

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 96

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 20 AUGUST 2014

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Papers

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

By the Speaker –

Auditor General, Office of the – Annual Report 2013–2014 (1951).

By the Clerk –

Public Sector Commission – Review of the *Commissioner for Children and Young People Act 2006* (1952).

Water Corporation – Statement of Corporate Intent 2014–2015 (1954).

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on National Science Week.

The Minister for Mines and Petroleum on the 22nd annual Diggers and Dealers Mining Forum held in Kalgoorlie-Boulder.

The Minister for Environment on the appointment of Mr Jason Banks to the inaugural position of Director General of the Department of Environment Regulation.

4. Taxation Legislation Amendment Bill 2014

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

CONSIDERATION IN DETAIL

Clauses 12 and 13 agreed to.

Clause 14.

Ms R. Saffioti moved,

Page 23, after line 14 – To insert:

“

- (11) A determination under this section is subsidiary legislation for the purposes of the *Interpretation Act 1984*.
- (12) Section 42 of the *Interpretation Act 1984* applies to and in relation to a determination made under this section as if the determination were a regulation.

”.

Amendment put.

The Assembly divided.

Ayes (16)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Ms J. Farrer
Ms J.M. Freeman
Mr W.J. Johnston

Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr M.P. Murray
Ms M.M. Quirk
Ms R. Saffioti

Mr C.J. Tallentire
Mr P.C. Tinley
Mr P.B. Watson
Mr D.A. Templeman (*Teller*)

Noes (33)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr I.M. Britza
Mr G.M. Castrilli
Mr V.A. Catania
Ms M.J. Davies
Mr J.H.D. Day
Ms W.M. Duncan
Ms E. Evangel

Mrs G.J. Godfrey
Mr B.J. Grylls
Dr K.D. Hames
Mr C.D. Hatton
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
Mr S.K. L'Estrange
Mr R.S. Love
Mr W.R. Marmion
Mr J.E. McGrath

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

Amendment thus negatived.

On the question, That clause 14 be agreed to,

Clause put.

The Assembly divided.

Ayes (33)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr G.M. Castrilli
 Mr V.A. Catania
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms W.M. Duncan
 Ms E. Evangel

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 Dr K.D. Hames
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 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 Mr S.K. L'Estrange
 Mr R.S. Love
 Mr W.R. Marmion
 Mr J.E. McGrath

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

Noes (16)

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Mr F.M. Logan
 Mr M. McGowan
 Ms S.F. McGurk
 Mr M.P. Murray
 Ms M.M. Quirk
 Ms R. Saffioti

Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr P.B. Watson
 Mr D.A. Templeman (*Teller*)

Clause thus passed.

Clause 15 agreed to.

Clause 16.

Mr W.J. Johnston moved,

Page 27, line 13 – To delete “section 53” and insert:

“ Sections 53 and 54 ”.

Page 27, line 14 – To delete “employees” and insert:

“ or employers ”.

Page 27, line 18 – To insert after the word “section 53”:

“ or employers ”.

Page 27, lines 21 to 24 – To delete paragraph (d) and insert:

“

- (d) an association of employees or employers a principal purpose of which is the protection and promotion of the members' interests in matters concerning their employment or the employment of their employees;

”.

Amendments put.

The Assembly divided.

Ayes (16)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Ms J. Farrer
Ms J.M. Freeman
Mr W.J. Johnston

Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr M.P. Murray
Mr P. Papalia
Ms M.M. Quirk

Ms R. Saffioti
Mr C.J. Tallentire
Mr P.C. Tinley
Mr D.A. Templeman (*Teller*)

Noes (33)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
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Mr V.A. Catania
Ms M.J. Davies
Mr J.H.D. Day
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Mrs G.J. Godfrey
Mr B.J. Grylls
Dr K.D. Hames
Mr C.D. Hatton
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
Mr S.K. L'Estrange
Mr R.S. Love
Mr W.R. Marmion
Mr J.E. McGrath

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

Amendments thus negatived.

On the question, That clause 16 be agreed to,

The Deputy Premier moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (31)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr I.M. Britza
Mr G.M. Castrilli
Mr V.A. Catania
Ms M.J. Davies
Mr J.H.D. Day
Ms W.M. Duncan
Ms E. Evangel

Mrs G.J. Godfrey
Dr K.D. Hames
Mr C.D. Hatton
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
Mr S.K. L'Estrange
Mr R.S. Love
Mr W.R. Marmion
Mr P.T. Miles
Ms A.R. Mitchell

Mr N.W. Morton
Dr M.D. Nahan
Mr D.C. Nalder
Mr J. Norberger
Mr D.T. Redman
Mr A.J. Simpson
Mr M.H. Taylor
Mr T.K. Waldron
Mr A. Krsticevic (*Teller*)

Noes (17)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Ms J. Farrer
Ms J.M. Freeman
Mr W.J. Johnston

Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr M.P. Murray
Mr P. Papalia
Ms M.M. Quirk

Ms R. Saffioti
Mr C.J. Tallentire
Mr P.C. Tinley
Mr P.B. Watson
Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That clause 16 be agreed to,

Clause put and passed.

Clauses 17 to 19 agreed to.

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

5. Questions

Questions without Notice were taken.

Questions on Notice Nos 2786 and 2787 were asked.

Questions on Notice Nos 2531 and 2532 were answered.

Paper tabled by the Minister for Water –

Question on Notice No. 2531 – Details of Sewerage Spillages in the Metropolitan Area for the Years 2008–2014 (1953).

