

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 121

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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THURSDAY, 27 NOVEMBER 2014

### 1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

### 2. Petitions

Legal Drinking Age in Western Australia – Mr P. Abetz presented a petition from 125 persons requesting that the Legislative Assembly introduces amendments to raise the legal age for the purchase and consumption of alcohol to 21 (P. 201).

State Housing – Mrs G. Godfrey presented a petition from 46 persons requesting that the Legislative Assembly calls on the Minister for Housing to address the high density of state housing in Cloverdale by selling the state-owned house at 408 Daly Street and re-purchasing a house in an area with a lower state housing density (P. 202).

State Housing – Ms S. McGurk presented a petition from 4 persons requesting that the Legislative Assembly calls on the Government to apply the Department of Housing's Urban Renewal Development Policy as a matter of urgency in the Davis Park precinct in Beaconsfield in order to break up the concentration of public housing, and to provide increased support services to residents who have been affected by violence, crime and antisocial behaviour (P. 203).

Pain Medicine Unit – Ms S. McGurk presented a petition from 30 persons requesting that the Legislative Assembly calls on the Government to reverse the decision to decrease the number of doctors, staff and service capacity of the Pain Medicine Unit, to reinstate those who have been cut from the program and also to support the further development and expansion of this team (P. 204).

Bus Service 403 – Mr C.D. Hatton presented a petition from 80 persons requesting that the Public Transport Authority re-evaluates the decision to place a bus route through Princeton Estate (P. 205).

### 3. Death of Ronald Edward Bertram – a former Member of the Legislative Assembly

The Premier, without notice, moved,

That the House records its sincere regret at the death of Ronald Edward Bertram and tenders its deep sympathy to his family.

The motion was supported by Mr M. McGowan, Mr V.A. Catania, Mr C.D. Hatton and Mrs M.H. Roberts.

Question put and passed unanimously with members and officers of the Assembly standing in their places as a mark of respect.

#### **4. Papers**

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

By the Clerk –

Education and Care Services Ombudsman, National Education and Care Services Freedom of Information and Privacy Commissioners – Annual Report 2013–2014 (2430).

Financial Management Act 2006 – Notice Under Section 82 of the Act From the Minister for Planning in Respect to Legislative Council Question on Notice No. 1751 (2431).

Premier and Cabinet, Department of – Ministerial Resourcing Report as at 6 November 2014 (2432).

Road Safety Council – Report on Activities 2013–2014 (2433).

State Emergency Management Committee – Emergency Preparedness Report 2014 (2434).

#### **5. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Premier on the International Centre for Radio Astronomy Research.

The Minister for Health on the Western Australian Health Clinical Services Framework 2014–2024.

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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 – WA Health Clinical Services Framework 2014–2024 (2435).

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The Minister for Environment on the Albany aerial support aircraft and the ‘Are You Ready?’ bushfire campaign.

The Minister for Racing and Gaming on taxation arrangements for Crown Perth Casino.

#### **6. Grievances**

The Speaker called for grievances which were then made.

#### **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 – Inquiry into a Proposed Template Waste Local Law, Report 77 (2436).

#### **8. Education and Health Standing Committee**

Dr G.G. Jacobs, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Education and Health Standing Committee – Shining a Light on FIFO Mental Health, A Discussion Paper, Report No. 4 (2437).

Ms R. Saffioti, Mr M.J. Cowper, Ms J.M. Freeman and Mr R.F. Johnson spoke on the report.

### 9. Land Acquisition Legislation Amendment (Compensation) Bill 2014

The Premier, pursuant to notice, moved,

That a bill for “An Act to amend the *Land Administration Act 1997*, the *Energy Operators (Powers) Act 1979*, the *Water Agencies (Powers) Act 1984* and the *Water Services Act 2012*.” be introduced and read a first time.

Question put and passed.

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

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

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#### *Paper*

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

By the Premier –

Premier – A Private Property Rights Charter for Western Australia (2439).

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

Question put and passed.

### 10. Variation to the Order of Business

Ordered, That consideration of Bills Notice of Motion No. 2 be postponed to a later stage of the sitting.

### 11. Appropriation (Capital 2010-11 to 2013-14) Supplementary Bill 2014

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to appropriate out of the Consolidated Account –

- a sum for capital payments made during the year ended 30 June 2011 under the authority of the *Financial Management Act 2006*; and
- a sum for capital payments made during the year ended 30 June 2012 under the authority of the *Financial Management Act 2006*; and
- a sum for capital payments made during the year ended 30 June 2013 under the authority of the *Financial Management Act 2006*; and
- a sum for capital payments made during the year ended 30 June 2014 under the authority of the *Financial Management Act 2006*.”

be introduced and read a first time.

Question put and passed.

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

The Treasurer 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. Appropriation (Recurrent 2010-11 to 2013-14) Supplementary Bill 2014

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to appropriate out of the Consolidated Account –

- a sum for recurrent payments made during the year ended 30 June 2011 under the authority of the *Financial Management Act 2006*; and
- a sum for recurrent payments made during the year ended 30 June 2012 under the authority of the *Financial Management Act 2006*; and

- a sum for recurrent payments made during the year ended 30 June 2013 under the authority of the *Financial Management Act 2006*; and
- a sum for recurrent payments made during the year ended 30 June 2014 under the authority of the *Financial Management Act 2006*.”

be introduced and read a first time.

Question put and passed.

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

The Treasurer 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. Variation to the Order of Business**

Ordered, That Bills Notice of Motion No. 2 be next considered.

### **14. Aboriginal Heritage Amendment Bill 2014**

The Deputy Premier, pursuant to notice, moved,

That a bill for “An Act to amend the *Aboriginal Heritage Act 1972*.” 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.

### **15. Local Government Legislation Amendment Bill 2014**

The Minister for Local Government, pursuant to notice, moved,

That a bill for “An Act –

- to make various amendments to the *Local Government Act 1995*; and
- to amend the *Local Government Act 1995* to enable local governments to form regional subsidiaries and to make consequential amendments to other Acts; and
- to amend the *Botanic Gardens and Parks Authority Act 1998*, the *Land Administration Act 1997* and the *Rottmest Island Authority Act 1987* with respect to local government powers.” be introduced and read a first time.

Question put and passed.

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

The Minister for Local Government moved, That the bill be now read a second time.

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

Question put and passed.

### **16. Rail Safety National Law (WA) Bill 2014**

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

Debate resumed.

Question put and passed.

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

**17. Child Support (Adoption of Laws) 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.

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

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

Debate ensued.

Question put and passed.

Bill read a third time and passed.

**18. Associations Incorporation Bill 2014**

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

Debate resumed.

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

**19. Members' Statements**

The Acting Speaker called for members' statements which were then made.

**20. Questions**

Questions without Notice were taken.

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*Suspension of Member*

The Speaker, having called Mr J.R. Quigley to order more than three times, suspended the member from the service of the Assembly for the remainder of the sitting.

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Questions on Notice Nos 3235 to 3309 were asked.

Questions on Notice Nos 3135 and 3188 were answered.

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Paper tabled by the Minister Representing the Minister for Fisheries –

Question on Notice No. 3188 – Map Showing Extent of Spread of *Didemnum Perlucidum* (2438).

**21. Unanswered Question on Notice**

Mr D.A. Templeman (on behalf of Ms M.M. Quirk) asked why no answer had been received in respect of her Question on Notice No. 3135.

**22. Papers**

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

By the Clerk –

Financial Management Act 2006 – Notice under Section 82 of the Act from the Acting Minister for Tourism in Respect to Legislative Assembly Question on Notice No. 3135 (2440).

Government of Western Australia – Quarterly Financial Results Report, September 2014 (2441).

### **23. Message from the Legislative Council**

Message No. 67 dated 26 November 2014 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the following resolution and invites the Legislative Assembly to agree to same –

In relation to the constitution, powers and procedure of the Joint Standing Committee on Delegated Legislation –

- (1) The Standing Orders applicable to committees of the Legislative Council will apply to the Committee's proceedings except to the extent that they impinge upon the functioning of the Committee.
- (2) Legislative Assembly Standing Orders 249(1), (2) and (3), 252, 254, 262, 263 and 264 will apply to the Legislative Assembly Members of the Committee.
- (3) Any Member of the Legislative Council or Legislative Assembly may participate in the taking of oral evidence by the Committee, and by leave of the Committee, its deliberations and proceedings but may not vote, move any motion, or be counted for the purpose of a quorum.
- (4) Leave under (3) may be given only for a specific inquiry, but any Member of the Legislative Council or Legislative Assembly may be given leave in relation to more than one inquiry.

Ordered, That consideration in detail of Legislative Council Message No. 67 be made an Order of the Day for the next sitting of the Assembly.

### **24. Variation to the Order of Business**

Ordered, That consideration of Government Business Order of the Day No. 3 be resumed.

### **25. Associations Incorporation 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*

Clause 1 agreed to.

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

Question put and passed.

### **26. Perth Theatre Trust 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.

Leave was granted to proceed forthwith to the third reading of the bill.  
The Minister for Culture and the Arts moved, That the bill be now read a third time.  
Question put and passed.  
Bill read a third time and forwarded to the Legislative Council for concurrence.

**27. Personal Explanation**

The Premier made a personal explanation on the correction of errors contained in his answer to Question on Notice No. 3038.

**28. 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 ensued.  
Question put and passed.

**29. Message from the Governor**

Message No. 28 from Her Excellency the Governor was reported recommending that appropriations be made for the purposes of the Land Acquisition Legislation Amendment (Compensation) Bill 2014.

**30. Special Adjournment**

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 17 February 2015 at 2.00 p.m.  
Debate ensued.  
Question put and passed.

**31. Adjournment**

The Leader of the House moved, That the House do now adjourn.  
Question put and passed.  
The Assembly adjourned accordingly at 5.19 p.m. until Tuesday, 17 February 2015 at 2.00 p.m.  
*Members present during any part of the day's proceedings* – All the members except Ms J. Farrer, Mr J.M. Francis, Mr B.J. Grylls, Ms L. Mettam, Ms M.M. Quirk and Mr D.T. Redman.

**PETER J. McHUGH**  
Clerk of the Legislative Assembly

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