

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 232

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 11 OCTOBER 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 23 September 2016 and the appointment of the member for Vasse as the Government Whip.

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*Papers*

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

By the Premier –

Premier – State Government Ministerial Offices – 23 September 2016 (4754).

Premier – Ministers' Representation in the Other House – Allocation of Portfolios (4755).

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The Minister for Innovation on the delay in the tabling of the Government Response to the Economics and Industry Standing Committee's Report No. 7: Growing WA Through Innovation: The Western Australian Government's Role in Fostering Innovation to Expand and Diversify the Economy.

The Minister for Racing and Gaming on the supplementary agreement to the Burswood Island Agreement to allow gaming on cruise ships that travel to intrastate destinations while a ship is within 12 nautical miles of the Western Australian coastline.

#### **4. Questions**

Questions without Notice were taken.

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##### *Paper*

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

By the Minister for Racing and Gaming –

Racing and Gaming, Minister for – Casino (Burswood Island) Agreement – Fourteenth Supplementary Agreement (4706).

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Questions on Notice Nos 5890 to 5950 were asked.

Questions on Notice Nos 5595, 5636, 5653, 5672, 5681, 5703, 5734, 5751, 5801 to 5803, 5809 to 5812, 5816, 5818, 5820 to 5823, 5825, 5829, 5832, 5834 and 5877 were answered.

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Papers tabled by the Minister for Agriculture and Food; Transport –

Question on Notice No. 5595 – Details of finance leases entered into since 8 September 2008 for agencies in the Minister's portfolio (4752).

Question on Notice No. 5812 – Main Roads Minor Works for 2016–2017, including the Black Spot Program (4753).

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#### **5. Message from the Governor**

Message No. 28 from Her Excellency the Governor was reported assenting to the following bills –

Taxi Amendment Act 2016, Act No. 29 of 2016.

Highways (Liability for Straying Animals) Amendment Act 2016, Act No. 30 of 2016.

Evidence Amendment Act 2016, Act No. 31 of 2016.

#### **6. Petitions**

Improve FIFO Mental Health and Wellbeing – Dr G.G. Jacobs presented a petition from 538 persons asking the State Government to implement the recommendations of the Education and Health Standing Committee's Report 'The Impact of FIFO Work Practices on Mental Health: Final Report' (P. 405).

Early Childhood Centres – Mr F.M. Logan presented a petition from 19 persons asking the Legislative Assembly to call on the Liberal Government to give community based early childhood centres and the families that rely on them certainty and reverse the decision to cut the accommodation assistance (P. 406).

Traffic Congestion in Munster – Mr F.M. Logan presented a petition from 102 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. 407).

#### **7. Papers**

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

By the Speaker –

Register of Financial Interests – Annual Returns as at 30 June 2016 and Additional Information for Returns from the Years 2013–2014 and 2014–2015 of Members of the Legislative Assembly under the Members of Parliament (Financial Interests) Act 1992 (4704).

By the Clerk –

Auditor General, Office of the – Opinion on Ministerial Notification: Report No. 21 October 2016 (Received by the Clerk of the Legislative Assembly and deemed tabled on 6 October 2016) (4702).

Bank of Western Australia Act 1995 – Annual Certificate of Compliance at 30 June 2016 (4705).

Casino Control Act 1984 – Regulations (Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations 2016 G.G. 04/10/2016) (4707).

Commissioner for Children and Young People – Annual Report 2015–2016 (4708).

Conservation and Land Management Act 1984 – Lease No 1263/97 between the Department of Parks and Wildlife and Mr Darren James Currie for the Purpose of a Waterhole for Domestic Purposes in State Forest No. 36 near Pemberton (4709).

Conservation and Land Management Act 1984 – Orders (Yawuru Nagulagun / Roebuck Bay Marine Park Order 2016 G.G. 04/10/2016) (4710).

Conservation and Parks Commission – Annual Report for the Period 7 May 2016 to 30 June 2016 (4711).

Conservation Commission of Western Australia – Annual Report for the Period 1 July 2015 to 6 May 2016 (4712).

Corruption and Crime Commission – Report on a Matter of Governance at the Shire of Dowerin (Received by the Clerk of the Legislative Assembly and deemed tabled on 10 October 2016) (4703).

Criminal Injuries Compensation, Office of – Chief Assessor's Report 2015–2016 (4713).