6. Variation to the Order of Business

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

7. Taxation Legislation Amendment Bill 2014

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

CONSIDERATION IN DETAIL

Clauses 20 and 21 agreed to.

Postponed clause 4.

Mr W.J. Johnston moved,

Page 3, line 26 – To delete “section 53” and insert:

“ Sections 53 and 54 ”.

Amendment put.

The Assembly divided.

Ayes (17)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Ms J. Farrer
Ms J.M. Freeman
Mr W.J. Johnston

Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr M.P. Murray
Mr P. Papalia
Ms M.M. Quirk

Ms R. Saffioti
Mr C.J. Tallentire
Mr P.C. Tinley
Mr P.B. Watson
Mr D.A. Templeman (*Teller*)

Noes (33)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr I.M. Britza
Mr G.M. Castrilli
Mr V.A. Catania
Ms M.J. Davies
Mr J.H.D. Day
Ms W.M. Duncan
Ms E. Evangel

Mrs G.J. Godfrey
Mr B.J. Grylls
Dr K.D. Hames
Mr C.D. Hatton
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
Mr S.K. L'Estrange
Mr R.S. Love
Mr W.R. Marmion
Mr J.E. McGrath

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

Amendment thus negatived.

On the question, That clause 4 be agreed to,
 The Leader of the House moved, That the question be now put.
 Question put.
 The Assembly divided.

Ayes (32)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr G.M. Castrilli
 Mr V.A. Catania
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms W.M. Duncan
 Ms E. Evangel

Mrs G.J. Godfrey
 Mr B.J. Grylls
 Dr K.D. Hames
 Mr C.D. Hatton
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 Mr R.S. Love
 Mr W.R. Marmion
 Mr J.E. McGrath
 Mr P.T. Miles

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

Noes (15)

Ms L.L. Baker
 Dr A.D. Buti
 Mr R.H. Cook
 Ms J. Farrer
 Mr W.J. Johnston

Mr F.M. Logan
 Mr M. McGowan
 Mr M.P. Murray
 Mr P. Papalia
 Ms M.M. Quirk

Ms R. Saffioti
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr P.B. Watson
 Mr D.A. Templeman (*Teller*)

Question thus passed.
 On the question, That clause 4 be agreed to,
 Clause put and passed.
 Postponed clause 11.
 Mr W.J. Johnston had moved,
 Page 17, after line 22 – To insert:

“

(aa) any of the organisations prescribed by Section 50 of the *Industrial Relations Act 1979*;

”.

Amendment put.
 The Assembly divided.

Ayes (16)

Ms L.L. Baker
 Dr A.D. Buti
 Mr R.H. Cook
 Ms J. Farrer
 Mr W.J. Johnston
 Mr F.M. Logan

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 D.A. Templeman (*Teller*)

Noes (32)

Mr P. Abetz	Mrs G.J. Godfrey	Ms A.R. Mitchell
Mr F.A. Alban	Mr B.J. Grylls	Mr N.W. Morton
Mr C.J. Barnett	Dr K.D. Hames	Dr M.D. Nahan
Mr I.C. Blayney	Mr C.D. Hatton	Mr D.C. Nalder
Mr I.M. Britza	Mr A.P. Jacob	Mr J. Norberger
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr D.T. Redman
Mr V.A. Catania	Mr R.F. Johnson	Mr A.J. Simpson
Ms M.J. Davies	Mr R.S. Love	Mr M.H. Taylor
Mr J.H.D. Day	Mr W.R. Marmion	Mr T.K. Waldron
Ms W.M. Duncan	Mr J.E. McGrath	Mr A. Krsticevic (<i>Teller</i>)
Ms E. Evangel	Mr P.T. Miles	

Amendment thus negatived.

Clause 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.

8. Declared Places (Mentally Impaired Accused) Bill 2013

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

CONSIDERATION IN DETAIL

Clauses 1 and 2 agreed to.

Clause 3.

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

9. Variation to the Order of Business

Ordered, That Private Members' Business Orders of the Day Nos 17 and 18 be next considered.

10. Referral to the Education and Health Standing Committee

The Order of the Day having been read for the resumption of debate on the motion moved by Mr M. McGowan,

That the Education and Health Standing Committee undertake an urgent inquiry into the reasons behind suicides of fly-in fly-out (FIFO) workers and recommend initiatives industry and government can take to reduce their prevalence.

Debate resumed.

Dr G.G. Jacobs moved, To delete all words after "Committee" and add:

“

be respectfully requested to inquire into suicides of FIFO workers in Western Australia. The committee will determine and inform the House of its terms of reference on 21 August 2014 and present to the House a preliminary report by the end of 2014 and its final report on 5 March 2015.

”

Debate ensued.

Amendment put and passed.

On the question, That the motion, as amended, be agreed to,
Question put and passed.

11. Privatisation of the TAB

The Order of the Day having been read for the resumption of debate on the motion moved by Mr M.P. Murray,

That this House condemns the Barnett Government for breaking its word in relation to the privatisation of the TAB.

Debate resumed.

Debate interrupted by the Chair (Mr M.P. Murray speaking in reply) and adjourned until a later stage of the sitting.

12. 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, 21 August 2014 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr M.J. Cowper, Mr J.M. Francis, Mrs L.M. Harvey, Mr D.J. Kelly and Mr B.S. Wyatt.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly