

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 198

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 5 APRIL 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 – Amended Seating Plan

The Speaker advised members that he had approved an amended seating plan for the Government side of the House.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the changes to the Ministry which came into effect on 31 March 2016.

Paper

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

By the Premier –

Premier, The – State Government Ministerial Offices, 31 March 2016 and Ministers' Representation in the Other House – Allocation of Portfolios, 31 March 2016 (4052).

The Minister for Road Safety on the results of the work of the Motorcycle Review Group.

Paper

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

By the Minister for Road Safety –

Road Safety, Minister for – Western Australian Strategic Direction for Improving the Safety of Motorcyclists and Moped Riders 2016–2020, Motorcycle Safety Review Group, December 2015 (4053).

The Treasurer on the Market City Sale Agreement.

Paper

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

By the Treasurer –

Treasurer, the – Market City Sale Agreement, Herbert Smith Freehills (4054).

The Minister for Heritage on the appointment of Mrs Anne Arnold as the Chair of the Heritage Council of Western Australia.

The Minister for Community Services on Men's Shed funding and the upcoming opening of the Broome Men's Shed.

4. Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of Members of the Committee on the Scrutiny of Subordinate Legislation from the Gauteng Legislature of the Republic of South Africa. The nine member delegation was led by the Committee's Chair, Hon. Jaqueline Mofokeng.

5. Questions

Questions without Notice were taken.

Questions on Notice Nos 5314 to 5350 were asked.

Questions on Notice Nos 5094, 5114, 5119, 5131, 5136, 5138, 5139, 5141 to 5143 and 5249 were answered.

Paper tabled by the Premier –

Question on Notice No. 5138 – List of new Senior Executive Service positions created since 1 July 2015 (4049).

Paper tabled by the Minister for Regional Development –

Question on Notice No. 5094 – Programs for the prenatal period and children from birth to three years of age funded by the State Regional Development budget for the years 2012–2013 to 2015–2016 (4050).

Paper tabled by the Minister for Finance –

Question on Notice No. 5143 – Expenditure by agency under Common Use Agreement CUA22008 between 2009 and 8 November 2014 (4051).

6. Petitions

Housing Authority Tenants – Ms M.M. Quirk presented a petition from 97 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's Affairs benefits and allowances as assessable income (P. 357).

Perth Freight Link: Roe Highway Extension – Mr P.C. Tinley presented a petition from 69 persons asking the Legislative Assembly to call on the Barnett Government to reverse the decision to allow the Roe Highway Extension (eastern end of the Perth Freight Link) to go ahead and to allocate the funding awarded to this project to other alternative solutions to freight transfer issues (P. 358).

Housing Authority Tenants – Mr P.C. Tinley presented a petition from 73 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's Affairs benefits and allowances as assessable income (P. 359).

Places of Worship – Ms M.M. Quirk presented a petition from 5 persons asking the Legislative Assembly to press the State Government to introduce laws which reflect the seriousness of graffiti attacks and criminal damages on places of worship (P. 360).

7. Papers

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

By the Clerk –

Anzac Day Act 1960 – Regulations (Anzac Day Regulations 2016 G.G. 22/03/2016) (4039).

Energy Safety Act 2006 – Notices (Energy Safety Levy Notice 2016 G.G. 1/04/2016) (4040).

Land Administration Act 1997 – Submission No. 3/2016 for the Excision of Crown Land from Class A Reserve 46919 and Class A Reserve 46920 (4041).

Local Government Act 1995 – Local Laws (Sandstone Public Cemetery Amendment Local Law 2016 G.G. 1/04/2016) (4042).

Local Government Act 1995 – Local Laws (Shire of Murray Meeting Procedures Local Law 2015 G.G. 24/03/2016) (4043).

Perth Market Board – Deed of Indemnity between the State of Western Australia (“Treasurer”) and a Perth Market Board Member (4044).

Professional Standards Act 1997 – Schemes (Law Institute of Victoria Limited Scheme (2016) G.G. 1/04/2016) (4045).

Racing and Wagering Western Australia Act 2003 – Rules (Rules of Wagering Amendment Rules 2016 G.G. 22/03/2016) (4046).

Retirement Villages Act 1992 – Regulations (Retirement Villages Amendment Regulations 2016 G.G. 23/03/2016) (4047).

Transfer of Land Act 1893 – Regulations (Transfer of Land Amendment Regulations 2016 G.G. 22/03/2016) (4048).

