

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 190

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 24 FEBRUARY 2016

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petition

Housing Authority Tenants – Ms J.M. Freeman presented a petition from 10 persons asking the Legislative Assembly to call on the Barnett Government to immediately reverse its decision to change the income assessment for Housing Authority tenants, which now incorporates Centrelink and Veteran Affairs benefits and allowances as assessable income (P. 349).

3. Papers

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

By the Clerk –

Auditor General, Office of the – Consumable Stock Management in Hospitals – Report No. 2 February 2016 (3876).

Education and Health Standing Committee – Government Response to Committee Report: Managing the Transition? The Report of the Inquiry into the Transition and Operation of Services at Fiona Stanley Hospital – November 2015 (3877).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Training and Workforce Development on the commencement of the Training Sector Reform Project.

Paper

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

By the Minister for Training and Workforce Development –

Training and Workforce Development, Minister for – Western Australian Training Sector Reform Project: Report, December 2015 (3878).

The Minister for Health on Ovarian Cancer Awareness Month.

The Minister for Culture and the Arts on the State Library's collection of Western Australian archive material, titled *Our Love Affair with the Beach – Images from our Collection*.

The Minister for Corrective Services on the Acacia Prison contract renegotiation.

Papers

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

By the Minister for Corrective Services –

Corrective Services, Minister for – Deed of Variation and Agreement Acacia Prison Services Agreement – State of Western Australia and Serco Australia, 2016 (3879).

Corrective Services, Minister for – Deed of Extension, Variation and Agreement Acacia Prison Services Agreement – State of Western Australia and Serco Australia, 2016 (3880).

5. Suspension of Standing Orders

Ms R. Saffioti, 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 calls on the Ministers for Planning and Health to provide a full explanation on the water quality concerns at BHP Waterpark at Elizabeth Quay, and release all advice on water quality prior to the opening of the park on 29 January and answer the following questions:

1. Were the two kinds of bacteria detected last week also detected in the lead up to the opening of the Water Park? If no, what were the water quality concerns?
2. Why did the MRA explain the impending closure of the water park on the 4 February as “maintenance” and “tender loving care” and not explain the water quality and health concerns?
3. Did the MRA receive approval from the Department of Health on the morning of Friday the 5th February to re-open the park?
4. At what time did MRA receive further concerns about water quality that required the park to close again on Friday the 5th of February?
5. Given an MRA spokesperson stated on the 6th of February that the closure was a “precautionary measure”, why weren’t these precautions taken earlier?
6. Why was the park only closed yesterday when the bacteria was detected on Thursday the 18th February?
7. On what dates was the Minister for Planning and his office, and the Minister for Health and his office, alerted to water quality concerns?
8. On what dates was the Premier or his office alerted to water quality concerns?

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

“

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

”

Debate ensued.

Amendment put and passed.

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

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

6. Elizabeth Quay Water Park

Ms R. Saffioti, pursuant to the foregoing motion, moved,

That this House calls on the Ministers for Planning and Health to provide a full explanation on the water quality concerns at BHP Waterpark at Elizabeth Quay, and release all advice on water quality prior to the opening of the park on 29 January and answer the following questions:

1. Were the two kinds of bacteria detected last week also detected in the lead up to the opening of the Water Park? If no, what were the water quality concerns?
2. Why did the MRA explain the impending closure of the water park on the 4 February as “maintenance” and “tender loving care” and not explain the water quality and health concerns?
3. Did the MRA receive approval from the Department of Health on the morning of Friday the 5th February to re-open the park?
4. At what time did MRA receive further concerns about water quality that required the park to close again on Friday the 5th of February?
5. Given an MRA spokesperson stated on the 6th of February that the closure was a “precautionary measure”, why weren’t these precautions taken earlier?
6. Why was the park only closed yesterday when the bacteria was detected on Thursday the 18th February?
7. On what dates was the Minister for Planning and his office, and the Minister for Health and his office, alerted to water quality concerns?
8. On what dates was the Premier or his office alerted to water quality concerns?

Debate ensued.

