

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 113

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 11 NOVEMBER 2014

1. Meeting of Assembly

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Electoral District of Vasse – Return of Writ and Member Sworn

The Clerk produced the certified copy of the returned writ for the Electoral District of Vasse and reported that it certified that Elizabeth Mettam had been duly elected to serve in the Legislative Assembly for that district.

Ms Mettam took and subscribed the Oath of Office according to law.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on Remembrance Day and the ANZAC commemorative events held in Albany, Blackboy Hill and Fremantle.

The Minister for Housing on the Housing Industry Association's 2014 Perth Housing Awards.

The Parliamentary Secretary to the Minister for Disability Services on an update on WA NDIS My Way.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 3182 to 3188 were asked.

Questions on Notice Nos 2684, 2807, 2905, 2910, 2958, 2975, 3005, 3006, 3014 to 3017, 3019 to 3021, 3028, 3029, 3044, 3055, 3061 and 3067 were answered.

Papers tabled by the Deputy Premier; Minister for Health; Training and Workforce Development –

Question on Notice No. 2684 – Details of Gifts or Hospitality Received by Senior Staff from the Departments or Agencies under the Minister's Portfolios (2353).

Question on Notice No. 2905 – Details of Leadership, Planning Events or Retreats Undertaken by Senior Executives or Board Members of Agencies or Departments under the Minister's Portfolios (2354).

Paper tabled by the Minister for Police; Tourism; Road Safety; Women's Interests –

Question on Notice No. 2910 – Details of Leadership, Planning Events or Retreats Undertaken by Senior Executives or Board Members of Agencies or Departments under the Minister's Portfolios (2355).

Paper tabled by the Minister for Health –

Question on Notice No. 3006 – Details of Complimentary Tickets Received by Healthway Board Members for 2012–2014 (2356).

Papers tabled by the Minister for Regional Development –

Question on Notice No. 3019 – Details of Projects, Activities or Grants Funded by 'Pilbara Cities Strategic Infrastructure (Operating)' Line Item in Budget Paper No. 3 (2357).

Question on Notice No. 3020 – Details of Projects, Activities or Grants Funded by the 'Pilbara Cities Community Projects (Operating)' Line Item in Budget Paper No. 3 (2358).

Question on Notice No. 3021 – Details of Projects, Activities or Grants Funded by the 'Pilbara Cities Strategic Infrastructure (Asset Investment)' Line Item in Budget Paper No. 3 (2359).

5. Petitions

Swimming Lessons Subsidy – Mr P. Papalia presented a petition from 16 persons requesting that the Legislative Assembly ensures that equal opportunity is provided to all Western Australian primary school children to access a subsidy for swimming lessons (P. 187).

Murdoch University, Rockingham Campus – Mr M. McGowan presented a petition from 453 persons requesting that the Legislative Assembly calls on the Barnett Government to demand that the Abbott Liberal Government provides funds to ensure Murdoch University runs courses at its Rockingham campus and, if the Abbott Government refuses, that the Barnett Government takes action to ensure that the Rockingham campus continues to provide university education (P. 188).

Medical Services in the Shire of Upper Gascoyne – Mr V.A. Catania presented a petition from 352 persons requesting that the Legislative Assembly commits to reinstating a medical service for residents of, and visitors to, the Shire of Upper Gascoyne (P. 189).

City of Albany and Unresolved Insurance Claims – Mr P.B. Watson presented a petition from 117 persons requesting that the Legislative Assembly requests that the Minister for Local Government works with the City of Albany and its insurer LGIS to immediately resolve outstanding claims for damages caused by drainage and flooding (P. 190).

6. Papers

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

By the Speaker –

Corruption and Crime Commission of Western Australia – Report on an Administrative Matter Relating to the Functions of the Commission Pursuant to Section 88 of the Corruption and Crime Commission Act 2003 (Received by the Clerk of the Legislative Assembly and deemed tabled on 5 November 2014) (2330).

By the Clerk –

Casino (Burswood Island) Agreement Act 1985 – Orders (Casino (Burswood Island) Agreement Order 2014 G.G. 24/10/2014) (2331).

Conservation and Land Management Act 1984 – Lease No. 2399/97 Between the Department of Parks and Wildlife and Western Australia Police for the Purpose of a Telecommunications Facility Located on Dual Tenure Land – Crown Reserve 11941 (Trigonometrical Station) and State Forest No. 54 (2332).

Dangerous Goods Safety Act 2004 – Regulations (Dangerous Goods Safety (Explosives) Amendment Regulations (No. 3) 2014 G.G. 24/10/2014) (2333).

Financial Management Act 2006 – Notice Under Section 82 of the Act From the Minister for Sport and Recreation in Respect of Legislative Assembly Question on Notice 2885 Parts (A), (D), (H) and (K) (2334).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing for Rock Lobster (Seven Mile Beach) Order 2014 G.G. 31/10/2014) (2335).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 6) 2014 G.G. 22/10/2014) (2336).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 7) 2014 G.G. 31/10/2014) (2337).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 8) 2014 G.G. 4/11/2014) (2338).

Jetties Act 1926 – Regulations (Jetties Amendment Regulations (No. 4) 2014 G.G. 4/11/2014) (2339).

Landcorp – Statement of Corporate Intent 2014–2015 (2340).

Local Government Act 1995 – Local Laws (Shire of Chittering Extractive Industries Local Law 2014 G.G. 24/10/2014) (2341).

Local Government Act 1995 – Local Laws (Shire of Gingin Meeting Procedures Local Law 2014 G.G. 6/11/2014) (2342).

Marine Parks and Reserves Authority – Annual Report 2013–2014 (2343).

Motor Vehicle Drivers Instructors Act 1963 – Regulations (Motor Vehicle Drivers Instructors Amendment Regulations (No. 3) 2014 G.G. 4/11/2014) (2344).

Official Travel – Report of Interstate and Overseas Air Travel Undertaken by Ministers, Parliamentary Secretaries and Government Officers on Official Business for the Three Months Ended 31 March 2014 (2345).

Racing and Wagering Western Australia – Annual Report 2013–2014 (2346).

Road Traffic Act 1974 – Regulations (Road Traffic (Blood Sampling and Analysis) Amendment Regulations 2014 G.G. 4/11/2014) (2347).

Road Traffic Act 1974 – Regulations (Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2014 G.G. 4/11/2014) (2348).

Road Traffic Act 1974 – Regulations (Road Traffic Code Amendment Regulations (No. 5) 2014 G.G. 31/10/2014) (2349).

Waste Authority – Annual Report 2013–2014 (2350).

Western Australian Greyhound Racing Association – Annual Report 2013–2014 (2351).

Western Australian Treasury Corporation – Quarterly Report for the Quarter Ended 30 September 2014 (2352).

7. Corrections to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper tabled on 25 September 2014 –

Planning, Department of – Annual Report 2013–2014 (2178).

Paper

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

By the Speaker –

Planning, Department of – Annual Report 2013–2014 – Erratum (2360).

The Speaker announced that he had authorised corrections to the following Tabled Paper tabled on 25 September 2014 –

Premier and Cabinet, Department of the – Annual Report 2013–2014 (2179).

Paper

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

By the Speaker –

Premier and Cabinet, Department of the – Annual Report 2013–2014 – Addendum (2361).

8. Notice of Motion

9. Notices of Motion Lapsed

The Speaker advised that Private Members' Business Notices of Motion Nos 2 and 3 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

10. Removal of Order of the Day

The Speaker advised members that the Order of the Day that appeared on the last Notice Paper as No. 1 under Private Members' Business, Government Action in the Kimberley, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

11. Matter of Public Interest – Tier 3 Rail and Brookfield Rail

The Speaker informed the Assembly that he was in receipt of a notice from Ms R. Saffioti that she intended to move a motion on a matter of public interest.

At least five members having risen in support,

Ms R. Saffioti moved,

That this House condemns the Barnett Government for:

- misleading the people of Western Australia over its commitments to Tier 3 rail; and
- allowing the PTA to create a conflict of interest by entering into a commercial relationship with Brookfield Rail; and

calls on the Government to release all details of its agreement with Brookfield Rail.

Debate ensued.

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 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

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 (32)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 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

Mr J.M. Francis
 Mrs G.J. Godfrey
 Dr K.D. Hames
 Mr C.D. Hatton
 Mr A.P. Jacob
 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.

12. Message from the Governor

Message No. 25 from Her Excellency the Governor was reported assenting to the following bills –

Mental Health Bill 2013, Act No. 24 of 2014.

Mental Health Legislation Amendment Bill 2013, Act No. 25 of 2014.

Mandatory Testing (Infectious Diseases) Bill 2014, Act No. 26 of 2014.

13. School Education Amendment Bill 2014

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

Debate resumed.

The Minister for Corrective Services moved, That the debate be adjourned.

Question put and passed.

14. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 9 be next considered.

15. Premier's Statement

The Order of the Day for the resumption of debate on the question, That the Premier's Statement be agreed to, was read.

Debate resumed.

The Leader of the House moved, That the debate be adjourned to a later stage of the sitting.

Question put and passed.

16. Message from the Governor

Message No. 27 from Her Excellency the Governor was reported recommending that appropriations be made for the purposes of the Taxation Legislation Amendment Bill (No. 2) 2014.

17. Succession to the Crown Bill 2014

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 7 agreed to.

Clause 8.

Ms M.M. Quirk moved,

Page 6, line 10 – To delete “**Roman**”.

The Leader of the House moved, That the question be now put.

Question put and passed.

On the question, that the word to be deleted, be deleted,

Amendment put and negatived.

Clause agreed to.

Clause 9 agreed to.

Clause 10.

Ms M.M. Quirk moved,

Page 6, line 24 – To delete “**Roman**”.

The Leader of the House moved, That the question be now put.

Question put and passed.

On the question, that the word to be deleted, be deleted,

Amendment put and negatived.

Clause agreed to.

Clause 11.

The Leader of the House moved, That the question be now put.

Question put and passed.

On the question, That clause 11 be agreed to,

Clause put and passed.

Clauses 12 to 14 agreed to.

Schedule 1.

The Leader of the House moved, That the question be now put.

Question put and passed.

On the question, That Schedule 1 be agreed to,

Schedule put and passed.

Preamble.

The Leader of the House moved, That the question be now put.

Question put and passed.

On the question, That the preamble be agreed to,

Preamble put and passed.

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.

18. 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, 12 November 2014 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr B.J. Grylls, Mrs L.M. Harvey and Mrs M.H. Roberts.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly