

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 95

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 19 AUGUST 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. Distinguished Visitors**

The Speaker noted the presence in the Speaker's Gallery of Sir Alan Haselhurst from the United Kingdom Parliament and a delegation from the Kingdom of Lesotho.

**3. Community Development and Justice Standing Committee**

The Speaker informed members that he had received the resignations of the member for Morley and the member for Balcatta from the Community Development and Justice Standing Committee.

**4. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the ANZAC Centenary commemorations.

The Minister for Citizenship and Multicultural Interests on the 47<sup>th</sup> year of commemorating ASEAN Day and the 40<sup>th</sup> anniversary of Australia's dialogue partnership with ASEAN.

The Minister for Environment on progress made by the Department of Parks and Wildlife in the area of bushfire safety and in particular, addressing WorkSafe Improvement Notices and upgrading the Department's fire truck fleet.

The Minister for Transport on the opening of the extension of the Joondalup train line to Butler.

**5. Questions**

Questions without Notice were taken.

## 6. Petitions

Blue Cat Bus – Petitions requesting that the Blue Cat Bus Route be altered by detouring this route from James Street to the Row Street Bus Station via Lake Street and back were presented by –

Mr C.D. Hatton from 50 persons (P. 154); and

Ms M.M. Quirk from 3 persons (P. 155).

Interpreters in Western Australia – Ms M.M. Quirk presented a petition from 546 persons requesting that the Legislative Assembly presses the State Government to ensure that interpreters in Western Australia have the opportunity to have their skills, knowledge and experience recognised through the Recognition of Prior Learning process (P. 156).

Local Government Act 1995 – Mr J.E. McGrath presented a petition from 2,169 persons requesting that the Legislative Assembly amends the *Local Government Act 1995* to ensure that ratepayers have the right to vote on any planned amalgamations (P. 157).

## 7. Papers

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

By the Clerk –

Coal Industry Superannuation Act 1989 – Regulations (Coal Industry Superannuation Amendment Regulations 2014 G.G. 12/08/2014) (1935).

Community Development and Justice Standing Committee – Government Response to Report No. 4: The Toll of Trauma on Emergency Staff and Volunteers (1936).

Conservation and Land Management Act 1984 – Lease No. 2191/97 between the Department of Parks and Wildlife and Lions Districts 201-W1 and 201-W2 Dryandra Forest Village Inc. for the Purpose of Restoring, Maintaining and Operating Dryandra Woodland Village and Purposes Incidental to, within a Portion of State Forest No. 51 (1937).

Criminal Investigation (Covert Powers) Act 2012 – Annual Report Pursuant to Section 103 of the Act with Regard to Witness Identity Protection Certificates (1938).

Economics and Industry Standing Committee – Government Response to Report No. 2: The Economic Impact of Floating LNG on Western Australia (1949).

Financial Management Act 2006 – Notice under Section 82 from the Minister for Forestry in Respect to Legislative Council Question on Notice No. 1213 (1939).

Financial Management Act 2006 – Notice under Section 82 from the Minister for Forestry in Respect to Legislative Council Question on Notice No. 1233 (1940).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 5) 2014 G.G. 12/08/2014) (1941).

Health Act 1911 – Local Laws (City of Greater Geraldton Health Local Law 2014 G.G. 15/08/2014) (1942).

Local Government Act 1995 – Local Laws (Shire of Shark Bay Activities on Thoroughfares and Public Places and Local Government Property Amendment Local Law 2014 G.G. 12/08/2014) (1943).

Magistrates Court Act 2004 – Rules (Magistrates Court (General) Amendment Rules (No. 4) 2014 G.G. 12/08/2014) (1944).

Magistrates Court Act 2004 – Rules (Magistrates Court (General) Amendment Rules 2014 G.G. 15/08/2014) (1945).

Petroleum Products Pricing Act 1983 – Regulations (Petroleum Products Pricing Amendment Regulations 2014 G.G. 15/08/2014) (1946).

Premier and Cabinet, Department of – Ministerial Resourcing Report as at 31 July 2014 (1947).

Statutory Corporations (Liability of Directors) Act 1996 – Regulations (Statutory Corporations (Liability of Directors) (Act Amendment) Regulations 2014 G.G. 12/08/2014) (1948).

## 8. Notice of Motion

## 9. Removal of Order of the Day

The Speaker advised members that the Order of the Day that appeared on the last Notice Paper as No. 1 under Private Members' Business, Council Amalgamations in the Metropolitan Area, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

## 10. Matter of Public Interest – Financial Management and the Water 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 the House condemns the Barnett Government's poor financial management leading to cuts to important community infrastructure budgets including capital works in the water portfolio.

Debate ensued.

Question put.

The Assembly divided.

### Ayes (18)

Ms L.L. Baker	Mr M. McGowan	Mrs M.H. Roberts
Dr A.D. Buti	Ms S.F. McGurk	Ms R. Saffioti
Mr R.H. Cook	Mr M.P. Murray	Mr C.J. Tallentire
Ms J.M. Freeman	Mr P. Papalia	Mr P.C. Tinley
Mr W.J. Johnston	Mr J.R. Quigley	Mr P.B. Watson
Mr F.M. Logan	Ms M.M. Quirk	Mr D.A. Templeman ( <i>Teller</i> )

### Noes (33)

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

Question thus negatived.

## 11. Procedure and Privileges Committee

Ms W.M. Duncan, as Deputy Speaker, presented the following report which was ordered to lie upon the Table of the House –

Procedure and Privileges Committee – Report on a Corporation Adversely Referred to in the Legislative Assembly – RacingThePlanet, Report No. 6 (1950).

Ms W.M. Duncan moved, That the report be adopted.

Question put and passed.

**12. Taxation Legislation Amendment Bill 2014**

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

*CONSIDERATION IN DETAIL*

Clause 10 agreed to.

Clause 11.

Mr W.J. Johnston moved,

Page 17, line 21 – To delete “Section 53” and insert:

“ Sections 53 and 54 ”.

Page 17, line 23 – To insert after “employees”:

“ or employers ”.

Page 17, line 27 – To insert after “employees”:

“ or employers ”.

Page 17, lines 30 to 33 – 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 (18)*

Ms L.L. Baker  
Dr A.D. Buti  
Mr R.H. Cook  
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  
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  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Mr V.A. Catania  
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  
Mr C.D. Hatton  
Mr A.P. Jacob  
Dr G.G. Jacobs  
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 D.T. Redman  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr A. Krsticevic (*Teller*)

Amendments thus negatived.

Mr W.J. Johnston moved,  
Page 17, after line 22 – To insert:

“

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

”.

Mr W.J. Johnston moved, That further consideration of clause 11 be postponed.  
Question put and passed.  
Clause 12.  
The Leader of the House moved, That the debate be adjourned.  
Question put and passed.

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

Ordered, That Government Business Order of the Day No. 4 be next considered.

### **14. Statutes (Repeals) Bill 2013**

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*

Clauses 1 to 14 agreed to.  
Schedule 1 agreed to.  
Title agreed to.  
Consideration in detail concluded.  
Leave was granted to proceed forthwith to the third reading of the bill.  
The Premier 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. Messages from the Legislative Council**

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

19 August 2014

Appropriation (Consolidated Account) Recurrent 2014-15 Bill 2014 (Message No. 51).  
Appropriation (Consolidated Account) Capital 2014-15 Bill 2014 (Message No. 52).

**16. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 10.03 p.m. until Wednesday, 20 August 2014 at 12.00 noon.

*Members present during any part of the day's proceedings* – All the members except Mr M.J. Cowper, Ms J. Farrer, 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