Papers

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

By the Minister for Planning –

Planning, Minister for – Permit to Operate: BHP Billiton Water Park, Elizabeth Quay (3881).

Planning, Minister for – Certificate of Compliance: BHP Billiton Water Park, Elizabeth Quay (3882).

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 P. Papalia

Ms M.M. Quirk
Mrs M.H. Roberts
Ms R. Saffioti
Mr P.B. Watson
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
 Mr J.H.D. Day
 Mr J.M. Francis

Mrs G.J. Godfrey
 Mr B.J. Grylls
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr C.D. Hatton
 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*)

Question thus negated.

7. Precedence of Private Members' Business

The Leader of the House, pursuant to notice, moved,

That so much of Standing Orders be suspended as is necessary to enable Private Members' Business to have priority on Wednesday, 24 February 2016, between 4.00 p.m. and 8.00 p.m.

Debate ensued.

Question put and passed.

8. Motor Vehicle (Catastrophic Injuries) Bill 2016

The Treasurer, pursuant to notice, moved,

That a bill for "An Act to provide for a scheme for the lifetime care and support of certain people catastrophically injured in motor vehicle accidents, to make consequential amendments to other Acts, and for related purposes." be introduced and read a first time.

Question put and passed.

The Treasurer presented an explanatory memorandum and bill read a first time.

The Treasurer moved, That the bill be now read a second time.

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

Question put and passed.

9. Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015

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

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

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

Question put and passed.

10. Pilbara Port Assets (Disposal) Bill 2015

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

CONSIDERATION IN DETAIL

Clauses 1 and 2 agreed to.

Clause 3.

The Treasurer moved, That Clause 3 be postponed.

Question put and passed.

Clause 4.

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

11. Questions

Questions without Notice were taken.

Questions on Notice Nos 5056 to 5134 were asked.

Question on Notice No. 4844 was answered.

12. Additional Information

The Minister for Transport provided additional information relating to Question on Notice No. 4475 from Mr M. McGowan.

Paper

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

By the Minister for Transport –

Transport, Minister for – Additional information relating to Question on Notice No. 4475 from the Department of Transport and Main Roads Western Australia (3883).

13. Variation to the Order of Business

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

14. Pilbara Port Assets (Disposal) Bill 2015

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

CONSIDERATION IN DETAIL

Clauses 4 to 11 agreed to.

Clause 12.

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

15. Variation to the Order of Business

Ordered, That Private Members' Business Order of the Day No. 19 and Notice of Motion No. 10 be next considered.

16. Sentence Administration Amendment Bill 2016

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

Mr J.R. Quigley moved, That the bill be now read a second time.

Mr A. Krsticevic moved, That the debate be adjourned.

Question put and passed.

17. Speaker's Statement – Revised Notice of Motion

The Speaker advised members that notices of motion should be drafted so that, if adopted by the House, they reflect the will or the opinion of the House.

Yesterday the Member for Midland gave a notice of motion, currently listed at number 10 on the Notice Paper, which does not include the required wording to reflect or express the will of the House.

The Speaker advised he had authorised an amendment to the notice of motion to include a form of words to clarify the matter.

18. Crime in Suburbs and Towns

Mrs M.H. Roberts, pursuant to notice, moved,

That this House notes that the Liberal National Government has failed to properly address the rising crime being experienced in our suburbs and towns.

Debate ensued.

Debate interrupted by the Chair (Mr P. Papalia speaking) and adjourned until a later stage of the sitting.

19. Variation to the Order of Business

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

20. Pilbara Port Assets (Disposal) Bill 2015

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

CONSIDERATION IN DETAIL

Clauses 12 to 44 agreed to.

Clause 45.

The Treasurer moved,

Page 31, line 3 – To delete “or 4” and substitute:

“ , 4 or 5 ”.

Amendment put and passed.

Clause, as amended agreed to.

Clause 46.

Paper

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

By the Treasurer –

Treasurer, the – Key Features of the Proposed Utah Point Bulk Handling Facility Regime (3884).

Clause agreed to.

Clause 47 agreed to.

New Schedule.

