropriation which does not conform with section 46(1) of the *Constitution Acts Amendment Act 1899*; and
 - (ii) nevertheless, and on the basis that the undoubted financial privileges of the Legislative Assembly are not diminished, has resolved to accept receipt of the Constitution and Electoral Amendment Bill 2016.

Debate ensued.

The Treasurer moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (34)

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

Noes (21)

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
 Ms M.M. Quirk

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*)

Question thus passed.

On the question, That the motion be agreed to,

Question put.

The Assembly divided.

Ayes (6)

Ms M.J. Davies
 Ms W.M. Duncan

Mr B.J. Grylls
 Mr D.T. Redman

Mr T.K. Waldron
 Mr V.A. Catania (*Teller*)

Noes (49)

Mr P. Abetz
 Mr F.A. Alban
 Ms L.L. Baker
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Dr A.D. Buti
 Mr G.M. Castrilli
 Mr R.H. Cook
 Mr M.J. Cowper
 Mr J.H.D. Day
 Mr J.M. Francis
 Ms J.M. Freeman
 Mrs G.J. Godfrey
 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 W.J. Johnston
 Mr D.J. Kelly
 Mr S.K. L'Estrange
 Mr F.M. Logan
 Mr W.R. Marmion
 Mr M. McGowan
 Mr J.E. McGrath
 Ms S.F. McGurk
 Ms L. Mettam
 Mr P.T. Miles
 Ms A.R. Mitchell
 Mr N.W. Morton
 Mr M.P. Murray
 Dr M.D. Nahan

Mr D.C. Nalder
 Mr J. Norberger
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk
 Mrs M.H. Roberts
 Ms R. Saffioti
 Mr A.J. Simpson
 Mr C.J. Tallentire
 Mr M.H. Taylor
 Mr P.C. Tinley
 Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)
 Mr A. Krsticevic (*Teller*)

Question thus negatived.

12. Removal of Order of the Day

The Speaker advised that Private Members' Business, Order of the Day, Peel-Harvey Catchment Management Bill 2014, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

The 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. Loan Bill 2016

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

Suspension of Member

The Acting Speaker, having called Dr A.D. Buti to order more than three times, suspended the member from the service of the Assembly for the remainder of the sitting.

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.

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 12.49 a.m. on Wednesday, 21 September 2016 until 12.00 noon on the same day.

Members present during any part of the day's proceedings – All the members except Ms J. Farrer.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly