

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 223

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 6 SEPTEMBER 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. Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of a delegation from the Saskatchewan Legislative Assembly in Canada. The members of the delegation were Mr Greg Brkich, MLA, Ms Nadine Wilson, MLA, Ms Kathy Burianyk, Clerk Assistant.

### 3. Brief Ministerial Statement

A Brief Ministerial Statement was made by –

The Minister for Local Government on the disciplinary action commenced in the State Administrative Tribunal against the North Perth Out of School Hours Care Centre Inc.

### 4. Questions

Questions without Notice were taken.

Questions on Notice Nos 5825 to 5833 were asked.

### 5. Petitions

Greyhound Live Baiting – Ms L.L. Baker presented a petition from 211 persons asking the Legislative Assembly to end their support of the greyhound racing industry in light of evidence of widespread illegal and immoral behaviour (P. 388).

Thornlie Line – Mr C.J. Tallentire presented a petition from 34 persons asking the Legislative Assembly to call upon the Barnett Government to embrace the extension of the Thornlie Line and fund urgent planning work without delay (P. 389).

Yale/Garden/Nicholson Roundabout – Mr C.J. Tallentire presented a petition from 26 persons asking the Legislative Assembly to call upon the State Government to restore funding to the City of Gosnells so traffic metering and lights can be used to fix the fast flowing peak traffic problems. (P. 390).

Increase Sworn Police Officers – Mr C.J. Tallentire presented a petition from 25 persons asking the Legislative Assembly to call upon the State Government to fulfil promises made about increasing the force of sworn Police Officers to cut response times in their suburb (P. 391).

Improve FIFO Mental Health and Wellbeing – Dr G.G. Jacobs presented a petition from 1,352 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. 392).

## 6. Papers

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

By the Clerk –

Biosecurity and Agriculture Management Act 2007 – Management Plans (Biosecurity and Agriculture Management (Stable Fly) Management Plan 2016 G.G. 23/08/2016) (4473).

Cat Act 2011 – Local Laws (Shire of Chittering Cats Amendment Local Law 2016 G.G. 30/08/2016) (4474).

Conservation and Land Management Act 1984 – Regulations (Conservation and Land Management Amendment Regulations (No. 4) 2016 G.G. 30/08/2016) (4475).

Construction Contracts Act 2004 – Government Response to the Report on the Operation and Effectiveness of the Construction Contracts Act 2004 (WA) (4476).

Construction Industry Long Service Leave Payments Board – Annual Report 2016 (4477).

Criminal Investigation (Covert Powers) Act 2012 – Annual Report pursuant to section 76(1) of the Act regarding Department of Fisheries' use of Assumed Identities 1 July 2015 – 30 June 2016 (4478).

Criminal Investigation (Covert Powers) Act 2012 – Report pursuant to section 103(1) of the Act regarding Department of Fisheries' use of Witness Identity Protection Certificates 1 July 2015 – 30 June 2016 (4479).

Disability Services Act 1993 – Regulations (Disability Services Amendment Regulations 2016 G.G. 26/08/2016) (4480).

Dog Act 1976 – Local Laws (Shire of Sandstone Dogs Local Law 2016 G.G. 26/08/2016) (4481).

Energy Operators (Powers) Act 1979 – By-laws (Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-laws (No. 2) 2016 G.G. 31/08/2016) (4482).

Energy Operators (Powers) Act 1979 – By-laws (Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws (No. 2) 2016 G.G. 31/08/2016) (4483).

Fremantle Ports – Statement of Corporate Intent 2016/2017 (received by the Clerk of the Legislative Assembly and deemed tabled on 26 August 2016) (4468).

Kimberley Ports Authority – Statement of Corporate Intent 2016/2017 (received by the Clerk of the Legislative Assembly and deemed tabled on 26 August 2016) (4469).

Local Government Act 1995 – Local Laws (City of Armadale Activities and Trading in Thoroughfares and Public Places Amendment Local Law 2016 G.G. 26/08/2016) (4484).

Local Government Act 1995 – Local Laws (City of Armadale Fencing Amendment Local Law 2016 G.G. 26/08/2016) (4485).

Local Government Act 1995 – Local Laws (City of Armadale Standing Orders Amendment Local Law 2016 G.G. 26/08/2016) (4486).

Local Government Act 1995 – Local Laws (Shire of Kalamunda Fencing Local Law 2016 G.G. 02/09/2016) (4487).

Local Government Act 1995 – Local Laws (Shire of Mukinbudin Repeal Local Law 2016 G.G. 23/08/2016) (4488).

