

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 57

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 4 DECEMBER 2013

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Public Transport Re-instatement – Mr J.R. Quigley presented a petition from 91 persons asking that the Legislative Assembly ensures that the Minister for Transport directs Transperth to re-instate the bus service along Hester Avenue in Merriwa (P. 83).

Yanchep District High School – Mr J.R. Quigley presented a petition from 312 persons requesting that the Legislative Assembly reverses the decision to cut funding to, and complete the promised upgrade on, Yanchep District High School (P. 84).

457 Visas – Ms M.M. Quirk presented a petition from 20 persons requesting that the Legislative Assembly rescinds its decision to require subclass 457 visa holders to pay fees to send their children to government schools (P. 85).

WACA Test 2014–2015 – Ms M.M. Quirk presented a petition from 16 persons requesting that the Legislative Assembly directs the State Government to protest in the strongest possible terms to Cricket Australia to overturn its decision to cancel the WACA as the venue for the test match (P. 86).

Cockburn Council – Mr F.M. Logan presented a petition from 344 persons requesting that the Legislative Assembly calls on the State Government to leave the City of Cockburn's current boundaries in place (P. 87).

Asbestos – Mr W.J. Johnston presented a petition from 32 persons requesting that the Legislative Assembly notes the importance of protecting families by informing residents in advance of demolishing buildings or land clearing with asbestos present (P. 88).

Ferndale Oval – Mr W.J. Johnston presented a petition from 8 persons requesting that the Legislative Assembly calls on the Barnett Government to support the community's opposition of the proposed amendments and re-zoning of the oval located at Lot 500 Karri Way Ferndale (P. 89).

Senior Citizens Club and the City of Canning – Mr W.J. Johnston presented a petition from 2 persons requesting that the Legislative Assembly calls on the Barnett Government to ensure Herald Avenue Senior Citizens Club (Inc.) remains within the City of Canning (P. 90).

City of Canning – Mr W.J. Johnston presented a petition from 18 persons requesting that the Legislative Assembly calls on the Barnett Government to cease any plans to amalgamate the City of Canning (P. 91).

3. 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 2012–2013 (1249).

Emergency Management Act 2005 – Report on the Statutory Review of the Act (1250).

Planning and Development Act 2005 – Ministerial Order to the City of Subiaco, Relating to Lots 201–204 Troy Terrace, Daglish (1251).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Tourism on the new Air New Zealand direct flights between Christchurch and Perth.

The Minister for Planning on the release of the Swan Valley Land Use Report, entitled *The Way Forward – Swan Valley Land Use and Development*.

The Minister for Finance on the report to Parliament in accordance with section 134 of the *Taxation Administration Act 2003*.

Paper

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

By the Minister for Finance –

Taxation Administration Act 2003 – Report to Parliament in accordance with section 134 of the *Taxation Administration Act 2003* (1252).

5. Mental Health Legislation Amendment Bill 2013

The Parliamentary Secretary to the Minister for Mental Health, pursuant to notice, moved,

That a bill for “An Act–

- to amend the *Mental Health Act 1996* to address certain matters relating to the Chief Psychiatrist’s powers pending the commencement of the *Mental Health Act 2013*; and
- to amend the *Mental Health Act 2013* by inserting Parts 28 and 29 for the purposes of repealing the *Mental Health Act 1996*, the *Mental Health (Consequential Provisions) Act 1996* and certain subsidiary legislation made under those Acts and making certain transitional arrangements; and
- to amend the *Criminal Law (Mentally Impaired Accused) Act 1996*, the *Guardianship and Administration Act 1990*, the *Hospitals and Health Services Act 1927* and certain other Acts.” be introduced and read a first time.

Question put and passed.

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

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

Ms R. Saffioti moved, That the debate be adjourned.

Question put and passed.

6. Ports Legislation Amendment Bill 2013

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 16 to 45 agreed to.

Title agreed to.

Consideration in detail concluded.

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

Debate ensued.

Debate interrupted by the Chair (Ms R. Saffioti speaking) and adjourned until a later stage of the sitting.

7. Speaker's Statement – Display of Items in the Chamber

The Speaker advised members that Speaker Woodhams ruled on 12 November 2009 that members needed permission to bring any item into the Chamber. Speaker Woodhams' ruling was made in the context of the then Minister for Police bringing weapons into the Chamber in relation to a Bill before the House. Quite regularly members had used documents, diagrams, charts or like items to illustrate a point they were making to the House in the course of a speech and in practice the Chair has allowed these items to be displayed without individual permission, provided the item is not overly large. If a member wished to display objects apart from reasonably sized documents, charts or graphs, particularly any item which was large or unusual, the member needed to obtain the permission of the Chair beforehand. The Speaker advised that members might also consider whether the display of an object really added value to their contribution, and keep in mind that those details were not recorded in Hansard.

8. Questions

Questions without Notice were taken.

Questions on Notice Nos 1597 to 1611 were asked.

Questions on Notice Nos 1357, 1360, 1361, 1363, 1365 to 1371, 1373, 1492, 1521 and 1548 were answered.

Suspension of Member

The Speaker, having called Ms M.M. Quirk to order more than three times, suspended the member from the service of the Assembly for the remainder of the sitting.

9. Variation to the Order of Business

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

10. Ports Legislation Amendment Bill 2013

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.

11. Mining Legislation Amendment Bill 2013

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 W.J. Johnston speaking) and adjourned until a later stage of the sitting.

12. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 17 be next considered.

13. Economic Management

Mr M. McGowan, pursuant to notice, moved,

That the House condemns the Barnett Government for its poor economic management and appalling failures across a multitude of portfolios in 2013.

Debate ensued.

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

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 7.00 p.m. until Thursday, 5 December at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr M.H. Taylor.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly