

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

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No. 203

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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WEDNESDAY, 11 MAY 2016

### 1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Petitions

Housing Authority Tenants – Mr F.M. Logan presented a petition from 58 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's Affairs benefits and allowances as assessable income (P. 366).

South Beach Estate – Ms S. McGurk presented a petition from 77 persons asking the Legislative Assembly to support a neighbourhood-wide speed reduction within the South Beach Estate to 40 km/hr, ensuring that traffic is travelling at a pace that poses less danger for residents (P. 367).

Intersection of Rollinson and Cockburn Roads – Ms S. McGurk presented a petition from 75 persons asking the Legislative Assembly to support an urgent and immediate upgrade of the intersection of Rollinson and Cockburn Roads in North Coogee (P. 368).

Bus Routes in Coolbellup – Mr P.C. Tinley presented a petition from 8 persons asking the Legislative Assembly to ensure that Route 513 is left unchanged so that residents of Hale House and surrounding homes retain access to nearby bus stops that have a direct route to Fremantle and Murdoch Station (P. 369).

Quinns Beach – Mr A.P. Jacob presented a petition from 159 persons asking the Legislative Assembly to support the allocation of funds towards the proposed project of a beach enclosure being installed at Quinns Beach (P. 370).

### 3. Papers

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

By the Clerk –

Auditor General, Office of the – Fitting and Maintaining Safety Devices in Public Housing –  
Follow-up – Report 7, May 2016 (4146).

Carers Advisory Council – Annual Compliance Report 2014–2015 (4147).

Western Australian Local Government Grants Commission – Annual Report 2015 (4148).

#### **4. Notices of Motion**

#### **5. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the Beneath the Waves interactive documentary.

The Minister for Child Protection on the Department for Child Protection and Family Support 2016 Perth Airport Achiever Awards.

The Minister for Mental Health on the extension and expansion of NDIS trials.

#### **6. Standing Committee Membership**

The Leader of the House, pursuant to notice, moved,

1. That, as a result of the member for Churchlands appointment as a Minister and his ceasing to be a member of the Public Accounts Committee, the member for Dawesville be appointed in his place on the Public Accounts Committee.
2. That, as the membership of the Joint Standing Committee on Audit consists in part of the members of the Legislative Assembly Public Accounts Committee, the Legislative Council be acquainted accordingly.

Question put and passed.

#### **7. Parliamentary Superannuation Board – Change of Membership**

The Leader of the House, pursuant to notice, moved,

That the member for Dawesville be appointed as a member of the Parliamentary Superannuation Board in accordance with the *Parliamentary Superannuation Act 1970*, to fill the vacancy caused by the resignation of the member for Churchlands.

Question put and passed.

#### **8. Terrorism (Preventative Detention) Amendment Bill 2016**

The Minister for Police, pursuant to notice, moved,

That a bill for “An Act to amend the *Terrorism (Preventative Detention) Act 2006*.” be introduced and read a first time.

Question put and passed.

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

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

Mr M. McGowan moved, That the debate be adjourned.

Question put and passed.

#### **9. Criminal Laws (Domestic Violence) Amendment Bill 2016**

Mr M. McGowan, pursuant to notice, moved,

That a bill for “An Act to amend the *Criminal Procedure Act 2004*, the *Evidence Act 1906*, the *Restraining Orders Act 1997*, the *Sentencing Act 1995* and *The Criminal Code*.” be introduced and read a first time.

Question put and passed.

Mr M. McGowan 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 a later stage of the sitting.

# 10. Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016

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

That a bill for “An Act to amend the *Bush Fires Act 1954*, the *Fire and Emergency Services Act 1998* and the *Workers’ Compensation and Injury Management Act 1981*.” 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.

Ms S. McGurk moved, That the debate be adjourned.

Question put and passed.

# 11. Electoral Amendment Bill 2016

The Premier, pursuant to notice, moved,

That a bill for “An Act to amend the *Electoral Act 1907*.” be introduced and read a first time.

Question put and passed.

The Premier presented an explanatory memorandum and bill read a first time.

The Premier moved, That the bill be now read a second time.

Ms J.M. Freeman moved, That the debate be adjourned.

Question put and passed.

# 12. 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.

Debate resumed.

Debate interrupted by the Chair (Ms S. McGurk speaking) and adjourned until a later stage of the sitting.

# 13. Questions

Questions without Notice were taken.

Questions on Notice Nos 5448 to 5457 were asked.

Questions on Notice Nos 5170, 5176, 5178, 5193, 5211, 5212, 5217, 5232, 5266, 5300 to 5305, 5309, 5313, 5335, 5336, 5338, 5355, 5373, 5374 and 5386 were answered.

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Paper tabled by the Minister for Health; Tourism –

Question on Notice No. 5178 – Details of survey services engaged by agencies and departments under the Minister’s portfolio of responsibilities (4149).

Paper tabled by the Minister for Lands –

Question on Notice No. 5232 – Market and customer feedback research conducted by Landgate from 1 January 2015 (4150).

Paper tabled by the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs –

Question on Notice No. 5193 – Details of exemptions sought and approved to the government’s recruitment freeze for agencies and departments under the Minister’s portfolio of responsibilities (4151).

Question on Notice No. 5300 – Details of maintenance required at Ballajura Primary School (4152).

Question on Notice No. 5301 – Details of maintenance required at South Ballajura Primary School (4153).

Question on Notice No. 5303 – Details of maintenance required at Ballajura Community College (4154).

Question on Notice No. 5304 – Details of maintenance required at Banksia Grove Primary School (4155).

Question on Notice No. 5305 – Details of maintenance required at Herne Hill Primary School (4156).

Question on Notice No. 5309 – Details of maintenance required at Upper Swan Primary School (4157).

#### **14. Unanswered Question on Notice**

Mr M. McGowan asked why no answer had been received in respect of his Question on Notice No. 5200.

#### **15. Dangerous Sexual Offenders Legislation Amendment Bill 2015**

Message No. 130 dated 10 May 2016 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend –

- the *Dangerous Sexual Offenders Act 2006*; and
- the *Criminal Procedure Act 2004*; and
- the *Evidence Act 1906*; and
- the *Prisons Act 1981*; and
- the *Sentence Administration Act 2003*; and
- the *Sentencing Act 1995*; and
- the *Young Offenders Act 1994*.”

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

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

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

#### **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.  
Debate resumed.

Debate interrupted by the Chair (Mr D.A. Templeman speaking) and adjourned until a later stage of the sitting.

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

Ordered, That Private Members’ Business Order of the Day for the second reading of the, *Criminal Laws (Domestic Violence) Amendment Bill 2016*, Private Members’ Business Order of the Day No. 14 and Private Members’ Business Notice of Motion No. 11 be next considered.

#### **19. Criminal Laws (Domestic Violence) Amendment Bill 2016**

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

Mr M. McGowan moved, That the bill be now read a second time.

The Leader of the House moved, That the debate be adjourned.  
Question put and passed.

## 20. Sentence Administration Amendment 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 3 agreed to.  
New Clause 3A.  
The Minister for Police moved,  
Page 2, after line 9 – To insert:

“

#### 3A. Section 5A amended

After section 5A (c) insert:

- (ca) if the prisoner is in custody for an offence relating to the death of a person, the extent (if any) to which the prisoner has assisted in the location of the person's remains;

”.

New clause put.  
The Assembly divided.

#### Ayes (32)

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  
Mrs L.M. Harvey  
Mr C.D. Hatton  
Mr A.P. Jacob  
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 (21)

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 M.P. Murray  
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*)

New clause 3A agreed to.

Clause 4.

Clause put.

The Assembly divided.

Ayes (21)

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 M.P. Murray  
Mr J.R. Quigley  
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Mr P.C. Tinley  
Mr P.B. Watson  
Mr B.S. Wyatt  
Mr D.A. Templeman (*Teller*)

Noes (32)

Mr P. Abetz  
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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  
Mrs L.M. Harvey  
Mr C.D. Hatton  
Mr A.P. Jacob  
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*)

Clause thus negatived.

Clause 5.

Clause put.

The Assembly divided.

Ayes (21)

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 M.P. Murray  
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 (31)

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  
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Mr C.D. Hatton  
Mr A.P. Jacob  
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*)

Clause thus negatived.

Clause 6.

Clause put.

The Assembly divided.

Ayes (21)

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 M.P. Murray  
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 (30)

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  
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Dr M.D. Nahan  
Mr D.C. Nalder  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr A. Krsticevic (*Teller*)

Clause thus negatived.

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.

## 21. Taxi Industry Concerns

Ms R. Saffioti, pursuant to notice, moved,

That this House calls on the Minister for Transport to immediately address the concerns and hardship being faced by the taxi industry.

Debate ensued.

Debate interrupted by the Chair (Ms R. Saffioti speaking) and adjourned until a later stage of the sitting.

**22. 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, 12 May 2016 at 9.00 a.m.

*Members present during any part of the day's proceedings* – All the members except Mr B.J. Grylls.

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

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