Local Government Act 1995 – Local Laws (Town of Claremont Parking Local Law 2016 G.G. 02/09/2016) (4489).

Mid West Ports – Statement of Corporate Intent 2016/2017 (received by the Clerk of the Legislative Assembly and deemed tabled on 26 August 2016) (4470).

Parliamentary Travel Allowance – Report of overseas travel undertaken by Members of Parliament funded by the Parliamentary Travel Allowance for the three months ended 30 June 2016 (4490).

Pilbara Ports Authority – Statement of Corporate Intent 2016/2017 (received by the Clerk of the Legislative Assembly and deemed tabled on 26 August 2016) (4471).

Port Authorities Act 1999 – Ministerial Direction pursuant to section 72 of the Act by the Minister for Transport to the Pilbara Ports Authority, concerning Utah Point Port Charges (4491).

Southern Ports Authority – Statement of Corporate Intent (received by the Clerk of the Legislative Assembly and deemed tabled on 26 August 2016) (4472).

State Superannuation Act 2000 – Regulations (State Superannuation Amendment Regulations (No. 3) 2016 G.G. 26/08/2016) (4492).

Technology and Industry Advisory Council – Annual Report 2015–2016 (4493).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (City of Bunbury Waste Local Law 2016 G.G. 24/08/2016) (4494).

Wildlife Conservation Act 1950 – Regulations (Wildlife Conservation Amendment Regulations 2016 G.G. 26/08/2016) (4495).

## **7. Message from the Governor**

Message No. 23 from Her Excellency the Governor was reported assenting to the following bills –  
 Appropriation (Recurrent 2016–17) Act 2016, Act No. 20 of 2016.  
 Appropriation (Capital 2016–17) Act 2016, Act No. 21 of 2016.

## **8. Message from the Governor**

Message No. 24 from Her Excellency the Governor was reported recommending that appropriations be made for the purposes of the Loan Bill 2016.

## **9. Message from the Legislative Council**

Message No. 143 dated 6 September 2016 from the Legislative Council was reported as follows –  
 The Legislative Council acquaints the Legislative Assembly that it has agreed to the following resolution –

That Hon Sally Talbot has been appointed as a Member of the Joint Standing Committee on Audit.

## **10. Notice of Motion**

## **11. Notice of Motion Lapsed**

The Speaker advised that Private Members' Business Notice of Motion No. 1 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

## **12. Message from the Governor**

Message No. 25 from Her Excellency the Governor was reported recommending that appropriations be made for the purposes of the Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016.

### 13. Matter of Public Interest – Liberal National Government Cabinet

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 due to its dysfunctional Cabinet including:

- the breakdown of trust between the Premier and the Minister for Transport;
- the Minister for Transport being barred from a Cabinet meeting by the Premier; and
- the failure to co-ordinate the management of the Children's Hospital project between the Treasurer and the Minister for Health.

Debate ensued.

Question put.

The Assembly divided.

#### Ayes (20)

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

#### Noes (32)

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	Mr A.P. Jacob	Mr J. Norberger
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr D.T. Redman
Mr M.J. Cowper	Mr S.K. L'Estrange	Mr A.J. Simpson
Mr J.H.D. Day	Mr R.S. Love	Mr M.H. Taylor
Ms W.M. Duncan	Mr W.R. Marmion	Mr T.K. Waldron
Mr J.M. Francis	Ms L. Mettam	Mr J.E. McGrath ( <i>Teller</i> )
Mrs G.J. Godfrey	Mr P.T. Miles	

Question thus negated.

### 14. Marketing of Potatoes Amendment and Repeal Bill 2016

Message No. 144 dated 6 September 2016 from the Legislative Council was reported agreeing to the bill without amendment.

### 15. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper which was tabled on 25 August 2016 –

Corruption and Crime Commission, Joint Standing Committee on the – Report No. 29: A Suppression Order in regards to Two former officers of the Corruption and Crime Commission (4465).

**16. Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016**

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 11 agreed to.  
 Title agreed to.  
 Consideration in detail concluded.  
 Leave was granted to proceed forthwith to the third reading of the bill.  
 The Minister for Emergency Services 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. Misuse of Drugs Amendment (Search Powers) Bill 2016**

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 8 agreed to.  
 Title agreed to.  
 Consideration in detail concluded.  
 Leave was granted to proceed forthwith to the third reading of the bill.  
 The Minister for Police 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.

**18. Terrorism (Preventative Detention) Amendment Bill 2016**

Message No. 145 dated 6 September 2016 from the Legislative Council was reported agreeing to the bill without amendment.

**19. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 10.02 p.m. until Wednesday, 7 September 2016 at 12 noon.

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

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

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