8. Notices of Motion

9. Removal of Order of the Day

The Speaker advised members that the Order of the Day that appeared on the last Notice Paper as No. 1 under Private Members' Business, Remote Aboriginal Communities, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

10. Matter of Public Interest – New Children's Hospital Parking

The Speaker informed the Assembly that he was in receipt of a notice from Mr R.H. Cook that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr R.H. Cook moved,

That this House condemns the Liberal National Government for imposing significant increases in the cost of parking at the New Children's Hospital, and calls on the Government to release the contract and business case for the parking arrangements with the private operator at the New Children's Hospital and QEII Medical Centre.

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
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*)

Noes (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
Ms E. Evangel

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

Question thus negatived.

11. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

12. Land Administration (South West Native Title Settlement) Bill 2015

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

CONSIDERATION IN DETAIL

Clauses 1 to 28 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Premier moved, That the bill be now read a third time.

Paper

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

By the Premier –

Premier, The – Response to questions arising in the Second Reading Debate of the Land Administration (South West Native Title Settlement) Bill 2015 (4055).

Debate ensued.

Question put and passed.

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

13. Co-operatives Amendment Bill 2015

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

Paper

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

By the Parliamentary Secretary to the Minister for Commerce –

Parliamentary Secretary to the Minister for Commerce, The – A Letter From Chris Enright,
The Chairman of Co-operatives WA to the Minister for Commerce, Regarding the Report of
the Standing Committee on Uniform Legislation and Statutes Review on the Co-operatives
Amendment Bill 2015 (4056).

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 200 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Parliamentary Secretary to the Minister for Commerce moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

14. Health Services Bill 2016

The Deputy Speaker presented the Legislation Committee's report on the Bill.

Papers

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

By the Deputy Speaker –

Health Services Bill 2016 – Legislation Committee Report (4057).

Health Services Bill 2016 – Legislation Committee, Minutes (4058).

The report was as follows –

LEGISLATION COMMITTEE

REPORT

Health Services Bill 2016

The Legislation Committee reports that it has considered the *Health Services Bill 2016*, as referred to it by the Legislative Assembly.

Agreed clauses

The Committee has agreed to the following clauses of the Bill:

1 to 3;
 5 to 19;
 21 to 23;
 25 to 33;
 36 to 70;
 72 to 76;
 78 to 101;
 103 to 140;
 144 to 160;
 175 to 308; and
 Title

Amendments and new clauses

The Committee has agreed to the following clauses with amendments, and new clauses:

No. 1

Clause 4.

Page 2, line 22 – To insert after the word ‘care’:

“ including patient engagement ”.

No. 2

Clause 24,

Page 21, after line 26 – To insert:

“

(2A) The Department CEO must not delegate a function of the Department CEO under section 20(1)(f) to a staff member of a health service provider.

”.

No. 3

Clause 34.

Page 28, after line 30 – To insert:

“

(ea) to establish an efficient and effective procedure for dealing with complaints about the provision of health services by the health service providers;

”.

No. 4

Clause 35.

Page 30, line 6 – To delete “hospital” and substitute:

“ health ”.

No. 5

Clause 71.

Page 57, after line 28 – To insert:

“

(fa) experience as a consumer of health services or a carer;

”.

No. 6

Clause 77.

Page 61, line 16 – To insert after the word “consecutive”:

“ ordinary ”.

Postponed clauses

The Committee has agreed to postpone the following clauses for consideration in the Legislation Assembly:

20;
102;
141 to 143; and
161 to 174.

WENDY DUNCAN, MLA

CHAIR TO THE LEGISLATION COMMITTEE

DEPUTY SPEAKER OF THE LEGISLATIVE ASSEMBLY

On the question, That the Report of the Legislation Committee be adopted, and that the Bill be committed to consideration in detail stage for consideration of clauses postponed by the Legislation Committee.

Debate ensued.

Question put and passed.

Ordered, That the consideration in detail of the bill for the purposes of considering only those clauses that the Legislation Committee postponed to this House be made an Order of the Day for the next sitting of the Assembly.

15. Bell Group Companies (Finalisation of Matters and Distribution of Proceeds) Amendment Bill 2016

Message No. 124 dated 5 April 2016 from the Legislative Council was reported agreeing to the bill without amendment.

16. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.42 p.m. until Wednesday, 6 April 2016 at 12.00 noon.

Members present during any part of the day's proceedings – All the members.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly