

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 199

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 6 APRIL 2016

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Paper

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

By the Clerk –

Auditor General, Office of the – Land Assets Sales Program – Report No. 4 April 2016 (4059).

3. Message from the Governor

Message No. 8 from Her Excellency the Governor was reported assenting to the Bell Group Companies (Finalisation of Matters and Distribution of Proceeds) Amendment Bill 2016, Act No. 6 of 2016.

4. Expiration of Notice of Motion

The Speaker advised that Private Members' Business Notice of Motion No. 1, notice of which was given on 22 April 2015 and renewed for a further 30 sitting days on 23 September 2015, would be removed and would not appear on the next Notice Paper.

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Agriculture and Food on Bravo, the trademark name of a new apple which has been bred by the Department of Agriculture and Food and developed in Manjimup as part of the Australian National Apple Breeding Program.

The Minister for Mines and Petroleum on lithium exploration and commodity prices.

The Parliamentary Secretary to the Minister for Commerce on the Regional Mobile Communications Project and the launch of the Carnamah West and Arrino mobile phone towers.

6. 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 condemns the Minister for Transport for his incompetent handling of serious allegations of insider trading involving his office, and his department, regarding the Forrestfield-Airport Rail Link, and calls on him to explain the following:

1. why did the Minister initially dismiss the seriousness of the allegation when it was first raised in February;
2. why did he mislead the Parliament about what his office knew regarding the preferred tenderer prior to the public announcement;
3. his and his office's roles in the Steering Committee that signed off on the preferred bidder days before the announcement;
4. when did the evaluation panel recommend the preferred bidder to the Steering Committee and what knowledge did the Minister have of the evaluation panel's discussions and decisions;
5. exactly when did the Minister become aware that ASIC would be conducting an investigation; and
6. why was the Premier only informed of the ASIC investigation yesterday?

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 and 20 minutes for non-government members.

”.

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.

7. Minister for Transport

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

That this House condemns the Minister for Transport for his incompetent handling of serious allegations of insider trading involving his office, and his department, regarding the Forrestfield-Airport Rail Link, and calls on him to explain the following:

1. why did the Minister initially dismiss the seriousness of the allegation when it was first raised in February;
2. why did he mislead the Parliament about what his office knew regarding the preferred tenderer prior to the public announcement;
3. his and his office's roles in the Steering Committee that signed off on the preferred bidder days before the announcement;
4. when did the evaluation panel recommend the preferred bidder to the Steering Committee and what knowledge did the Minister have of the evaluation panel's discussions and decisions;
5. exactly when did the Minister become aware that ASIC would be conducting an investigation; and
6. why was the Premier only informed of the ASIC investigation yesterday?

Debate ensued.

Question put.

The Assembly divided.

Ayes (19)

Ms L.L. Baker

Dr A.D. Buti

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

Mr J.R. Quigley

Ms M.M. Quirk

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 (34)

Mr P. Abetz

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

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 T.K. Waldron

Mr A. Krsticevic (*Teller*)

Question thus negated.

8. Bush Fires Amendment Bill 2016

The Minister for Emergency Services, pursuant to notice, moved,

That a Bill for "An Act to amend the *Bush Fires Act 1954*." be introduced and read a first time.

Question put and passed.

The Minister for Emergency Services presented an explanatory memorandum and bill read a first time.

The Minister for Emergency Services 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. Motor Vehicle (Catastrophic Injuries) Bill 2016

Message No. 125 dated 5 April 2016 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Motor Vehicle (Catastrophic Injuries) Bill 2016* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendment made by the Legislative Council in the Motor Vehicle (Catastrophic Injuries) Bill 2016

No. 1

New Clause 35A, page 26, after line 7 — To insert —

35A. Review of Act

- (1) The Minister must carry out a review of the operation and effectiveness of this Act as soon as is practicable after the 5th anniversary of the day on which this section comes into operation.
- (2) The Minister must prepare a report based on the review and, as soon as is practicable after the report is prepared, cause it to be laid before each House of Parliament.

Ordered by leave, That Legislative Council Message No. 125 be considered in detail forthwith.

The Treasurer moved, That amendment No. 1 be agreed to.

Amendment put and passed.

Consideration in detail concluded.

Ordered, That the Legislative Council be acquainted accordingly.

10. Health Services Bill 2016

The Order of the Day for the consideration in detail of postponed clauses from the Legislation Committee on the Health Services Bill 2016 was read.

CONSIDERATION IN DETAIL

Clause 20.

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 5351 to 5380 were asked.

12. Additional Information

The Minister for Police provided additional information relating to Question without Notice No. 205 from Mrs M.H. Roberts.

13. Personal Explanation

The Minister for Energy made a personal explanation on the information he provided during a grievance raised by Ms J. Farrer on 25 February 2016, regarding a Horizon Power customer.

14. Additional Information

The Minister for Energy provided additional information relating to Question on Notice No. 2167 from Mr M. McGowan.

Paper

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

By the Minister for Energy –

Energy, Minister for – Additional Information Relating to Question on Notice No. 2167 (4060).

15. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

16. Health Services Bill 2016

The Order of the Day for the further consideration in detail of postponed clauses from the Legislation Committee on the Health Services Bill 2016 was read.

CONSIDERATION IN DETAIL

Clause 20 agreed to.

Clause 102.

Ms J.M. Freeman moved,

Page 69, after line 25 – To insert:

“

- (5) If the Minister acts under subsection (1) then the action taken by the Minister in accordance with subsection (3) must be tabled before both Houses of Parliament.

”

Debate ensued.

Amendment put and passed.

Clause 102, as amended, agreed to.

Clause 141.

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

17. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion Nos 11 and 12 be next considered.

18. Private Sector Deals

Mr B.S. Wyatt, pursuant to notice, moved,

That this House condemns the Liberal National Government for its bad deals with the private sector which results in costing taxpayers significant sums of money, and notes the poor return the Government has received from its current sale of government land.

Debate ensued.

Debate interrupted by the Chair (Minister for Lands speaking) and adjourned until a later stage of the sitting.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 7.00 p.m. until Thursday, 7 April 2016 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr P.B. Watson.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly