

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 179

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 17 NOVEMBER 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. Speaker's Statement – Terrorist Attacks

At the request of the Speaker, members stood and observed a minute's silence as a sign of respect to the victims of the recent terrorist attacks in Paris, Beirut and various other places.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the Government's Repeal Week and the introduction of measures to remove obsolete legislation and to reduce red tape.

The Minister for Finance on the 2015 Red Tape Reduction Report Card.

Paper

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

By the Minister for Finance –

Finance, Minister for – 2015 Red Tape Reduction Report Card (3629).

The Parliamentary Secretary to the Minister for Commerce on proposed changes to reduce administrative costs on small businesses.

The Minister for Citizenship and Multicultural Interests on the Indian Diwali and Hindu New Year display of special celebratory vegetarian food, along with traditional lighting of the divos lamps, held in the Western Australian State Parliament for the first time.

The Minister for Water with an update on the situation at Minnivale Reservoir in the Shire of Dowerin, where 138 Water Corporation staff and contractors were potentially exposed to white asbestos.

4. Questions

Questions without Notice were taken.

Question on Notice No. 4720 was asked.

Questions on Notice Nos 4580, 4583 to 4585, 4589, 4591, 4593 to 4600, 4602 to 4610, 4612, 4613, 4615, 4618 to 4627 and 4630 were answered.

Paper tabled by the Minister for Health –

Question on Notice No. 4589 – Quarterly Average Weighted Separations and Costs for Hospitals From January 2013 to June 2015 (3623).

Paper tabled by the Minister for Planning –

Question on Notice No. 4584 – Details Property Owned by Western Australian Planning Commission in Bennett Springs (3624).

Papers tabled by the Minister for Water –

Question on Notice No. 4627 – Details of the Hardship Utility Grant Scheme Assistance Requested and Used for Each Suburb in the Mirrabooka Electorate (3625).

Question on Notice No. 4612 – Details of Asset Investment Program Projects Finished by the Water Corporation for Each Financial Year From 2009 to 2015 (3626).

Question on Notice No. 4613 – Details of Asset Investment Program Projects That Cost Over \$5 Million That are Planned for Each Financial Year From 2015 to 2019 (3627).

Paper tabled by the Minister Representing the Minister for Housing –

Question on Notice No. 4625 – Further Details of Rental Waiting Lists Included in the Housing Authorities 2014 to 2015 Annual Report as at 30 September 2015 (3628).

5. Speaker's Statement – Longest Serving Female Member of the Western Australian Parliament

The Speaker advised members that on 8 November, the member for Midland, the Hon Michelle Roberts, became the longest serving female member of the Western Australian Parliament.

Ms Roberts' service, a total of 21 years, 7 months and 20 days, has surpassed the previous longest serving female member Elizabeth Constable, who retired in 2013, also after a period of more than 21 years.

6. Speaker's Statement – Procedural Situation

The Speaker advised members of a procedural situation which occurred on Thursday 12 November.

The consideration in detail stage had concluded on the Perth Market (Disposal) Bill 2015 and, after some discussion, the House agreed to a motion that the third reading of the Bill be made an Order of the Day for the next day's sitting. However, it became clear immediately following this that the Government wanted to move the third reading forthwith and the Leader of the House, acting on advice, moved to rescind the vote. This was agreed to by the House.

The Speaker advised that such a motion requires notice or a suspension of standing orders, neither of which occurred. However, as the rescission had the support of the House and was procedural in nature, the Speaker does not consider that any further action needs to be taken, but advised that this should not be taken as a precedent.

7. Petitions

Reform of Sex Offender Laws – Mr P.C. Tinley presented a petition from 183 persons asking the Barnett Government and the Legislative Assembly respond to a review of sex offender laws, and improve the supervision of sex offenders that have been released, and to urgently introduce legislation into the Parliament to improve these laws to make our community safer (P. 318).

Perth Freight Link: Roe Highway Extension – Mr P.C. Tinley presented a petition from 65 persons requesting the Legislative Assembly to call on the Barnett Government to reverse their decision to

allow the Roe Highway Extension (eastern end of the Perth Freight Link) to go ahead and to allocate the funding awarded to this project to other alternative solutions to freight transfer issues (P. 319).

Drug and Alcohol Support Services – Dr G.G. Jacobs presented a petition from 500 persons asking the Legislative Assembly to direct resources to create a detox unit at Esperance Hospital, an on-call acute mental health service at Esperance Hospital and to increase drug and alcohol counselling services in the community (P. 320).

Woodbridge Primary School – Mrs M.H. Roberts presented a petition from 288 persons asking that the Minister for Education and the Barnett Government acknowledge that Woodbridge Primary School and Guildford Primary School are already operating at capacity and call upon the Government to abandon its plans for demountable classrooms at Woodbridge Primary School and immediately commit to re-opening Midland Primary School (P. 321).

8. Paper

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

By the Speaker –

Inspector of Custodial Services, Office of the – Thermal Conditions of Prison Cells (Received by the Clerk of the Legislative Assembly on 15 October 2015 and held for a period of 30 days) (3607).

By the Clerk –

Biosecurity Council of Western Australia – Annual Report 2014–2015 (3608).

Conservation and Land Management Act 1984 – Regulations (Conservation and Land Management Amendment Regulations (No. 3) 2015 G.G. 10/11/2015) (3609).

Electricity Industry Act 2004 – Regulations (Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 3) 2015 G.G. 13/11/2015) (3610).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 5) 2015 G.G. 13/11/2015) (3611).

Gas Services Information Act 2012 – Regulations (Gas Services Information Amendment Regulations (No. 3) 2015 G.G. 13/11/2015) (3612).

Health Act 1911 – Local Laws (Town of Narrogin Health Repeal Local Law 2015 G.G. 13/11/2015) (3613).

Industrial Relations Act 1979 – Regulations (Industrial Relations Commission (Government School Teachers Tribunal [Elections]) Repeal Regulations 2015 G.G. 13/11/2015) (3614).

Local Government Act 1995 – Local Laws (City of Joondalup Local Government and Public Property Amendment Local Law 2015 G.G. 13/11/2015) (3615).

Local Government Act 1995 – Local Laws (City of Wanneroo Parking Local Law 2015 G.G. 10/11/2015) (3616).

Local Government Act 1995 – Local Laws (Town of Narrogin Repeal Local Law 2015 G.G. 13/11/2015) (3617).

Mental Health Act 2014 – Regulations (Mental Health Regulations 2015 G.G. 13/11/2015) (3618).

Road Traffic (Administration) Act 2008 – Regulations (Road Traffic (Administration) Amendment Regulations (No. 4) 2015 G.G. 13/11/2015) (3619).

Road Traffic (Authorisation to Drive) Act 2008 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations (No. 5) 2015 G.G. 13/11/2015) (3620).

Supreme Court Act 1935 – Rules (Supreme Court Amendment Rules (No. 3) 2015 G.G. 13/11/2015) (3621).

Young Adult Facility Contract (Wandoo Reintegration Facility) – Annual Report 2014–2015 (3622).

9. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper tabled on 24 September 2015 –

Aboriginal Affairs, Department of – Annual Report 2014–2015 (3364).

Paper

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

By the Speaker –

Aboriginal Affairs, Department of – Annual Report 2014–2015 – Erratum (3630).

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

The Speaker advised members that he had appointed the member for Murray-Wellington as an Acting Speaker from Tuesday, 17 November 2015 to Thursday, 19 November 2015.

11. Notices of Motion

12. Licensing Provisions Amendment Bill 2015

The Minister for Finance, pursuant to notice, moved,

That a bill for “An Act to amend the following –

- the *Auction Sales Act 1973*;
- the *Debt Collectors Licensing Act 1964*;
- the *Land Valuers Licensing Act 1978*;
- the *Mining Act 1978*;
- the *Motor Vehicle Dealers Act 1973*;
- the *Real Estate and Business Agents Act 1978*;
- the *Settlement Agents Act 1981*;
- the *Transport Co-ordination Act 1966*.”

be introduced and read a first time.

Question put and passed.

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

The Minister for Finance 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. City of Perth Bill 2015

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

Debate resumed.

Papers

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

By the Local Government, Minister for –

Local Government, Minister for – City of Perth Local Government District, New District Boundary Map (3631).

Local Government, Minister for – City of Perth Local Government District, Western Boundary Plan 404450 (3632).

Question put.

The Assembly divided.

Ayes (37)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr I.M. Britza
Mr G.M. Castrilli
Mr R.H. Cook
Mr J.H.D. Day
Ms E. Evangel
Ms J. Farrer
Ms J.M. Freeman
Mrs G.J. Godfrey
Dr K.D. Hames

Mrs L.M. Harvey
Mr C.D. Hatton
Mr A.P. Jacob
Dr G.G. Jacobs
Mr W.J. Johnston
Mr D.J. Kelly
Mr S.K. L'Estrange
Mr F.M. Logan
Mr J.E. McGrath
Ms L. Mettam
Mr P.T. Miles
Ms A.R. Mitchell
Mr M.P. Murray

Dr M.D. Nahan
Mr J. Norberger
Mr P. Papalia
Ms M.M. Quirk
Mrs M.H. Roberts
Mr A.J. Simpson
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Mr B.S. Wyatt
Mr A. Krsticevic (*Teller*)

Noes (7)

Mr V.A. Catania
Ms M.J. Davies
Ms W.M. Duncan

Mr R.S. Love
Mr D.T. Redman
Mr T.K. Waldron

Mr B.J. Grylls (*Teller*)

Question thus passed.

Bill read a second time.

CONSIDERATION IN DETAIL

The Minister for Local Government moved,

That the scope of the City of Perth Bill 2015 be extended to allow amendments to be moved by the Minister for Local Government to insert new clauses into the Bill relating to disclosure of financial interests provisions in the *Local Government Act 1995*.

Debate ensued.

Question put and passed.

Clause 1.

Paper

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

By the Minister for Local Government –

Local Government, Minister for – A Letter From the Premier to Ms Heather Henderson, Mayor of the City of Subiaco Regarding the Proposed City of Perth Act (3633).

Clause agreed to.

Clauses 2 to 15 agreed to.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

14. Mental Health Amendment Bill 2015

Message No. 111 dated 17 November 2015 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the *Mental Health Act 2014*.”

Question put and passed.

The Parliamentary Secretary representing the Minister for Mental Health presented an explanatory memorandum and bill read a first time.

The Parliamentary Secretary representing the Minister for Mental Health moved, That the bill be now read a second time.

Mr R.H. Cook moved, That the debate be adjourned.

Question put and passed.

15. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 11.07 p.m. until Wednesday, 18 November 2015 at 12 noon.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Mr N.W. Morton, and Mr P.B. Watson.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly