

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 124

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

THURSDAY, 19 FEBRUARY 2015

1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petition

Wandina Primary School – Mr I.C. Blayney presented a petition from 56 persons requesting that the Legislative Assembly calls on the Minister for Education to include the Stage 2 build for the Wandina Primary School in the next State Budget (P. 207).

3. Papers

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

By the Clerk –

Botanic Gardens and Parks Authority Act 1998 – Regulations (Botanic Gardens and Parks Amendment Regulations 2014 G.G. 8/01/2015) (2528).

Building Services (Registration) Act 2011 – Regulations (Building Services (Registration) Amendment Regulations (No. 2) 2014 G.G. 19/12/2014) (2529).

Bush Fires Act 1954 – Regulations (Bush Fires Amendment Regulations 2014 G.G. 8/01/2015) (2530).

Caravan Parks and Camping Grounds Act 1995 – Regulations (Caravan Parks and Camping Grounds Amendment Regulations 2014 G.G. 8/01/2015) (2531).

Cemeteries Act 1986 – Local Laws (Cemeteries Amendment Local Law 2014 G.G. 6/01/2015) (2532).

Cemeteries Act 1986 – Local Laws (Shire of Christmas Island Cemeteries Local Law 2013 G.G. 6/01/2015) (2533).

Chattel Securities Act 1987 – Regulations (Chattel Securities Amendment Regulations 2014 G.G. 8/01/2015) (2534).

Community Development and Justice Standing Committee – Government Response to Report No. 7: Age-Friendly WA? A Challenge for Government (2535).

Conservation and Land Management Act 1984 – Regulations (Conservation and Land Management Amendment Regulations 2014 G.G. 8/01/2015) (2536).

Control of Vehicles (Off-road Areas) Act 1978 – Regulations (Control of Vehicles (Off-road Areas) Amendment Regulations 2014 G.G. 8/01/2015) (2537).

- Criminal Procedure Act 2004 – Rules (Criminal Procedure Amendment Rules 2014 G.G. 19/12/2014) (2538).
- Criminal Property Confiscation Act 2000 – Regulations (Criminal Property Confiscation Amendment Regulations 2014 G.G. 30/12/2014) (2539).
- Dangerous Goods Safety Act 2004 – Regulations (Dangerous Goods Safety (Explosives) Amendment Regulations 2014 G.G. 8/01/2015) (2540).
- Dangerous Goods Safety Act 2004 – Regulations (Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Amendment Regulations (No. 2) 2014 G.G. 8/01/2015) (2541).
- Economic Regulation Authority Act 2003 – Regulations (Economic Regulation Authority (Licensing Funding) Regulations 2014 G.G. 30/12/2014) (2542).
- Electricity Act 1945 – Regulations (Electricity (Licensing) Amendment Regulations 2014 G.G. 8/01/2015) (2543).
- Electricity Industry Act 2004 – Regulations (Electricity Industry (Licensing Fees) Repeal Regulations 2014 G.G. 30/12/2014) (2544).
- Energy Coordination Act 1994 – Regulations (Energy Coordination (Licensing Fees) Repeal Regulations 2014 G.G. 30/12/2014) (2545).
- Environmental Protection Act 1986 – Regulations (Noise Abatement (Noise Labelling of Equipment) Amendment Regulations 2014 G.G. 8/01/2015) (2546).
- Gas Standards Act 1972 – Regulations (Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations 2014 G.G. 8/01/2015) (2547).
- Gas Supply (Gas Quality Specifications) Act 2009 – Orders (Gas Supply (Gas Quality Specifications) (Red Gully) Exemption Order 2014 G.G. 23/12/2014) (2548).
- Government Railways Act 1904 – By-laws (Government Railways (Parking Stations) Amendment By-law (No. 2) 2014 G.G. 8/01/2015) (2549).
- Hospitals and Health Services Act 1927 – By-laws (Armadale Kelmscott District Memorial Hospital Amendment By-laws 2014 G.G. 8/01/2015) (2550).
- Hospitals and Health Services Act 1927 – By-laws (Bentley Hospital Amendment By-laws 2014 G.G. 8/01/2015) (2551).
- Hospitals and Health Services Act 1927 – By-laws (Fiona Stanley Hospital Amendment By-laws (No. 2) 2014 G.G. 8/01/2015) (2552).
- Hospitals and Health Services Act 1927 – By-laws (Fremantle Hospital Amendment By-laws 2014 G.G. 8/01/2015) (2553).
- Hospitals and Health Services Act 1927 – By-laws (Metropolitan Health Service Amendment By-laws 2014 G.G. 8/01/2015) (2554).
- Hospitals and Health Services Act 1927 – By-laws (Osborne Park Hospital Amendment By-laws 2014 G.G. 8/01/2015) (2555).
- Hospitals and Health Services Act 1927 – By-laws (Royal Perth Hospital Amendment By-laws (No. 2) 2014 G.G. 8/01/2015) (2556).
- Hospitals and Health Services Act 1927 – By-laws (Swan District Hospital (Eveline Road Site) Amendment By-laws 2014 G.G. 8/01/2015) (2557).
- Hospitals and Health Services Act 1927 – By-laws (WA Country Health Service Amendment By-laws 2014 G.G. 8/01/2015) (2558).
- Hospitals and Health Services Act 1927 – By-laws (Women's and Children's Hospitals Amendment By-laws 2014 G.G. 8/01/2015) (2559).
- Industrial Relations Act 1979 – Regulations (Industrial Relations Commission Amendment Regulations (No. 2) 2015 G.G. 9/01/2015) (2560).
- Land Administration Act 1997 – Regulations (Land Administration (Land Management) Amendment Regulations 2014 G.G. 8/01/2015) (2561).
- Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 5) 2014 G.G. 8/01/2015) (2562).

- Local Government Act 1995 – Local Laws (City of Melville Repeal Local Law 2014 G.G. 16/12/2014) (2563).
- Local Government Act 1995 – Local Laws (City of Subiaco Activities in Thoroughfares and Public Places Local Law 2014 G.G. 16/12/2014) (2564).
- Local Government Act 1995 – Local Laws (City of Subiaco Local Government Property Local Law 2014 G.G. 16/12/2014) (2565).
- Local Government Act 1995 – Local Laws (City of Subiaco Trading in Public Places Local Law 2014 G.G. 16/12/2014) (2566).
- Local Government Act 1995 – Local Laws (Local Government Amendment (Cuballing and Popanyinning Cemeteries) Local Law 2014 G.G. 6/01/2015) (2567).
- Local Government Act 1995 – Local Laws (Local Government Amendment (Property) Local Law 2014 G.G. 6/01/2015) (2568).
- Lotteries Commission Act 1990 – Rules (Lotteries Commission (Saturday Lotto) Amendment Rules (No. 3) 2014 G.G. 16/12/2014) (2569).
- Magistrates Court (Civil Proceedings) Act 2004 – Rules (Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 2014 G.G. 8/01/2015) (2570).
- Magistrates Court Act 2004 – Rules (Magistrates Court (General) Amendment Rules (No. 3) 2014 G.G. 8/01/2015) (2571).
- Marine and Harbours Act 1981 – Regulations (Marine and Harbours (Departmental Areas) Amendment Regulations 2014 G.G. 8/01/2015) (2572).
- Metropolitan Redevelopment Authority Act 2011 – Regulations (Metropolitan Redevelopment Authority Amendment Regulations 2014 G.G. 16/12/2014) (2573).
- Motor Vehicle (Third Party Insurance) Act 1943 – Regulations (Motor Vehicle (Third Party Insurance) Amendment Regulations 2014 G.G. 8/01/2015) (2574).
- Motor Vehicle Dealers Act 1973 – Regulations (Motor Vehicle Dealers (Licensing) Amendment Regulations (No. 2) 2014 G.G. 8/01/2015) (2575).
- Motor Vehicle Dealers Act 1973 – Regulations (Motor Vehicle Dealers (Prescribed Vehicles) Amendment Regulations 2014 G.G. 8/01/2015) (2576).
- Motor Vehicle Dealers Act 1973 – Regulations (Motor Vehicle Dealers (Sales) Amendment Regulations 2014 G.G. 8/01/2015) (2577).
- Motor Vehicle Drivers Instructors Act 1963 – Regulations (Motor Vehicle Drivers Instructors Amendment Regulations 2014 G.G. 8/01/2015) (2578).
- Motor Vehicle Repairers Act 2003 – Regulations (Motor Vehicle Repairers Amendment Regulations (No. 2) 2014 G.G. 8/01/2015) (2579).
- Occupational Safety and Health Act 1984 – Regulations (Occupational Safety and Health Amendment Regulations 2014 G.G. 8/01/2015) (2580).
- Parks and Reserves Act 1895 – By-laws (Government Domain Reserve Amendment By-laws 2014 G.G. 8/01/2015) (2581).
- Parks and Reserves Act 1895 – By-laws (Parliamentary Reserve Amendment By-laws 2014 G.G. 8/01/2015) (2582).
- Pawnbrokers and Second-hand Dealers Act 1994 – Regulations (Pawnbrokers and Second-hand Dealers Amendment Regulations (No. 3) 2014 G.G. 8/01/2015) (2583).
- Perth Market Act 1926 – By-laws (Perth Market Amendment By-laws 2014 G.G. 8/01/2015) (2584).
- Plumbers Licensing Act 1995 – Regulations (Plumbers Licensing and Plumbing Standards Amendment Regulations (No. 2) 2014 G.G. 19/12/2014) (2585).
- Poisons Act 1964 – Regulations (Poisons Amendment Regulations (No. 4) 2014 G.G. 16/12/2014) (2586).
- Police Act 1892 – Regulations (Police (Fees) Amendment Regulations (No. 2) 2014 G.G. 8/01/2015) (2587).
- Port Authorities Act 1999 – Regulations (Port Authorities Amendment Regulations 2014 G.G. 8/01/2015) (2588).

Public Sector Commission – Acquisition and use of Hospitality Resources by Healthway, Investigation Report (2589).

Public Sector Management Act 1994 – Regulations (Public Sector Management (Redeployment and Redundancy) Regulations 2014 G.G. 30/12/2014) (2590).

Racing and Wagering Western Australia Act 2003 – Rules (Rules of Wagering Amendment Rules 2014 G.G. 16/12/2014) (2591).

Radiation Safety Act 1975 – Regulations (Radiation Safety (General) Amendment Regulations 2014 G.G. 30/12/2014) (2592).

Radiation Safety Act 1975 – Regulations (Radiation Safety (Qualifications) Amendment Regulations 2014 G.G. 30/12/2014) (2593).

Rates and Charges (Rebates and Deferments) Act 1992 – Regulations (Rates and Charges (Rebates and Deferments) Amendment Regulations (No. 2) 2014 G.G. 19/12/2014) (2594).

Rights in Water and Irrigation Act 1914 – Regulations (Rights in Water and Irrigation Amendment Regulations 2014 G.G. 16/12/2014) (2595).

Road Traffic (Administration) Act 2008 – Regulations (Road Traffic (Administration) Regulations 2014 G.G. 23/12/2014) (2596).

Road Traffic (Authorisation to Drive) Act 2008 – Regulations (Road Traffic (Authorisation to Drive) Regulations 2014 G.G. 23/12/2014) (2597).

Road Traffic (Vehicles) Act 2012 – Regulations (Road Traffic (Vehicles) Regulations 2014 G.G. 23/12/2014) (2598).

Road Traffic Act 1974 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations 2014 G.G. 16/12/2014) (2599).

Road Traffic Act 1974 – Regulations (Road Traffic (Repeals and Amendment) Regulations 2014 G.G. 23/12/2014) (2600).

Rottneest Island Authority Act 1987 – Regulations (Rottneest Island Amendment Regulations 2014 G.G. 8/01/2015) (2601).

School Education Act 1999 – Regulations (School Education Amendment Regulations (No. 2) 2014 G.G. 8/01/2015) (2602).

State Superannuation Act 2000 – Regulations (State Superannuation Amendment Regulations (No. 3) 2014 G.G. 6/01/2015) (2603).

Supreme Court Act 1935 – Rules (Supreme Court Amendment Rules 2014 G.G. 19/12/2014) (2604).

Taxation Administration Act 2003 – Regulations (Taxation Administration Amendment Regulations 2014 G.G. 8/01/2015) (2605).

Transport Co-ordination Act 1966 – Regulations (Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2014 G.G. 23/12/2014) (2606).

Transport Co-ordination Act 1966 – Regulations (Transport (Country Taxi-car) Amendment Regulations 2014 G.G. 8/01/2015) (2607).

Transport Co-ordination Act 1966 – Regulations (Transport Co-ordination Amendment Regulations 2014 G.G. 8/01/2015) (2608).

Water Services Act 2012 – Regulations (Water Services Amendment Regulations (No. 2) 2014 G.G. 30/12/2014) (2609).

Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations 2014 G.G. 8/01/2015) (2610).

Wildlife Conservation Act 1950 – Regulations (Wildlife Conservation Amendment Regulations 2014 G.G. 8/01/2015) (2611).

Witness Protection (Western Australia) Act 1996 – Regulations (Witness Protection (Western Australia) Amendment Regulations 2014 G.G. 8/01/2015) (2612).

Working with Children (Criminal Record Checking) Act 2004 – Regulations (Working with Children (Criminal Record Checking) Amendment Regulations 2014 G.G. 8/01/2015) (2613).

Zoological Parks Authority Act 2001 – Regulations (Zoological Parks Authority Amendment Regulations 2014 G.G. 8/01/2015) (2614).

4. Notices of Motion

5. Expiration of Notice of Motion

The Speaker advised members that Private Members' Business Notice of Motion No. 2, notice of which was given on 27 February 2014 and renewed for a further 30 sitting days on 14 August 2014, will be removed and will not appear on the next Notice Paper.

6. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the discovery by the WA Museum of a new sea dragon species.

The Minister for Finance on the Department of Finance's Education Capital Works Program.

The Minister for Environment on investigations into illegal trafficking of Western Australian reptiles and resulting arrests.

7. Joint Standing Committee on Delegated Legislation

Mr P. Abetz, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – City of Fremantle Alfresco Dining Local Law 2014, Report 79 (2615).

8. Premier's Statement

The Order of the Day for the resumption of the debate upon the question, That the Premier's Statement be noted, was read.

Debate resumed.

Mr D.A. Templeman moved,

That the following words be added after "noted" –

That this House expresses a lack of confidence in the Minister for Transport for his numerous conflict of interest failures and misleading the Parliament and public on late night trains.

Debate ensued.

Amendment 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

Mr M.P. Murray

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 P.B. Watson

Mr B.S. Wyatt

Mr D.A. Templeman (*Teller*)

Noes (36)

Mr P. Abetz	Mrs G.J. Godfrey	Ms L. Mettam
Mr F.A. Alban	Mr B.J. Grylls	Mr P.T. Miles
Mr C.J. Barnett	Dr K.D. Hames	Ms A.R. Mitchell
Mr I.C. Blayney	Mrs L.M. Harvey	Mr N.W. Morton
Mr I.M. Britza	Mr C.D. Hatton	Dr M.D. Nahan
Mr G.M. Castrilli	Mr A.P. Jacob	Mr D.C. Nalder
Mr V.A. Catania	Dr G.G. Jacobs	Mr J. Norberger
Mr M.J. Cowper	Mr R.F. Johnson	Mr D.T. Redman
Ms M.J. Davies	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
Ms E. Evangel	Mr J.E. McGrath	Mr A. Krsticevic (<i>Teller</i>)

Amendment thus negatived.

On the question, That the Premier's Statement be noted,

Debate resumed.

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

9. Questions

Questions without Notice were taken.

Questions on Notice Nos 3564 to 3596 were asked.

Questions on Notice Nos 3189, 3196, 3209, 3211 and 3254 were answered.

Paper

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

By the Minister for Corrective Services –

Corrective Services, Minister for – Carpenter Labor Government Aims and Key Lines for the Department of Corrective Services (2616).

10. Additional Information

The Minister for Corrective Services provided additional information relating to Question without Notice No. 40 from Mr P. Papalia.

11. Economics and Industry Standing Committee – Extension of Reporting Date

The Speaker advised the House that he had received a letter from the Chairman of the Economics and Industry Standing Committee advising that the committee has resolved to present its report examining safety-related matters concerning Floating Liquefied Natural Gas projects on 23 April 2015.

12. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

13. Premier's Statement

The Order of the Day for the resumption of the debate upon the question, That the Premier's Statement be noted, was read.

Debate resumed.

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

14. Road Traffic Legislation Amendment Bill 2014

Message No. 76 dated 19 February 2015 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the Road Traffic Legislation Amendment Bill 2014 subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Road Traffic Legislation Amendment Bill 2014.

No. 1

New Clause 17, page 7, after line 26 — To insert —

17. Section 21 replaced

Delete section 21 and insert:

21. Section 78A amended

- (1) In section 78A in the definition of *impounding offence (driver's licence)* delete paragraph (b) and insert:
 - (b) an offence against the *Road Traffic (Authorisation to Drive) Act 2008* section 38(1)(a); or
- (2) In section 78A in the definition of *senior police officer* delete “person appointed under the *Police Act 1892* Part I to be a member of the Police Force of Western Australia” and insert:

police officer

No. 2

New Clause 18, page 7, after line 26 — To insert —

18. Section 37 amended

In section 37 in the Table in the 4th row delete “s.59B(3)(c)”.

No. 3

New Clause 19, page 7, after line 26 — To insert —

19. Section 232 amended

In section 232 in the Table in the 2nd row delete “s.12(1) def. of *permit*”.

No. 4

New Part 7, page 7, after line 26 — To insert —

Part 7 — *Road Traffic (Miscellaneous Amendments) Act 2012* amended**20. Act amended**

This Part amends the *Road Traffic (Miscellaneous Amendments) Act 2012*.

21. Section 12 amended

In section 12 delete “49AB(1)(c), 53(1) and (2A), 60(1c)(a)(i)” and insert —

49AB(1)(c)

Ordered, That consideration in detail of Legislative Council Message No. 76 be made an Order of the Day for the next sitting of the Assembly.

15. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 5:31 p.m. until Tuesday, 24 February 2015 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly