

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 163

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

THURSDAY, 10 SEPTEMBER 2015

1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

2. Petition

Dutton Crescent, Hamersley – Mr C.D. Hatton presented a petition from 78 persons requesting the Legislative Assembly to immediately provide temporary privacy mitigation to affected residential properties along Dutton Crescent, Hamersley; provide long privacy mitigation, other than vegetation alone, to affected residential properties along Dutton Crescent, Hamersley; and provide a noise wall or noise mitigation along the northern side of Reid Highway from Erindale Road to the Mitchell Freeway (P. 279).

3. Papers

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

By the Clerk –

Parliamentary Inspector of the Corruption and Crime Commission – Annual Report 2014–2015 (3264).

Western Australian Industrial Relations Commission, Department of the Registrar – Annual Report 2014–2015 (3265).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Planning on the revised State Planning Policy 5.2 Telecommunications Infrastructure, which provides guidance to local governments on planning matters relating to the location, design and installation of telecommunications infrastructure.

The Parliamentary Secretary to the Minister for Mental Health on *R U OK?* Day and World Suicide Prevention Day 2015.

5. Grievances

The Speaker called for grievances which were then made.

6. Natural Gas (Canning Basin Joint Venture) Agreement Amendment Bill 2015

The Minister for State Development, pursuant to notice, moved,

That a bill for “An Act to to amend the *Natural Gas (Canning Basin Joint Venture) Agreement Act 2013*.” be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

7. Variation to the Order of Business

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

8. Western Australian Health Promotion Foundation Bill 2015

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

CONSIDERATION IN DETAIL

Clauses 31 to 42 agreed to.

Clause 43.

The Minister for Health moved,

Page 21, lines 23 to 25 — To delete the lines and insert:

“

- (a) the period from the issue of the writ for a general election, whether State or Federal, to be held within the State until the close of voting in that election; or
- (b) the period from the issue of the writ for an election in relation to a vacancy, whether State or Federal, to be held within the State until the close of voting in that election, if the decision relates to the division or district in respect of which that election is to be held.

”.

Amendment agreed to.

Mr R.H. Cook moved,

Page 21, after line 25 – To insert:

“

- (3A) A publication, pamphlet or advertisement that is paid for, wholly or in part, from the money from time to time standing to the credit of the Account is not to contain any picture of, statement by or reference to any Member of Parliament, other than any statement or reference of that kind —
 - (a) required by law; or
 - (b) necessary or desirable for a proper understanding of the subject matter of that publication, pamphlet or advertisement,
 and no money is to be paid under this section in such a manner that any Member of Parliament is, or appears to be, associated with that payment.

”.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

9. Members' Statements

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

10. Questions

Questions without Notice were taken.

Questions on Notice Nos 4529 to 4550 were asked.

Questions on Notice No 4402 was answered.

11. Messages from the Legislative Council

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

10 September 2015

Constitution Amendment (Recognition of Aboriginal People) Bill 2015 (Message No. 98).

Children and Community Services Legislation Amendment and Repeal Bill 2014 (Message No. 99).

12. Variation to the Order of Business

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

13. Western Australian Health Promotion Foundation Bill 2015

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

CONSIDERATION IN DETAIL

Clause 43.

Mr R.H. Cook had moved,

Page 21, after line 25 – To insert:

“

(3A) A publication, pamphlet or advertisement that is paid for, wholly or in part, from the money from time to time standing to the credit of the Account is not to contain any picture of, statement by or reference to any Member of Parliament, other than any statement or reference of that kind —

(a) required by law; or

(b) necessary or desirable for a proper understanding of the subject matter of that publication, pamphlet or advertisement,

and no money is to be paid under this section in such a manner that any Member of Parliament is, or appears to be, associated with that payment.

”

Amendment put.

The Assembly divided.

Ayes (17)

Ms L.L. Baker

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

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 (31)

Mr P. Abetz
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr G.M. Castrilli
 Mr M.J. Cowper
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms W.M. Duncan
 Ms E. Evangel
 Mr J.M. Francis

Mrs G.J. Godfrey
 Mr B.J. Grylls
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr C.D. Hatton
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr S.K. L'Estrange
 Mr W.R. Marmion
 Mr J.E. McGrath
 Ms L. Mettam

Mr P.T. Miles
 Ms A.R. Mitchell
 Mr N.W. Morton
 Mr D.C. Nalder
 Mr J. Norberger
 Mr D.T. Redman
 Mr M.H. Taylor
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Amendment thus negatived.

The Minister for Health moved,

Page 22, after line 17 – To insert:

“

- (4A) A decision of the Foundation to disburse any money from the Account must be approved by the Minister before the money is disbursed.

”

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 44 to 48 agreed to.

Clause 49.

Mr R.H. Cook moved,

Page 26, after line 5 – To insert:

“

- (c) within three months the Minister must prepare a response to the report and cause a copy of the report of the report to be laid before each House of Parliament.

”

Amendment put and negatived.

Clause agreed to.

Clauses 50 to 77 agreed to.

Title agreed to.

Consideration in detail concluded.

Ordered, That the third reading of the bill be made an Order of the Day for the next sitting of the Assembly.

14. Revenue Laws Amendment Bill 2015

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

CONSIDERATION IN DETAIL

Clauses 1 to 17 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 Finance 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. Correction to Tabled Paper

On 8 September 2015 a report of the Standing Committee on Uniform Legislation and Statutes Review was tabled in the Assembly, pursuant to a requirement in the *Planning and Development Act 2005* that such a report be laid before each House.

The Acting Speaker advised that today the Speaker had received a letter from the Chair of the Committee advising that paragraph 3.227 of the report contained an incorrect figure of the number of days a Development Assessment Panel application takes to process.

The Speaker dealt with this advice as a request under Standing Order 156 and has accordingly authorised that the Chair's letter, which details the correction, be attached to the following paper tabled on 17 February 2015 –

Uniform Legislation and Statutes Review, Standing Committee on – Review of the Planning and Development (Development Assessment Panels) Regulations 2011, Report 93 in Accordance with Section 171F(2) of the Planning and Development Act 2005 (3252).

Paper

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

By the Speaker –

Uniform Legislation and Statutes Review, Standing Committee on – Review of the Planning and Development (Development Assessment Panels) Regulations 2011, Report 93 in Accordance with Section 171F(2) of the Planning and Development Act 2005 – Erratum (3266).

16. Education and Health Standing Committee – Extension of Reporting Date

The Acting Speaker advised the House that the Education and Health Standing Committee had resolved to extend its reporting date to the House on its consideration of the report of the inquiry into the transition and operation of services at Fiona Stanley Hospital to 12 November 2015.

17. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 4.38 p.m. until Tuesday, 15 September 2015 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr F.A. Alban, Mr V.A. Catania, Mr S. Love and Dr M.D. Nahan.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly