

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 149

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 16 JUNE 2015

**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 – 800<sup>th</sup> Anniversary of the Signing of the Magna Carta**

The Speaker advised members that on 15 June 2015 celebrations were held around the English speaking world to commemorate the 800<sup>th</sup> anniversary of the signing of the Magna Carta at Runnymede, England, by King John in 1215.

**3. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the short listing of three consortia to design and construct Western Australia's new museum.

The Minister for Mines and Petroleum on his tour of Singapore, South Korea and China to promote Western Australia's interests and bolster trading relationships.

The Minister for Seniors and Volunteering on the 2015 WA Seniors Awards.

The Minister for Corrective Services on the tender of the contract for the provision of court security and custodial services throughout Western Australia.

**4. Personal Explanation**

The Minister for Health made a personal explanation in relation to an answer given in Estimates Committee A regarding the total amount of resources allocated by the Department of Fisheries to the shark drum line policy in 2013–14.

**5. Personal Explanation**

The Minister for Police made a personal explanation in relation to Question No. 433 asked by Mrs G. Godfrey.

## 6. Questions

Questions without Notice were taken.

Questions on Notice Nos 4108 to 4123 were asked.

Questions on Notice Nos 3948, 3949, 3953, 3960, 3966, 3967, 3969, 3991, 3993 to 4013, 4016 to 4025, 4030 to 4032, 4034 to 4039, 4042, 4044, 4049, 4050, 4056 to 4064, 4067 to 4070, 4071, 4072 to 4076, 4078 to 4088, 4091 to 4099, 4101 and 4103 were answered.

Papers tabled by the Minister for Environment –

Question on Notice No. 4062 – Northcliffe Fires Mapping Prescribed Burns (2988).

Question on Notice No. 4057 – Prescribed Burns Program of the State Government (2989).

Question on Notice No. 3993 – Black Cockatoo Conservation Budget (2990).

Question on Notice No. 3995 – The Number of Non-Compliances for Emissions Under the Environmental Protection Act (2991).

Paper tabled by the Minister for Lands –

Question on Notice No. 4004 – The Minister's Media Statement of 10 February 2015 Concerning the Offer of Rebates (2992).

Papers tabled by the Minister for Training and Workforce Development –

Question on Notice No. 4058 – Further to the Answer to Question Without Notice No. 248 Polytechnic West (2993).

Question on Notice No. 3969 – South West Institute of Technology (2994).

Question on Notice No. 4091 – The Minister for Training and Workforce Development statement in the House on 12 May 2015 Regarding Enrolments in Priority Courses (2995).

Question on Notice No. 4093 – Provision of Courses at State Training Providers (2996).

Papers tabled by the Minister Representing the Minister for Housing –

Question on Notice No. 4095 – Media Reports of the Debts Owed by Public Housing Tenants to the Government (2997).

Question on Notice No. 4097 – Media Reports of the Debts Owed by Public Housing Tenants for Damage to Property (2998).

Question on Notice No. 4085 – State Housing in Kwinana (2999).

Question on Notice No. 4098 – Media Reports of the Debt Owed by Public Housing Tenants for Unpaid Rent (3000).

Question on Notice No. 4099 – Media Reports of the Debt Owed by Public Housing Tenants for Unpaid Water Bills (3001).

## 7. Petitions

TAB – Mrs G. Godfrey presented a petition from 127 persons requesting that the Legislative Assembly commits to ensure that any proposed sale of the TAB does not proceed (P. 253).

Train Noise – Mr W.J. Johnston presented a petition from 15 persons requesting the Legislative Assembly to ensure train horns are being used in accordance with Network Rules and not in an excessive manner (P. 254).

Perth Freight Link: Roe Highway Extension – Mr P.C. Tinley presented a petition from 198 persons requesting the Legislative Assembly to call on the Barnett Government to reverse their 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. 255).

Perth Freight Link: Roe Highway Extension – Mr F.M. Logan presented a petition from 218 persons requesting the Legislative Assembly to call on the Barnett Government to reverse their 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. 256).

## 8. Papers

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

By the Speaker –

Inspector of Custodial Services, Office of the – Report No. 97: Announced Inspection of Banksia Hill Juvenile Detention Centre (Received by the Clerk of the Legislative Assembly on 7 May 2015 and held for a period of thirty days) (2933).

By the Clerk –

Auditor General, Office of the – Opinions on Ministerial Notifications, Report 9: June 2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 4 June 2015) (2931).

Auditor General, Office of the – Management of Adults on Bail, Report 10: June 2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 10 June 2015) (2932).

Charitable Trusts Act 1962 – Regulations (Charitable Trusts Regulations 2015 G.G. 9/06/2015) (2934).

Conservation and Land Management Act 1984 – Lease No. 1134/97 Between the Department of Parks and Wildlife and Raymond Maxwell North for the Purpose of a Dam Site for Domestic Purposes in State Forest No. 29, Near Boyup Brook (2935).

Conservation and Land Management Act 1984 – Lease No. 1490/97 Between the Department of Parks and Wildlife and the Sporting Shooters Association of Australia (WA) Inc. for the Purpose of Shooting Activities and Associated Recreational Activities in State Forest No. 65, Near Wanneroo (2936).

Conservation and Land Management Act 1984 – Lease No. 1907/97 Between the Department of Parks and Wildlife and Crown Castle Australia Pty Ltd for an Existing Telecommunications Facility Located Within a Portion of State Forest No 23, Near Pinjarra (2937).

Conservation and Land Management Act 1984 – Lease No. 2147/100 Between the Department of Parks and Wildlife and Perth Dinghy Sailing Club Inc. for the Purpose of a Sailing Clubhouse in Reserve 17375, at Matilda Bay (2938).

Dog Act 1976 – Local Laws (Shire of Nannup Dogs Amendment Local Law 2015 G.G. 22/05/2015) (2939).

Education Service Providers (Full Fee Overseas Students) Registration Act 1991 – Regulations (Education Service Providers (Full Fee Overseas Students) Registration Amendment Regulations 2015 G.G. 12/06/2015) (2940).

Evidence Act 1906 – Regulations (Evidence (Prescribed Persons) Amendment Regulations 2015 G.G. 5/06/2015) (2941).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 2015 G.G. 12/06/2015) (2942).

Fire and Emergency Services Act 1998 – Regulations (Fire and Emergency Services Amendment Regulations 2015 G.G. 2/06/2015) (2943).

Firearms Act 1973 – Regulations (Firearms Amendment Regulations (No. 2) 2015 G.G. 2/06/2015) (2944).

Fish Resources Management Act 1994 – Management Plans (Esperance Rock Lobster Managed Fishery Management Plan Revocation Notice 2015 [1198] G.G. 29/05/2015) (2945).

Fish Resources Management Act 1994 – Management Plans (South Coast Crustacean Managed Fishery Management Plan 2015 [1198] G.G. 29/05/2015) (2946).

Fish Resources Management Act 1994 – Management Plans (West Coast Estuarine Managed Fishery Management Plan Amendment 2015 [1238] G.G. 2/06/2015) (2947).

Fish Resources Management Act 1994 – Management Plans (Windy Harbour-Augusta Rock Lobster Managed Fishery Management Plan Revocation Notice 2015 [1198] G.G. 29/05/2015) (2948).

Food Act 2008 – Regulations (Food Amendment Regulations (No. 2) 2015 G.G. 19/05/2015) (2949).

Gold Corporation – Statement of Corporate Intent 2015–2016 (2950).

Government of Western Australia – Quarterly Financial Results Report, March 2015 (2951).

Health Act 1911 – Regulations (Health (Pesticides) Amendment Regulations (No. 2) 2015 G.G. 19/05/2015) (2952).

Health Act 1911 – Regulations (Health (Rheumatic Heart Disease Register of Western Australia) Regulations 2015 G.G. 19/05/2015) (2953).

Hospitals and Health Services Act 1927 – Regulations (Hospitals (Services Charges) Amendment Regulations (No. 3) 2015 G.G. 2/06/2015) (2954).

Liquor Control Act 1988 – Orders (Liquor Control (Subsidies) Order 2015 G.G. 26/05/2015) (2955).

Local Government Act 1995 – Local Laws (Shire of Ravensthorpe Fencing Local Law 2015 G.G. 22/05/2015) (2956).

Mines Safety and Inspection Act 1994 – Regulations (Mines Safety and Inspection Amendment Regulations 2015 G.G. 5/06/2015) (2957).

Motor Vehicle Drivers Instructors Act 1963 – Regulations (Motor Vehicle Drivers Instructors Amendment Regulations 2015 G.G. 29/05/2015) (2958).

Pawnbrokers and Second-hand Dealers Act 1994 – Regulations (Pawnbrokers and Second-hand Dealers Amendment Regulations 2015 G.G. 2/06/2015) (2959).

Police Act 1892 – Regulations (Police (Fees) Amendment Regulations 2015 G.G. 2/06/2015) (2960).

Radiation Safety Act 1975 – Regulations (Radiation Safety (General) Amendment Regulations 2015 G.G. 19/05/2015) (2961).

Radiation Safety Act 1975 – Regulations (Radiation Safety (Qualifications) Amendment Regulations 2015 G.G. 19/05/2015) (2962).

Rail Safety Act 2010 – Regulations (Rail Safety Amendment Regulations 2015 G.G. 12/06/2015) (2963).

Road Traffic (Administration) Act 2008 – Regulations (Road Traffic (Administration) Amendment Regulations (No. 2) 2015 G.G. 29/05/2015) (2964).

Road Traffic (Administration) Act 2008 – Regulations (Road Traffic (Administration) Amendment Regulations (No. 3) 2015 G.G. 12/06/2015) (2965).

Road Traffic (Authorisation to Drive) Act 2008 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations (No. 2) 2015 G.G. 27/05/2015) (2966).

Road Traffic (Vehicles) Act 2012 – Regulations (Road Traffic (Vehicles) Amendment Regulations (No. 3) 2015 G.G. 27/05/2015) (2967).

Road Traffic (Vehicles) Act 2012 – Regulations (Road Traffic (Vehicles) Amendment Regulations (No. 4) 2015 G.G. 12/06/2015) (2968).

Road Traffic (Vehicles) Act 2012 – Regulations (Road Traffic (Vehicles) Amendment Regulations (No. 5) 2015 G.G. 27/05/2015) (2969).

Road Traffic Act 1974 – Regulations (Road Traffic (Events on Roads) Amendment Regulations 2015 G.G. 2/06/2015) (2970).

Rottnest Island Authority Act 1987 – Regulations (Rottnest Island Amendment Regulations 2015 G.G. 5/06/2015) (2971).

Security and Related Activities (Control) Act 1996 – Regulations (Security and Related Activities (Control) Amendment Regulations 2015 G.G. 2/06/2015) (2972).

Shipping and Pilotage Act 1967 – Regulations (Mooring Amendment Regulations 2015 G.G. 12/06/2015) (2973).

Shipping and Pilotage Act 1967 – Regulations (Navigable Waters Amendment Regulations 2015 G.G. 29/05/2015) (2974).

Shipping and Pilotage Act 1967 – Regulations (Shipping and Pilotage (Ports and Harbours) Amendment Regulations 2015 G.G. 12/06/2015) (2975).

Taxation Administration Act 2003 – Regulations (Taxation Administration Amendment Regulations 2015 G.G. 5/06/2015) (2976).

Taxi Act 1994 – Regulations (Taxi Amendment Regulations (No. 2) 2015 G.G. 12/06/2015) (2977).

Teacher Registration Act 2012 – Regulations (Teacher Registration (Accreditation of Initial Teacher Education Programmes) Amendment Regulations 2015 G.G. 12/06/2015) (2978).

Teacher Registration Act 2012 – Regulations (Teacher Registration (General) Amendment Regulations (No. 2) 2015 G.G. 12/06/2015) (2979).

Tobacco Products Control Act 2006 – Regulations (Tobacco Products Control Amendment Regulations (No. 3) 2015 G.G. 19/05/2015) (2980).

Transport Co-ordination Act 1966 – Regulations (Transport (Country Taxi-car) Amendment Regulations 2015 G.G. 12/06/2015) (2981).

Transport Co-ordination Act 1966 – Regulations (Transport Co-ordination Amendment Regulations (No. 2) 2015 G.G. 12/06/2015) (2982).

Veterinary Surgeons Act 1960 – Regulations (Veterinary Surgeons Amendment Regulations 2015 G.G. 2/06/2015) (2983).

Western Australian Marine Act 1982 – Regulations (W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2015 G.G. 12/06/2015) (2984).

Western Australian Photo Card Act 2014 – Regulations (Western Australian Photo Card Amendment Regulations (No. 2) 2015 G.G. 12/06/2015) (2985).

Workers' Compensation and Injury Management Act 1981 – Rules (Workers' Compensation and Injury Management Arbitration Amendment Rules 2015 G.G. 12/06/2015) (2986).

Workers' Compensation and Injury Management Act 1981 – Rules (Workers' Compensation and Injury Management Conciliation Amendment Rules 2015 G.G. 12/06/2015) (2987).

## 9. Notices of Motion

### 10. Matter of Public Interest – MAX Light Rail and Airport Rail

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 Barnett Government for its secrecy and refusal to release information on key projects including MAX light rail and Airport Rail.

Debate ensued.

Mr R.F. Johnson moved,

To delete all words after “House” and substitute –

“

, in the interests of open and accountable government which the Premier has always espoused, calls on the Premier to immediately release the documents sought by *The West Australian* under the *Freedom of Information Act*, relating to MAX light rail and Airport Rail, the release of which has been recommended by the Freedom of Information Commissioner.

”.

Debate ensued.

On the question, That the words to be deleted,

Question put.

The Assembly divided.

#### Ayes (20)

Ms L.L. Baker

Dr A.D. Buti

Mr R.H. Cook

Ms J. Farrer

Ms J.M. Freeman

Mr R.F. Johnson

Mr W.J. Johnston

Mr D.J. Kelly

Mr F.M. Logan

Mr M. McGowan

Ms S.F. McGurk

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 (33)

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  
 Mr J.H.D. Day  
 Ms W.M. Duncan  
 Ms E. Evangel

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 S.K. L'Estrange  
 Mr W.R. Marmion  
 Mr J.E. McGrath

Ms L. Mettam  
 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.

On the question, That the motion be agreed to,

Question put.

The Assembly divided.

## Ayes (19)

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 D.J. Kelly

Mr F.M. Logan  
 Mr M. McGowan  
 Ms S.F. McGurk  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mrs M.H. Roberts

Ms R. Saffioti  
 Mr C.J. Tallentire  
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 Ms E. Evangel

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 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 S.K. L'Estrange  
 Mr W.R. Marmion  
 Mr J.E. McGrath

Ms L. Mettam  
 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.

# 11. Electricity Corporations 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 8 agreed to.

Title agreed to.

Consideration in detail concluded.

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

**12. Message from the Governor**

Message No. 29 from Her Excellency the Governor was reported assenting to the Taxation Legislation Amendment Bill 2015, Act No. 3 of 2015.

**13. Messages from the Governor**

Messages from Her Excellency the Governor were reported recommending that appropriations be made for the purposes of the following bills –

City of Perth Bill 2015 (Message No. 30).

Western Australian Health Promotion Foundation Bill 2015 (Message No. 31).

**14. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 10.00 p.m. until Wednesday, 17 June 2015 at 12.00 noon.

*Members present during any part of the day's proceedings* – All the members except Ms M. Davies, Mr P.T. Miles and Mr M.P. Murray.

**PETER J. McHUGH**  
Clerk of the Legislative Assembly

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