

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 105

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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WEDNESDAY, 24 SEPTEMBER 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 –

Legislative Assembly, Department of the – Annual Report 2013–2014 (2089).

Parliamentary Services Department – Annual Report 2013–2014 (2090).

By the Clerk –

Agricultural Produce Commission – Annual Report 2013–2014 (2091).

Attorney General, Department of the – Annual Report 2013–2014 (2092).

Botanic Gardens and Parks Authority – Annual Report 2013–2014 (2093).

Broome Port Authority – Annual Report 2013–2014 (2094).

Child Protection and Family Support, Department for – Annual Report 2013–2014 (2095).

Commerce, Department of – Annual Report 2013–2014 (2096).

Commission for Occupational Safety and Health – Annual Report 2013–2014 (2097).

Commissioner for Children and Young People – Annual Report 2013–2014 (2098).

Construction Industry Long Service Leave Scheme – Annual Report 2013–2014 (2099).

Criminal Injuries Compensation, Office of – Annual Report 2013–2014 (2100).

Dampier Port Authority – Annual Report 2013–2014 (2101).

Disability Services Commission – Annual Report 2013–2014 (2102).

Drug and Alcohol Authority – Annual Report 2013–2014 (2103).

Economic Regulation Authority – Annual Report 2013–2014 (2104).

Environment Regulation, Department of – Annual Report 2013–2014 (2105).

Environmental Protection Authority, Office of the – Annual Report 2013–2014 (2118).

Equal Opportunity Commission – Annual Report 2013–2014 (2106).

Finance, Department of – Annual Report 2013–2014 (2107).

Fire and Emergency Services, Department of – Annual Report 2013–2014 (2108).

Gender Reassignment Board of Western Australia – Annual Report 2013–2014 (2109).  
 Geraldton Port Authority – Annual Report 2013–2014 (2110).  
 Government Employees Superannuation Board – Annual Report 2013–2014 (2111).  
 Heritage Council of Western Australia – Annual Report 2013–2014 (2112).  
 Keep Australia Beautiful Council – Annual Report 2013–2014 (2113).  
 Legal Costs Committee – Annual Report 2013–2014 (2114).  
 Main Roads Western Australia – Annual Report 2013–2014 (2115).  
 Mental Health Commission – Annual Report 2013–2014 (2116).  
 Office of Rail Safety – Annual Report 2013–2014 (2117).  
 Parks and Wildlife, Department of – Annual Report 2013–2014 (2119).  
 Port Hedland Port Authority – Annual Report 2013–2014 (2120).  
 Potato Marketing Corporation – Annual Report 2013–2014 (2121).  
 Public Advocate of Western Australia – Annual Report 2013–2014 (2122).  
 Public Transport Authority – Annual Report 2013–2014 (2123).  
 Rural Business Development Corporation – Annual Report 2013–2014 (2124).  
 Small Business Development Corporation – Annual Report 2013–2014 (2125).  
 Swan River Trust – Annual Report 2013–2014 (2126).  
 Transport, Department of – Annual Report 2013–2014 (2127).  
 Treasury, Department of – Annual Report 2013–2014 (2128).  
 Veterinary Surgeons' Board – Annual Report 2013–2014 (2129).  
 Western Australian Energy Disputes Arbitrator – Annual Report 2013–2014 (2130).  
 Western Australian Industrial Relations Commission, The Chief Commissioner of the –  
 Annual Report 2013–2014 (2131).  
 Western Australian Industrial Relations Commission, Department of the Registrar – Annual  
 Report 2013–2014 (2132).  
 Western Australian Meat Industry Authority – Annual Report 2013–2014 (2133).  
 Western Australian Treasury Corporation – Annual Report 2013–2014 (2134).  
 Workcover WA – Annual Report 2013–2014 (2135).  
 Zoological Parks Authority – Annual Report 2013–2014 (2136).

### **3. Notice of Motion**

#### **4. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Acting Minister for Road Safety on the release of a review into road safety governance in Western Australia for a thirty day consultation period, undertaken by Mr Peter Brown.

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#### *Paper*

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

By the Acting Minister for Road Safety –

Road Safety, Minister for – A Review of Road Safety Governance in Western Australia  
 (2138).

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The Minister for Housing on remote indigenous communities in Western Australia.

The Minister for Veterans on the 100th anniversary of the loss of HMAS AE1.

## 5. Suspension of Standing Orders

Mr M. McGowan, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House calls on the Premier to dismiss the Minister for Child Protection for her, and her department's, failure in the case involving convicted child sex offender David Farnell.

Debate ensued.

The Leader of the House moved, To add to the motion:

“

, subject to the debate being limited to 20 minutes for government members and 20 minutes for non-government members.

”.

Debate ensued.

Amendment put and passed.

On the question, That the motion, as amended, be agreed to,

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion, as amended, to be carried with the concurrence of an absolute majority of the whole number of members of the House.

## 6. Minister for Child Protection – Call for Dismissal

Mr M. McGowan, pursuant to the foregoing motion, moved,

That this House calls on the Premier to dismiss the Minister for Child Protection for her, and her department's, failure in the case involving convicted child sex offender David Farnell.

Debate ensued.

Question 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 D.J. Kelly

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

Mrs M.H. Roberts  
Ms R. Saffioti  
Mr P.C. Tinley  
Mr P.B. Watson  
Mr B.S. Wyatt  
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  
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  
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 J. Norberger  
Mr D.T. Redman  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr A. Krsticevic (*Teller*)

Question thus negatived.

## **7. Children and Community Services Legislation Amendment and Repeal Bill 2014**

The Parliamentary Secretary to the Minister for Child Protection, pursuant to notice, moved,

That a bill for “An Act to –

- amend the *Children and Community Services Act 2004* to make provision for responsible parenting agreements and for other purposes; and
- repeal the *Parental Support and Responsibility Act 2008* and regulations and guidelines made under that Act; and
- make consequential amendments to other Acts.”

be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

## **8. Declared Places (Mentally Impaired Accused) Bill 2013**

The Order of the Day for the third reading of the bill having been read, the Parliamentary Secretary to the Minister for Disability Services moved, That the bill be now read a third time.

Debate ensued.

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

## **9. Questions**

Questions without Notice were taken.

Questions on Notice Nos 3004 and 3005 were asked.

Question on Notice No. 2794 was answered.

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Paper tabled by the Minister Representing the Minister for Education –

Question on Notice No. 2794 – Details of Unexplained Absences for Schools in the Mirrabooka Area in 2013 (2137).

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

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

## **11. Declared Places (Mentally Impaired Accused) Bill 2013**

The Order of the Day for the resumption of the debate upon the third reading of the bill was read.

Debate resumed.

Debate interrupted by the Chair (Ms J.M. Freeman 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. 19 and Private Members’ Business Order of the Day No. 18 be next considered.

**13. Congestion in Western Australia**

Ms R. Saffioti, pursuant to notice, moved,

That this House condemns the Minister for Transport for his false claims that he has fixed congestion in Western Australia.

Debate ensued.

Debate interrupted by the Chair (Mr R.H. Cook 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, 25 September 2014 at 9.00 a.m.

*Members present during any part of the day's proceedings* – All the members except Ms J. Farrer, Dr K.D. Hames and Mrs L.M. Harvey.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. MICHAEL SUTHERLAND**

Speaker of the Legislative Assembly