

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 89

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 24 JUNE 2014

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 Mines and Petroleum on the expansion of the Perth Core Library facilities located in Carlisle.

The Minister for Heritage on the Government's increased funding for the Heritage Council's Heritage Grants Program.

The Minister for Transport on grant funding for recreational boating facilities in Western Australia.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 2405 to 2431 were asked.

Question on Notice No. 2344 was answered.

4. Petitions

Rosehill Golf Course – Mrs G.J. Godfrey presented a petition from 101 persons requesting that the Legislative Assembly rejects the rezoning of the Rosehill Golf Course (P. 146).

Hazelmere Pyrolysis Plant – Mrs M.H. Roberts presented a petition from 56 persons requesting that the Minister for Environment refuses the East Metropolitan Regional Council's proposal for a pyrolysis plant in Hazelmere (P. 147).

5. Papers

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

By the Clerk –

Auction Sales Act 1973 – Regulations (Auction Sales Amendment Regulations 2014 G.G. 17/06/2014) (1738).

Building Act 2011 – Regulations (Building Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1739).

Building Services (Complaint Resolution and Administration) Act 2011 – Regulations (Building Services (Complaint Resolution and Administration) Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1740).

Building Services (Registration) Act 2011 – Regulations (Building Services (Registration) Amendment Regulations 2014 G.G. 17/06/2014) (1741).

Construction Contracts Act 2004 – Regulations (Construction Contracts Amendment Regulations 2014 G.G. 17/06/2014) (1742).

Dangerous Goods Safety Act 2004 – Regulations (Dangerous Goods Safety (Explosives) Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1743).

Dangerous Goods Safety Act 2004 – Regulations (Dangerous Goods Safety (Major Hazard Facilities) Amendment Regulations 2014 G.G. 17/06/2014) (1744).

Debt Collectors Licensing Act 1964 – Regulations (Debt Collectors Licensing Amendment Regulations 2014 G.G. 17/06/2014) (1745).

Electricity Act 1945 – Regulations (Electricity (Licensing) Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1746).

Employment Agents Act 1976 – Regulations (Employment Agents Amendment Regulations 2014 G.G. 17/06/2014) (1747).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 2014 G.G. 20/06/2014) (1748).

Firearms Act 1973 – Regulations (Firearms Amendment Regulations 2014 G.G. 17/06/2014) (1749).

Gas Standards Act 1972 – Regulations (Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1750).

Land Valuers Licensing Act 1978 – Regulations (Land Valuers Licensing Amendment Regulations 2014 G.G. 17/06/2014) (1751).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 3) 2014 G.G. 17/06/2014) (1752).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 2) 2014 G.G. 20/06/2014) (1753).

Motor Vehicle Dealers Act 1973 – Regulations (Motor Vehicle Dealers (Licensing) Amendment Regulations (No. 3) 2014 G.G. 17/06/2014) (1754).

Motor Vehicle Repairers Act 2003 – Regulations (Motor Vehicle Repairers Amendment Regulations (No. 3) 2014 G.G. 17/06/2014) (1755).

Occupational Safety and Health Act 1984 – Regulations (Occupational Safety and Health Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1756).

Offshore Minerals Act 2003 – Regulations (Offshore Minerals Amendment Regulations 2014 G.G. 20/06/2014) (1757).

Pawnbrokers and Second-hand Dealers Act 1994 – Regulations (Pawnbrokers and Second-hand Dealers Amendment Regulations 2014 G.G. 17/06/2014) (1758).

Petroleum (Submerged Lands) Act 1982 – Regulations (Petroleum (Submerged Lands) Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1759).

Petroleum (Submerged Lands) Registration Fees Act 1982 – Regulations (Petroleum (Submerged Lands) Registration Fees Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1760).

Petroleum and Geothermal Energy Resources (Registration Fees) Act 1967 – Regulations (Petroleum and Geothermal Energy Resources (Registration Fees) Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1761).

Petroleum and Geothermal Energy Resources Act 1967 – Regulations (Petroleum and Geothermal Energy Resources Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1762).

Petroleum Pipelines Act 1969 – Regulations (Petroleum Pipelines Amendment Regulations (No. 2) 2014 G.G. 17/06/2014) (1763).

Plumbers Licensing Act 1995 – Regulations (Plumbers Licensing and Plumbing Standards Amendment Regulations 2014 G.G. 17/06/2014) (1764).

Police Act 1892 – Regulations (Police (Fees) Amendment Regulations 2014 G.G. 17/06/2014) (1765).

Port Authorities Act 1999 – Regulations (Port Authorities Amendment Regulations (No. 2) 2014 G.G. 20/06/2014) (1766).

Queen Elizabeth II Medical Centre Act 1966 – By-laws (Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2014 G.G. 17/06/2014) (1767).

Real Estate and Business Agents Act 1978 – Regulations (Real Estate and Business Agents (General) Amendment Regulations 2014 G.G. 17/06/2014) (1768).

Rottneest Island Authority Act 1987 – Regulations (Rottneest Island Amendment Regulations (No. 2) 2014 G.G. 20/06/2014) (1769).

Security and Related Activities (Control) Act 1996 – Regulations (Security and Related Activities (Control) Amendment Regulations 2014 G.G. 17/06/2014) (1770).

Settlement Agents Act 1981 – Regulations (Settlement Agents Amendment Regulations 2014 G.G. 17/06/2014) (1771).

Tobacco Products Control Act 2006 – Regulations (Tobacco Products Control Amendment Regulations (No. 3) 2014 G.G. 20/06/2014) (1772).

Travel Agents Act 1985 – Orders (Travel Agents (Application of Provisions) Order 2014 G.G. 20/06/2014) (1773).

Western Australian Photo Card Act 2014 – Regulations (Western Australian Photo Card Regulations 2014 G.G. 17/06/2014) (1774).

6. Notices of Motion

7. Removal of Orders of the Day

The Speaker advised members that the Orders of the Day that appeared on the last Notice Paper as Nos 1 and 2 under Private Members' Business, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

8. Matter of Public Interest – Transport Portfolio

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

At least five members having risen in support,

Mr M. McGowan moved,

That this House condemns the Barnett Government for its failure to implement a functional and cohesive transport plan resulting in increased congestion, broken major transport election commitments, higher charges and confusion in the community from the numerous transport thought bubbles from the Ministers for Transport.

Debate ensued.

Question put.

The Assembly divided.

Ayes (18)

Dr A.D. Buti
Mr R.H. Cook
Ms J.M. Freeman
Mr W.J. Johnston
Mr D.J. Kelly
Mr M. McGowan

Ms S.F. McGurk
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 (34)

Mr P. Abetz	Mr J.M. Francis	Ms A.R. Mitchell
Mr F.A. Alban	Mrs G.J. Godfrey	Mr N.W. Morton
Mr C.J. Barnett	Mr B.J. Grylls	Dr M.D. Nahan
Mr I.C. Blayney	Dr K.D. Hames	Mr D.C. Nalder
Mr I.M. Britza	Mrs L.M. Harvey	Mr J. Norberger
Mr T.R. Buswell	Mr C.D. Hatton	Mr D.T. Redman
Mr V.A. Catania	Mr A.P. Jacob	Mr A.J. Simpson
Mr M.J. Cowper	Dr G.G. Jacobs	Mr M.H. Taylor
Ms M.J. Davies	Mr R.F. Johnson	Mr T.K. Waldron
Mr J.H.D. Day	Mr S.K. L'Estrange	Mr J.E. McGrath (<i>Teller</i>)
Ms W.M. Duncan	Mr R.S. Love	
Ms E. Evangel	Mr W.R. Marmion	

Question thus negated.

9. Perth Theatre Trust Amendment Bill 2014

The Minister for Culture and the Arts, pursuant to notice, moved,

That a bill for “An Act to amend the *Perth Theatre Trust Act 1979*.” be introduced and read a first time.

Question put and passed.

The Minister for Culture and the Arts presented an explanatory memorandum and bill read a first time.

The Minister for Culture and the Arts moved, That the bill be now read a second time.

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

Question put and passed.

10. Electoral 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.

Speaker's Statement – Absolute Majority at Second and Third Readings

The Speaker advised members that it was his view that the second and third readings of the Electoral Amendment Bill 2014 needed to be passed with the concurrence of an absolute majority of the members of the House; that is, 30 members.

The Speaker's view was based on section 16M of the *Electoral Act 1907* which states that a Bill which alters certain provisions of Part IIA of the Act, which this Bill did, requires an absolute majority to pass the second and third reading stages.

In this case, the Speaker advised members that he would follow the procedure used in determining whether an absolute majority was in favour of a suspension of standing orders without notice. Under that procedure, he would announce that if there was a dissentient voice when putting the question on the second or third reading, he would divide the house. If there was no dissentient voice, the Speaker would count the members present and declare the question to be carried by an absolute majority if that was the case.

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the question for the second reading of the bill to be carried with the concurrence of an absolute majority of the whole number of members of the House.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 4 agreed to.

Clause 5.

Mr W.J. Johnston moved,

Page 3, lines 15 and 16 – To delete “, protections and immunities”.

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

Question put and passed.

11. Appropriation (Consolidated Account) Capital 2014-15 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.

12. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 11.22 p.m. until Wednesday, 25 June 2014 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Mr G.M. Castrilli, Ms J. Farrer, Mr A. Krsticevic and Mr F.M. Logan.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly