

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

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No. 192

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 15 MARCH 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. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Road Safety on the Wheatbelt Highway Safety Review.

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#### *Paper*

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

By the Minister for Road Safety –

Road Safety, Minister for – Wheatbelt Highway Safety Review Summary Report, December 2015, Road Safety Commission (3923).

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The Minister for Health on the addition of newly identified synthetic drugs to the *Poisons Act 1964*.

The Minister for Water on the Southern Forests water futures project currently underway across regional Western Australia as part of the Water for Food program.

The Parliamentary Secretary to the Minister for Disability Services on the Disability Access and Inclusion Plans Progress Report 2014–15.

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#### *Paper*

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

By the Minister for Health –

Disability Services, Parliamentary Secretary to the Minister for – Disability Access and Inclusion Plans Progress Report 2014–15, Disability Services Commission (3924).

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### 3. Personal Explanation

The Minister for Health made a personal explanation on the BHP Billiton Water Park at Elizabeth Quay.

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#### *Paper*

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

By the Minister for Health –

Health, Minister for – Report on the Opening, Closures and Water Quality Issues of the BHP Billiton Water Park – Elizabeth Quay (3925).

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### 4. Personal Explanation

The Minister for Planning made a personal explanation on the BHP Billiton Water Park at Elizabeth Quay.

### 5. Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of the Assistant Secretary and staff of the Malaysian State Assembly of Pahang.

### 6. Speaker's Statement – Commonwealth Day

The Speaker advised that 14 March 2016 was Commonwealth Day, an annual event to celebrate the work of the constituent countries and the Commonwealth organisation in promoting parliamentary democracy, multilateral trade and development, the rule of law, sustainable and inclusive social progress, and the common good.

This year's theme, 'An inclusive Commonwealth', informed events organised by governments, schools, community groups and individuals to celebrate Commonwealth Day, and will help to guide activities by Commonwealth organisations throughout the year.

In Western Australia a multi-faith service was held in St Georges Cathedral, and on Monday, 21 March 2016, a Commonwealth Day Youth Event will be hosted by Her Excellency the Governor at Government House.

### 7. Questions

Questions without Notice were taken.

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#### *Paper*

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

By the Minister for Mines and Petroleum –

Mines and Petroleum, Minister for – Fraser Institute Survey of Mining Companies, 2015 (3926).

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Questions on Notice Nos 5144 to 5247 were asked.

Questions on Notice Nos 4865, 4867, 4868, 4870, 4872, 4874, 4876, 4879, 4881 to 4884, 4889, 4899 to 4901, 4903 to 4916, 4927, 4929 to 4931, 4946 to 4949, 4954, 4957, 4964, 4965, 4981 to 4983, 4994, 4998 to 5002, 5006, 5008, 5009, 5011, 5017 to 5022, 5025, 5026, 5028 to 5030, 5043, 5052, 5093, 5112, 5117 and 5137 were answered.

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Papers tabled by the Minister for Water; Sport and Recreation; Forestry –

Question on Notice No. 4879 – Information relating to the employment of tradespeople in each department, Government Trading Enterprise, authority and agency under the Minister for Water's portfolio responsibilities (3916).

Question on Notice No. 4927 – Details of publications produced with a print run of 500 or more for each agency, department and Government Trading Enterprise under the Minister for Water's portfolio responsibilities since 1 July 2014 (3917).

Papers tabled by the Minister for Environment; Heritage –

Question on Notice No. 4914 – Details of Cockburn Sound Management Council Members (3918).

Question on Notice No. 4929 – Details of publications produced with a print run of 500 or more for each agency, department and Government Trading Enterprise under the Minister for Environment's portfolio responsibilities since 1 July 2014 (3919).

Question on Notice No. 4964 – Details of conferences, seminars or workshops organised by a private organisation attended by officers or board members of departments, agencies, Commissions or Government Trading Enterprises under the Minister for Environment's portfolio of responsibilities since 1 July 2014 (3920).

Papers tabled by the Minister for Local Government; Community Services; Seniors and Volunteering; Youth –

Question on Notice No. 4965 – Details of conferences, seminars or workshops organised by a private organisation attended by officers or board members of departments, agencies, Commissions or Government Trading Enterprises under the Minister for Local Government's portfolio of responsibilities since 1 July 2014 (3921).

Question on Notice No. 4982 – Details of conferences, seminars or workshops organised by private or not-for-profit organisations which were sponsored by a department, agency, Commission or Government Trading Enterprise under the Minister for Local Government's portfolio of responsibilities (3922).

## **8. Petition**

Transport to Bentley Hospital – Mr B.S. Wyatt presented a petition from 163 persons asking the Legislative Assembly to consider implementing a bus service from Curtin Busport to Bentley Hospital (P. 350).

## **9. Papers**

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

By the Clerk –

Betting Control Act 1954 – Regulations (Betting Control Amendment Regulations (No. 2) 2016 G.G. 8/03/2016) (3890).

Cat Act 2011 – Regulations (Cat Amendment Regulations 2016 G.G. 11/03/2016) (3891).

Cemeteries Act 1986 – Local Laws (Shire of Cunderdin Cemetery Amendment Local Law 2016 G.G. 11/03/2016) (3892).

Commissioner for Children and Young People, Joint Standing Committee on the – Government Response to Report No. 6: Listen to This: A Review of Listen to Us: A Report by the Commissioner for Children and Young People (3893).

Conservation and Land Management Act 1984 – Lease No. 2348/97 between the Department of Parks and Wildlife and Coalfields Firewood for the Purpose of a Firewood Processing and Sale Yard Located at the Eastern end of Collie in State Forest No. 4 (3894).

Dog Act 1976 – Regulations (Dog Amendment Regulations 2016 G.G. 11/03/2016) (3895).

Edith Cowan University Act 1984 – Statutes (Edith Cowan University – Amending Statute No. 1 of 2015 G.G. 26/02/2016) (3896).

Financial Management Act 2006 – Notice given Under Section 82 of the Act by the Minister for Police in Relation to Additional Question 30 asked by the Standing Committee on Estimates and Financial Operations in Correspondence Following the 2014/15 Annual Report Hearings (3897).

Health Act 1911 – Regulations (Blood and Tissue (Transmissible Diseases) Amendment Regulations 2016 G.G. 11/03/2016) (3898).

Health Professionals (Special Events Exemption) Act 2000 – Review of the Act by the Department of Health – Final Report, February 2016 (3899).

Health, Department of – Port Hedland Air Quality Health Risk Assessment for Particulate Matter – Report, January 2016 (3900).

Liquor Control Act 1988 – Regulations (Liquor Control (Wangkatjunga Restricted Area) Amendment Regulations 2016 G.G. 4/03/2016) (3901).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 2) 2016 G.G. 4/03/2016) (3902).

Local Government Act 1995 – Local Laws (City of Mandurah Fencing Amendment Local Law 2015 G.G. 8/03/2016) (3903).

Local Government Act 1995 – Local Laws (City of Wanneroo Public Places and Local Government Property Local Law 2015 G.G. 29/02/2016) (3904).

Local Government Act 1995 – Local Laws (Shire of Collie Extractive Industries Local Law 2015 G.G. 26/02/2016) (3905).

Local Government Act 1995 – Local Laws (Shire of Cunderdin Local Government Property Amendment Local Law 2016 G.G. 11/03/2016) (3906).

Local Government Act 1995 – Local Laws (Shire of Cunderdin Thoroughfares and Public Places Amendment Local Law 2016 G.G. 11/03/2016) (3907).

Local Government Act 1995 – Local Laws (Shire of Halls Creek Standing Orders Local Law 2016 G.G. 4/03/2016) (3908).

Local Government Act 1995 – Local Laws (Town of Port Hedland Repeal Local Law 2016 G.G. 1/03/2016) (3909).

Local Government Act 1995 – Regulations (Local Government (Administration) Amendment Regulations 2016 G.G. 4/03/2016) (3910).

Local Government Act 1995 – Regulations (Local Government (Rules of Conduct) Amendment Regulations 2016 G.G. 4/03/2016) (3911).

Racing and Wagering Western Australia Act 2003 – Regulations (Racing and Wagering Western Australia Amendment Regulations (No. 2) 2016 G.G. 8/03/2016) (3912).

Racing and Wagering Western Australia Act 2003 – Regulations (Racing and Wagering Western Australia Amendment Regulations 2016 G.G. 4/03/2016) (3913).

Swan and Canning Rivers Management Act 2006 – Regulations (Swan and Canning Rivers Management Amendment Regulations 2016 G.G. 4/03/2016) (3914).

University of Western Australia Act 1911 – By-laws (University of Western Australia Lands By-Laws Amendment 2015 G.G. 1/03/2016) (3915).

# **10. Speaker's Statement – Appointment of an Acting Speaker**

The Speaker advised members that he had appointed Mr M.J. Cowper as an Acting Speaker from 15 March 2016.

## 11. Notices of Motion

### 12. Matter of Public Interest – Sale of Fremantle Port

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 notes the community concerns, including the concerns of the farming community, about the privatisation of Fremantle Port and calls on the Liberal National Government to cease the privatisation process.

Debate ensued.

Question put.

The Assembly divided.

#### Ayes (21)

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

#### Noes (35)

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

Question thus negatived.

## 13. Messages from the Governor

Messages from Her Excellency the Governor were reported assenting to the following bills –

No. 1 – 28 February 2016

Natural Gas (Canning Basin Joint Venture) Agreement Amendment Act 2016, Act No. 1 of 2016.

No. 2 – 3 March 2016

City of Perth Act 2016, Act No. 2 of 2016.

## 14. Messages from the Governor

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

Health Services Bill 2016 (Message No. 3).

Emergency Management Amendment Bill 2016 (Message No. 4).  
 Motor Vehicle (Catastrophic Injuries) Bill 2016 (Message No. 6).

**15. City of Perth Bill 2015**

Message No. 119 dated 25 February 2016 from the Legislative Council was reported agreeing to the bill without amendment.

**16. Removal of Orders of the Day**

The Acting Speaker advised that the Orders of the Day that appeared on the last Notice Paper under Private Members' Business as No. 1, *Environment Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013* and No. 2, TAFE Course Fees, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

**17. Health Services Bill 2016**

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

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*Sitting suspended from 5.13 p.m. to 5.19 p.m.*

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Debate resumed.

Question put and passed.

Bill read a second time.

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

**18. Western Australian Health Promotion Foundation Bill 2015**

Message No. 120 dated 15 March 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 10.35 p.m. until Wednesday, 16 March 2016 at 12.00 noon.

*Members present during any part of the day's proceedings – All the members except Ms W.M. Duncan.*

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

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