Criminal Procedure Act 2004 – Regulations (Criminal Procedure Amendment Regulations 2016 G.G. 30/09/2016) (4714).

Dog Act 1976 – Local Laws (Shire of Chapman Valley Dogs Local Law 2016 G.G. 21/09/2016) (4715).

Education, Department of – Annual Report 2015–2016 (4716).

Electricity Industry Act 2004 – Regulations (Electricity Industry (Customer Contracts) Amendment Regulations 2016 G.G. 20/09/2016) (4717).

Environmental Protection Authority – Annual Report 2015–2016 (4718).

Fish Resources Management Act 1994 – Management Plans (South Coast Purse Seine Limited Entry Fishery Notice Amendment 2016 [1271] G.G. 23/09/2016) (4719).

Fish Resources Management Act 1994 – Management Plans (West Coast Rock Lobster Managed Fishery Management Plan Amendment (No. 4) 2016 G.G. 07/10/2016) (4720).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 4) 2016 G.G. 04/10/2016) (4721).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 5) 2016 G.G. 07/10/2016) (4722).

Fishing Industry Promotion Training and Management Levy Act 1994 – Regulations (Fishing Industry Promotion Training and Management Levy Regulations 2016 G.G. 04/10/2016) (4723).

Forest Products Commission – Statement of Corporate Intent 2016–2017 (4724).

Health Act 1911 – Local Laws (Shire of Kondinin Health Local Law 2016 G.G. 05/10/2016) (4725).

Land Administration Act 1997 – Proposal No. 6/2016 under the Act for an Extension of Easement affecting Class A Reserve 27529 Beachlands City of Greater Geraldton (4726).

Local Government Act 1995 – Local Laws (City of Cockburn Standing Orders Local Law 2016 G.G. 22/09/2016) (4727).

Local Government Act 1995 – Local Laws (City of Kalgoorlie-Boulder Cat Local Law 2016 G.G. 27/09/2016) (4728).

Local Government Act 1995 – Local Laws (City of Nedlands Repeals Local Law 2016 G.G. 04/10/2016) (4729).

Local Government Act 1995 – Local Laws (Shire of Chapman Valley Activities in Thoroughfares and Public Places and Trading Local Law 2016 G.G. 21/09/2016) (4730).

Local Government Act 1995 – Local Laws (Shire of Chapman Valley Repeal Local Law 2016 G.G. 21/09/2016) (4731).

Local Government Act 1995 – Local Laws (Shire of Chapman Valley Standing Orders Local Law 2016 G.G. 21/09/2016) (4732).

Local Government Act 1995 – Local Laws (Shire of Dundas Activities on Thoroughfares and Public Places and Trading Local Law 2016 G.G. 29/09/2016) (4733).

Lotteries Commission Act 1990 – Rules (Lotteries Commission (Authorised Lotteries) Rules 2016 G.G. 07/10/2016) (4734).

Magistrates Court (Civil Proceedings) Act 2004 – Rules (Magistrates Court (Civil Proceedings) Amendment Rules 2016 G.G. 30/09/2016) (4735).

Magistrates Court (Civil Proceedings) Act 2004 – Rules (Magistrates Court (Minor Cases Procedure) Amendment Rules 2016 G.G. 30/09/2016) (4736).

Mentally Impaired Accused Review Board – Annual Report 2015–2016 (4737).

Official Travel – Report on Overseas Air Travel undertaken by Ministers, Parliamentary Secretaries and Government Officers on Official Business for the three months ended 31 March 2016 (4738).

Parliamentary Commissioner for Administrative Investigations [Ombudsman] – Annual Report 2015–2016 (Received by the Clerk of the Legislative Assembly and deemed tabled on 27 September 2016) (4699).

Prisoners Review Board – Annual Report 2015–2016 (4739).

Radiation Safety Act 1975 – Regulations (Radiation Safety (General) Amendment Regulations 2016 G.G. 20/09/2016) (4740).

Retail Trading Hours Act 1987 – Orders (Retail Trading Hours (Small Retail Shops) Amendment Order 2016 G.G. 23/09/2016) (4741).

Road Traffic (Administration) Act 2008 – Regulations (Road Traffic (Administration) Amendment Regulations 2016 G.G. 20/09/2016) (4742).

Road Traffic (Authorisation to Drive) Act 2008 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations (No. 2) 2016 G.G. 20/09/2016) (4743).