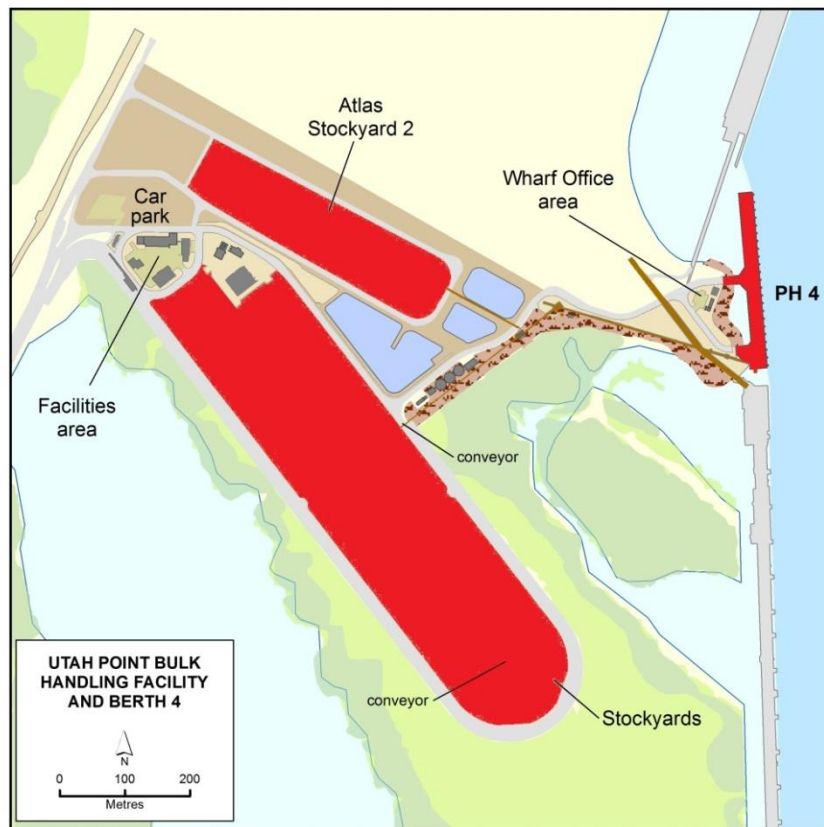
The Treasurer moved,

Page 34, after line 21 – To insert:

“

Schedule 1 — Utah Point Bulk Handling Facility

[s. 3]



”

New Schedule agreed to.

Postponed Clause 3.

The Treasurer moved,

Page 4, line 7 – To delete the line and substitute:

“

the State by, a corporate vehicle,
to the extent to which the business, asset or liability relates to or comprises
the Utah Point Bulk Handling Facility or is owned or managed by the
Authority and is, in the Minister’s opinion, associated with the Utah Point
Bulk Handling Facility;

”

Amendment put and passed.

The Treasurer moved,
Page 5, after line 15 – To insert:

“

Utah Point Bulk Handling Facility means —

- (a) the Authority berth known as berth 4 (shown for information coloured red and marked as “PH 4” on the map in Schedule 1); and
- (b) the Authority stockyards known as stockyard 1 (shown for information coloured red and marked as “Stockyards” on the map in Schedule 1); and
- (c) the Authority stockyards known as stockyard 2 (shown for information coloured red and marked as “Atlas Stockyard 2” on the map in Schedule 1).

”.

Amendment put and passed.
Clause, as amended agreed to.
Long title.

The Treasurer moved,
Page 1 – To delete “**any business**” and substitute:
“ **certain businesses** ”.

Amendment put and passed.
The Treasurer moved,
Page 1 – To delete “**the assets**” and substitute:
“ **certain assets** ”.

Amendment put and passed.
Long Title, as amended 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.

21. Adjournment

The Leader of the House moved, That the House do now adjourn.
Question put and passed.

The Assembly adjourned accordingly at 9.50 p.m. until Thursday, 25 February 2016 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Ms W.M. Duncan, Ms E. Evangel and Mr A.P. Jacob.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly