

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 125

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 24 FEBRUARY 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. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Planning on the Metropolitan Region Scheme Amendment 1228/41, Bellevue Urban Precinct and Environs.

Papers

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

By the Minister for Planning –

Western Australian Planning Commission – Metropolitan Region Scheme Amendment No. 1228/41, Bellevue Urban Precinct and Environs, Report on Submissions, Submissions, Transcripts of Hearings (2658).

Western Australian Planning Commission – Metropolitan Region Scheme Amendment No. 1228/41, Bellevue Urban Precinct and Environs, Plan No. 3.2463/1 (2660).

The Minister for Environment on the outcome of the review of the *Contaminated Sites Act 2003* conducted by the Department of Environment Regulation.

Paper

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

By the Minister for Environment –

Environment, Minister for – Review of the *Contaminated Sites Act 2003*, February 2015 (2659).

The Parliamentary Secretary to the Minister for Commerce on the introduction of free online access to the National Construction Code.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 3597 to 3599 were asked.

Questions on Notice Nos 3233, 3260 to 3268, 3270 to 3274, 3278 and 3279 were answered.

4. Petitions

TAB – Mrs G. Godfrey presented a petition from 61 persons requesting that the Legislative Assembly commits to ensuring that any proposed sale of the TAB does not proceed (P. 208).

Motorcycling Western Australia – Mr M.J. Cowper presented a petition from 100 persons requesting that the Legislative Assembly supports the campaign for the Government to invest in Motorcycling Western Australia's plan to purchase land and establish a multi-function ride facility near Pinjarra as a home for motorcycling in Western Australia (P. 209).

Bentley Hospital – Mr W.J. Johnston presented a petition from 1 person requesting that the Legislative Assembly calls on the Barnett Government to retain local health services at Bentley Hospital so the local community can access these services close to home (P. 210).

Flashing 40 Signs – Mr W.J. Johnston presented a petition from 1 person requesting that the Legislative Assembly calls on the Barnett Government to ensure that flashing 40 signs are erected in order to reduce driver speed and improve road safety outside schools in the Cannington electorate (P. 211).

Lotterywest Retailers – Mr W.J. Johnston presented a petition from 600 persons requesting that the Legislative Assembly orders that commission from Lotterywest online sales be distributed pro-rata to Lotterywest retailers, and also that there be a full review of the commission structure and an increase in retailer commission (P. 212).

5. 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 – Annual Compliance Report Into the *Criminal Investigation (Covert Powers) Act 2012*, Report to the Minister for Fisheries (2617).

Parliamentary Commissioner for Administrative Investigations [Ombudsman] – Report Under Section 158 of the *Criminal Organisations Control Act 2012* for the Monitoring Period Ended 1 November 2014 (2618).

By the Clerk –

Cat Act 2011 – Local Laws (City of Gosnells Cat Local Law 2014 G.G. 13/01/2015) (2619).

Criminal Procedure Act 2004 – Regulations (Criminal Procedure Amendment Regulations (No. 2) 2015 G.G. 10/02/2015) (2620).

Cross-border Justice Act 2008 – Regulations (Cross-border Justice Amendment Regulations 2015 G.G. 10/02/2015) (2621).

District Court of Western Australia Act 1969 – Regulations (District Court (Fees) Amendment Regulations 2015 G.G. 10/02/2015) (2622).

Dog Act 1976 – Local Laws (Shire of Carnamah Dogs Local Law 2014 G.G. 12/01/2015) (2623).

Dog Act 1976 – Local Laws (Shire of Exmouth Dogs Amendment Local Law 2014 G.G. 23/01/2015) (2624).

Dog Act 1976 – Local Laws (Shire of Trayning Dogs Amendment Local Law 2015 G.G. 20/02/2015) (2625).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2015 G.G. 10/02/2015) (2626).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 6) 2014 G.G. 13/01/2015) (2627).

- Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Burswood Lake) Order 2015 G.G. 20/01/2015) (2628).
- Fish Resources Management Act 1994 – Orders (Prohibition on Herring Trap Nets Order 2015 [1226] G.G. 13/02/2015) (2629).
- Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 2) 2015 G.G. 20/02/2015) (2630).
- Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations 2015 G.G. 23/01/2015) (2631).
- Fisheries Adjustment Schemes Act 1987 – Regulations (Fisheries Adjustment Schemes Amendment Regulations 2015 G.G. 13/01/2015) (2632).
- Health Act 1911 – Regulations (Health (School Dental Therapists) Repeal Regulations 2015 G.G. 23/01/2015) (2633).
- Hospitals and Health Services Act 1927 – Regulations (Hospitals (Services Charges) Amendment Regulations 2015 G.G. 23/01/2015) (2634).
- Legal Profession Act 2008 – Rules (Legal Profession Amendment Rules 2015 G.G. 20/02/2015) (2635).
- Local Government Act 1995 – Local Laws (City of Busselton Activities in Thoroughfares and Public Places and Trading Local Law 2015 G.G. 20/02/2015) (2636).
- Local Government Act 1995 – Local Laws (City of Joondalup Fencing Local Law 2014 G.G. 14/01/2015) (2637).
- Local Government Act 1995 – Local Laws (City of Joondalup Local Government and Public Property Local Law 2014 G.G. 14/01/2015) (2638).
- Local Government Act 1995 – Local Laws (City of Vincent Trading in Public Places Amendment Local Law 2014 G.G. 16/01/2015) (2639).
- Local Government Act 1995 – Local Laws (Shire of Trayning Public Places and Local Government Property Local Law 2015 G.G. 12/02/2015) (2640).
- Local Government Act 1995 – Local Laws (Shire of Waroona Fencing Local Law 2014 G.G. 16/01/2015) (2641).
- Local Government Act 1995 – Local Laws (Shire of Waroona Local Government Property Local Law 2014 G.G. 16/01/2015) (2642).
- Local Government Act 1995 – Local Laws (Shire of Waroona Repeal Local Law 2014 G.G. 16/01/2015) (2643).
- Magistrates Court (Civil Proceedings) Act 2004 – Rules (Magistrates Court (Civil Proceedings) Amendment Rules 2014 G.G. 23/01/2015) (2644).
- Magistrates Court Act 2004 – Regulations (Magistrates Court (Fees) Amendment Regulations 2015 G.G. 10/02/2015) (2645).
- Magistrates Court Act 2004 – Regulations (Magistrates Court Amendment Regulations 2015 G.G. 10/02/2015) (2646).
- Perth Parking Management Act 1999 – Regulations (Perth Parking Management Amendment Regulations 2015 G.G. 13/02/2015) (2647).
- Queen Elizabeth II Medical Centre Act 1966 – By-laws (Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws 2015 G.G. 10/02/2015) (2648).
- Residential Tenancies Act 1987 – Regulations (Residential Tenancies Amendment Regulations (No. 2) 2014 G.G. 20/01/2015) (2649).
- Road Traffic Act 1974 – Regulations (Road Traffic Code Amendment Regulations 2015 G.G. 13/02/2015) (2650).
- School Education Act 1999 – Regulations (School Education Amendment Regulations 2015 G.G. 16/01/2015) (2651).
- Spent Convictions Act 1988 – Regulations (Spent Convictions Amendment Regulations 2015 G.G. 10/02/2015) (2652).
- State Administrative Tribunal Act 2004 – Regulations (State Administrative Tribunal Amendment Regulations 2015 G.G. 10/02/2015) (2653).

State Administrative Tribunal Act 2004 – Rules (State Administrative Tribunal Amendment Rules 2014 G.G. 6/02/2015) (2654).

Taxi Act 1994 – Regulations (Taxi Amendment Regulations 2015 G.G. 20/02/2015) (2655).

Tobacco Products Control Act 2006 – Regulations (Tobacco Products Control Amendment Regulations 2015 G.G. 10/02/2015) (2656).

Transport Co-ordination Act 1966 – Regulations (Country Taxi-cars (Fares and Charges) Amendment Regulations 2015 G.G. 20/02/2015) (2657).

6. Notice of Motion

7. Notice of Motion Lapsed

The Speaker advised that Private Members' Business Notice of Motion No. 2 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

8. Matter of Public Interest – Healthway Sponsorship

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

At least five members having risen in support,

Mr R.H. Cook moved,

That the House condemns the Minister for Health for his lack of oversight within the health portfolio including the Healthway sponsorship and ticketing affair, and calls on the Minister to explain:

- when he was first advised there were ticketing and sponsorship issues within Healthway;
- who he spoke to in relation to these issues; and
- what steps the Minister took to address ticketing and sponsorship issues within Healthway.

Debate ensued.

Question put.

The Assembly divided.

Ayes (19)

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

Mrs M.H. Roberts

Ms R. Saffioti

Mr C.J. Tallentire

Mr P.C. Tinley

Mr P.B. Watson

Mr D.A. Templeman (*Teller*)

Noes (34)

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

Question thus negated.

9. Declared Places (Mentally Impaired Accused) Bill 2013

Message No. 77 dated 24 February 2015 from the Legislative Council was reported agreeing to the bill without amendment.

10. Aquatic Resources Management Bill 2015

The Deputy Premier, pursuant to notice, moved,

That a bill for "An Act to provide for –

- the ecologically sustainable development and management of the State's aquatic resources; and
 - the development of strategies and plans for the conservation of aquatic resources and the protection of aquatic ecosystems; and
 - the development and management of aquaculture that is compatible with the protection of aquatic ecosystems; and
 - the management of aquatic biosecurity; and
 - the repeal of the *Fish Resources Management Act 1994* and the *Pearling Act 1990*; and
 - consequential amendments to various other written laws,
- and for incidental and related purposes." be introduced and read a first time.

Question put and passed.

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

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

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

11. Aquatic Resources Legislation Amendment Bill 2015

The Deputy Premier, pursuant to notice, moved,

That a bill for "An Act to amend the *Aquatic Resources Management Act 2015* and the *Fishing Industry Promotion Training and Management Levy Act 1994*." be introduced and read a first time.

Question put and passed.

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

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

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

12. Sentencing Amendment Bill 2014

The Minister for Police, pursuant to notice, moved,

That a bill for “An Act to amend the *Sentencing Act 1995*.” 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 D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

13. Criminal Law Amendment (Home Burglary and Other Offences) 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 Leader of the House moved, That the debate be adjourned.

Question put and passed.

14. North West Gas Development (Woodside) Agreement 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.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 6 agreed to.

Title agreed to.

Consideration in detail concluded.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for State Development moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

15. Messages from the Legislative Council

Messages from the Legislative Council were reported returning the following bills without amendment –

24 February 2015

Succession to the Crown Bill 2014 (Message No. 78).

Swan and Canning Rivers Management Amendment Bill 2014 (Message No. 79).

Perth Theatre Trust Amendment Bill 2014 (Message No. 80).

16. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.47 p.m. until Wednesday, 25 February 2015 at 12.00 noon.

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

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND

Speaker of the Legislative Assembly