

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 189

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 23 FEBRUARY 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. Death of Reginald John Tubby – a former Member of the Legislative Assembly

The Premier, without notice, spoke on the following motion,

That the House records its sincere regret at the death of Reginald John Tubby and tenders its deep sympathy to his family.

The motion was supported by Mr M. McGowan, Mr R.S. Love, Mr D.A. Templeman and Mr I.C. Blayney.

Question put and passed unanimously with members and officers of the Assembly standing in their places as a mark of respect.

### 3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the new exhibition currently on display at the Western Australian Museum: *A History of the World in 100 Objects*.

The Minister for Tourism on the 68<sup>th</sup> Tourism Ministers' Meeting on 19 February 2016.

The Minister for Local Government on the St Vincent de Paul Society Lotterywest grant provided to help with the construction of their new premises in Canning Vale.

### 4. Questions

Questions without Notice were taken.

Questions on Notice Nos 5035 to 5055 were asked.

Question on Notice No. 4795 was answered.

## **5. Petitions**

Train Station between Warnbro and Mandurah – Mr P. Papalia presented a petition from 50 persons asking the Legislative Assembly to call upon the Barnett Government to commit to funding and building a new train station between Warnbro and Mandurah before 2017 (P. 344).

Golden Bay Local Community Funding – Mr P. Papalia presented a petition from 18 persons asking the Legislative Assembly to call on the Barnett Government to allocate a fair share of profit from the proposed housing development at Golden Bay to local community projects (P. 345).

Police Station between Rockingham and Mandurah – Mr P. Papalia presented a petition from 38 persons asking the Legislative Assembly to call upon the Barnett Government to build a Police Station between Rockingham and Mandurah and to create tougher laws to address the concerns of the local community (P. 346).

Drug and Alcohol Support Services – Dr G.G. Jacobs presented a petition from 45 persons asking the Legislative Assembly to direct resources to create a detox unit at Esperance Hospital, an on-call acute mental health service at Esperance Hospital and to increase drug and alcohol counselling services in the community (P. 347).

Housing Authority Tenants – Mr F.M. Logan presented a petition from 33 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. 348).

## **6. Papers**

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

By the Clerk –

Conservation and Land Management Act 1984 – Lease No. 2429/97 Between the Department of Parks and Wildlife and the Shire of Manjimup for the Purpose of Establishing A Bushfire Brigade Site in a Portion of State Forest No. 36 Near Pemberton (3871).

Financial Management Act 2006 – Notice Given Under Section 82 of the Financial Management Act 2006 by the Minister for Health Supplementary Question on Notice No. A21 of the Legislative Council Standing Committee on Estimates and Financial Operations (3872).

Legal Profession Act 2008 – Rules (Legal Profession Amendment Rules 2016 G.G. 19/02/2016) (3873).

Local Government Act 1995 – Local Laws (City of Perth Fencing Local Law 2015 G.G. 16/02/2016) (3874).

Parliamentary Travel Allowance – Report of Overseas Travel Undertaken by Members of Parliament Funded by the Parliamentary Travel Allowance for the Three Months Ended 31 December 2015 (3875).

## **7. Joint Standing Committee on the Commissioner for Children and Young People – Extension of Reporting Date**

The Speaker advised the House that he had received a letter from the Chair of the Joint Standing Committee on the Commissioner for Children and Young People advising that the Committee had resolved to extend its reporting date to the House on its inquiry reviewing the functions exercised by the Commissioner for Children and Young People to 19 May 2016.

## **8. Notices of Motion**

## **9. Matter of Public Interest – Transport Portfolio**

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 Liberal National Government for its chaotic management of Transport, resulting in no integrated co-ordinated public transport plan and confusion about the Perth Freight Link.

Debate ensued.

Question put.

The Assembly divided.

#### Ayes (18)

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

#### Noes (34)

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

Question thus negatived.

### 10. Health Services Bill 2016

The Minister for Health, pursuant to notice, moved,

That a bill for "An Act to –

- provide for health services in Western Australia;
- make consequential amendments to the *Hospitals and Health Services Act 1927* and other Acts;
- repeal various enactments."

be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

### 11. Emergency Management Amendment Bill 2016

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

That a bill for "An Act to amend the *Emergency Management Act 2005*." 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.

## **12. Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015**

Message No. 117 dated 18 February 2016 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend *The Criminal Code*.”

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

Question put and passed.

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

Ordered, That the second reading of the bill be made an Order of the Day for the next sitting of the Assembly.

## **13. Notice of Motion after the Time Prescribed**

Mrs M.H. Roberts was granted leave to give a late notice of motion.

## **14. Natural Gas (Canning Basin Joint Venture) Agreement Amendment Bill 2015**

Message No. 118 dated 23 February 2016 from the Legislative Council was reported agreeing to the bill without amendment.

## **15. Pilbara Port Assets (Disposal) Bill 2015**

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

Debate resumed.

Mr M. McGowan was granted leave to continue his remarks at a later stage of the sitting.

## **16. Variation to the Order of Business**

Ordered, That Government Business Orders of the Day Nos 4 and 5 be next considered.

## **17. Aquatic Resources Management Bill 2015 Aquatic Resources Legislation Amendment Bill 2015**

The Order of the Day for the resumption of the debate upon the second reading of the bills was read.

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### *Cognate Debate*

Leave was granted to debate the Aquatic Resources Management Bill 2015 in conjunction with the Aquatic Resources Legislation Amendment Bill 2015.

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Debate resumed.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

## **18. Variation to the Order of Business**

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

## **19. Pilbara Port Assets (Disposal) Bill 2015**

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

Debate resumed.

On the question that the bill be read a second time,

Question put.

The Assembly divided.

Ayes (30)

Mr P. Abetz  
Mr F.A. Alban  
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  
Mrs L.M. Harvey  
Mr C.D. Hatton  
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 A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr A. Krsticevic (*Teller*)

Noes (17)

Ms L.L. Baker  
Dr A.D. Buti  
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  
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.

Bill read a second time.

Ordered, That consideration in detail of the bill be made an Order of the Day for the next sitting of the Assembly.

## 20. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.35 p.m. until Wednesday, 24 February 2016 at 12.00 noon.

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

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

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