Road Traffic (Vehicles) Act 2012 – Regulations (Road Traffic (Vehicles) Amendment Regulations (No. 3) 2016 G.G. 20/09/2016) (4744).

Rottnest Island Authority – Annual Report 2015–2016 (4745).

Settlement Agents Act 1981 – Codes (Settlement Agents Code of Conduct 2016 G.G. 04/10/2016) (4746).

Settlement Agents Act 1981 – Regulations (Settlement Agents Amendment Regulations 2016 G.G. 04/10/2016) (4747).

State Administrative Tribunal – Annual Report 2015–2016 (4748).

State Coroner, Office of the – Annual Report 2015–2016 (4749).

Synergy – Statement of Corporate Intent 2015–2016 (4750).

Synergy – Statement of Corporate Intent 2016–2017 (Received by the Clerk of the Legislative Assembly and deemed tabled on 29 September 2016) (4701).

Western Australian Treasury Corporation – Statement of Corporate Intent 2016–2017 (Received by the Clerk of the Legislative Assembly and deemed tabled on 29 September 2016) (4700).

Workers' Compensation and Injury Management Act 1981 – Regulations (Workers' Compensation and Injury Management Amendment Regulations (No. 2) 2016 G.G. 04/10/2016) (4751).

## **8. Correction to Tabled Paper**

The Speaker announced that he had authorised corrections to the following Tabled Paper which was tabled on 23 June 2016 –

Premier – “Reframing Rural Fire Management” – Report into the Special Inquiry into the January 2016 Waroona Fire Volume 1 (4260).

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*Paper*

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

By the Speaker –

Premier – “Reframing Rural Fire Management” – Report into the Special Inquiry into the January 2016 Waroona Fire Volume 1 – Addendum (4756).

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**9. Notices of Motion**

**10. Economics and Industry Standing Committee**

The Speaker reported that a response by the Minister for Science, Minister for Innovation; Minister for Small Business; Minister representing the Minister for Agriculture and Food and the Minister for Mines and Petroleum to the recommendations of the Economics and Industry Standing Committee’s Report No. 7: Growing WA Through Innovation: The Western Australian Government’s Role in Fostering Innovation to Expand and Diversify the Economy had not been received by the required time.

**11. Matter of Public Interest – Roe 8 Contracts**

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 calls on the Government not to sign any contracts on the Roe 8 project prior to the next State election and condemns the Liberal National Government for its contempt and disregard of the West Australian public on this matter.

Debate ensued.

Question put.

The Assembly divided.

Ayes (20)

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 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*)

## 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  
 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 W.R. Marmion  
 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.

## 12. Personal Explanation

The Premier made a personal explanation regarding the road reservation on Stirling Highway.

## 13. Removal of Orders of the Day

The Deputy Speaker advised that Private Members' Business Orders of the Day for the Major Events (Ticket Scalping) Bill 2014 and Local Government Amendment (Regional Subsidiaries) Bill 2014, had not been debated for more than 12 calendar months and had been removed from the Notice Paper. The Deputy Speaker further advised, for members' information, that a bill removed under this Standing Order may be restored by motion to the point it had reached prior to its removal.

## 14. Retail Trading Hours Amendment Bill 2015

The Parliamentary Secretary to the Minister for Commerce, pursuant to notice, moved,

That a bill for "An Act to amend the *Retail Trading Hours Act 1987* and, as a consequence, to repeal certain regulations and orders made under that Act." be introduced and read a first time.

Question put and passed.

The Parliamentary Secretary to the Minister for Commerce presented an explanatory memorandum and bill read a first time.

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

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

Question put and passed.

## 15. Residential Tenancies 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.

Question put and passed.

Bill read a second time.

## CONSIDERATION IN DETAIL

Clauses 1 to 7 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 forwarded to the Legislative Council for concurrence.

#### **16. Disposal of Uncollected Goods 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.

Question put and passed.

Bill read a second time.

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.

Debate ensued.

Question put and passed.

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

#### **17. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 10.15 p.m. until Wednesday, 12 October 2016 at 12 noon.

*Members present during any part of the day's proceedings* – All the members except Ms J. Farrer and Mr D.J. Kelly.

**KIRSTEN M. ROBINSON**  
Clerk of the Legislative Assembly

**HON. MICHAEL SUTHERLAND**  
Speaker of the Legislative Assembly