

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 90

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 25 JUNE 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 – Government Funded Advertising, Report 12 (1776).

Auditor General, Office of the – Licensing and Regulation of Psychiatric Hostels, Report 11 (1775).

Auditor General, Office of the – Royalties for Regions – Are Benefits Being Realised? Report 13 (1777).

By the Clerk –

Conservation and Land Management Act 1984 – Lease No. 1841/97 Between the Department of Parks and Wildlife and Greenbushes Golf Club for the Purpose of a Dam Site for Domestic Purposes in State Forest No. 20, Near Greenbushes (1778).

Insurance Commission of Western Australia – Statement of Corporate Intent 2014–2015 (1779).

LandCorp – Statement of Corporate Intent 2013–2014 (1780).

Law Reform Commission of Western Australia – Enhancing Family and Domestic Violence Laws, Final Report (1781).

3. Notices of Motion

4. Expiration of Notice of Motion

The Speaker advised members that Private Members' Business Notice of Motion No. 1, notice of which was given on 11 September 2013 and renewed for a further 30 sitting days on 19 February 2014, will be removed and will not appear on the next Notice Paper.

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Planning on the commencement by the Department of Planning of a review of Western Australia's telecommunications infrastructure planning policy.

The Minister for Housing on awards for the modular mobility home in South Hedland.

The Minister for Transport on the new photo identification card.

6. Private Members' Business Precedence

The Leader of the House, pursuant to notice, moved,

That so much of Standing Orders be suspended as is necessary to enable Private Members' Business to have priority on Wednesday, 25 June 2014 from 4.00 p.m. to 6.00 p.m.

Debate ensued.

Question put and passed.

7. Peel-Harvey Catchment Management Bill 2014

Mr C.J. Tallentire, pursuant to notice, moved,

That a bill for "An Act to make provision for –

- the rehabilitation of the Peel Inlet – Harvey Estuary and the protection of the Estuary from further degradation;
- the establishment of a Trust with planning, protection and management functions in respect of the Peel-Harvey Catchment and associated land;
- the management policies to be followed by the Trust and other persons in relation to the Peel-Harvey Catchment and associated land;
- the establishment of a Foundation with fund-raising and other functions,

and for related purposes." be introduced and read a first time.

Question put and passed.

Mr C.J. Tallentire presented an explanatory memorandum and bill read a first time.

Ordered, That the second reading of the bill be made an Order of the Day for a later stage of the sitting.

8. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 3, 1 and 2 be next considered.

9. Swan and Canning Rivers Management Amendment Bill 2014

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

CONSIDERATION IN DETAIL

Clauses 6 to 8 agreed to.

Clause 9.

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

10. Questions

Questions without Notice were taken.

Paper

The following paper was presented and ordered to lie upon the Table of the House –
By the Minister for Transport –

Transport, Minister for – Freight Rail Network, Tiers 1–3 (1782).

Questions on Notice Nos 2432 to 2440 were asked.

11. Electoral Amendment Bill 2014

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

CONSIDERATION IN DETAIL

Clause 5.

Mr W.J. Johnston had moved,

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

Amendment put and negatived.

Mr W.J. Johnston moved,

Page 3, lines 20 to 25 – To delete the lines.

Amendment put and negatived.

Clause agreed to.

New Clause 5A.

Mr W.J. Johnston moved,

Page 3, after line 25 – To insert:

“

5A. Section 16E amended

In section 16E(b) delete “2 years” and insert:

18 months

”.

New clause put and negatived.

Clauses 6 to 11 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.

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

12. Variation to the Order of Business

Ordered, That Private Members’ Business Order of the Day for the second reading of the Peel-Harvey Catchment Management Bill 2014, Private Members’ Business Order of the Day No. 13 and Private Members’ Business Notice of Motion No. 23 be next considered.

13. Peel-Harvey Catchment Management Bill 2014

The Order of the Day for the second reading of the bill was read.
 Mr C.J. Tallentire moved, That the bill be now read a second time.
 Mr M. McGowan moved, That the debate be adjourned.
 Question put and passed.

14. Taking Property on Just Terms Bill 2014

The Order of the Day for the second reading of the bill was read.
 Mr M.J. Cowper moved, That the bill be now read a second time.
 Mr M.J. Cowper was granted leave to continue his remarks at the next sitting of the Assembly.

15. Cost of Living for Seniors and Pensioners

Mr M. McGowan, pursuant to notice, moved,
 That this House condemns the State and Federal Liberal National Governments for making the
 lives of seniors and pensioners increasingly difficult through increased costs of living and the
 withdrawal of concessions.
 Debate ensued.
 Debate interrupted by the Chair (Mr C.J. Tallentire speaking) and adjourned until a later stage of the
 sitting.

16. Message from the Governor

Message No. 15 from His Excellency the Governor was reported assenting to the following bills –
 Disability Services Amendment Bill 2014, Act No. 10 of 2014.
 Criminal Code Amendment (Unlawful Possession) Bill 2013, Act No. 11 of 2014.
 Warehousemen's Liens Amendment Bill 2013, Act No. 12 of 2014.

17. Statutes (Repeals and Minor Amendments) Bill 2013

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.
 Debate resumed.
 Mr J.E. McGrath moved, That the debate be adjourned.
 Question put and passed.

18. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 3 be resumed.

19. Swan and Canning Rivers Management Amendment Bill 2014

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

CONSIDERATION IN DETAIL

Clause 9.
 The Leader of the House moved, That the question be now put.
 Question put.
 The Assembly divided.

Ayes (28)

Mr P. Abetz
 Mr F.A. Alban
 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 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 P.T. Miles

Ms A.R. Mitchell
 Dr M.D. Nahan
 Mr D.C. Nalder
 Mr J. Norberger
 Mr A.J. Simpson
 Mr M.H. Taylor
 Mr T.K. Waldron
 Mr J.E. McGrath (*Teller*)

Noes (12)

Ms J. Farrer
 Ms J.M. Freeman
 Mr D.J. Kelly
 Mr M.P. Murray

Mr J.R. Quigley
 Ms M.M. Quirk
 Ms R. Saffioti
 Mr C.J. Tallentire

Mr P.C. Tinley
 Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That clause 9 be agreed to,

Clause put.

The Assembly divided.

Ayes (27)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr M.J. Cowper
 Ms M.J. Davies
 Mr J.H.D. Day
 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 P.T. Miles
 Ms A.R. Mitchell
 Dr M.D. Nahan
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 Ms M.M. Quirk
 Ms R. Saffioti
 Mr C.J. Tallentire

Mr P.C. Tinley
 Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Clause thus passed.

Clause 10.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (27)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr M.J. Cowper
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms E. Evangel

Mr J.M. Francis
 Mrs G.J. Godfrey
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 Mr S.K. L'Estrange
 Mr R.S. Love
 Mr W.R. Marmion

Mr P.T. Miles
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 Dr M.D. Nahan
 Mr D.C. Nalder
 Mr J. Norberger
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 Mr M.H. Taylor
 Mr T.K. Waldron
 Mr J.E. McGrath (*Teller*)

Noes (11)

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 Ms J.M. Freeman
 Mr D.J. Kelly
 Mr M.P. Murray

Mr J.R. Quigley
 Ms M.M. Quirk
 Ms R. Saffioti
 Mr C.J. Tallentire

Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That clause 10 be agreed to,

Clause put.

The Assembly divided.

Ayes (27)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr M.J. Cowper
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms E. Evangel

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 Mr M.P. Murray

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 Ms M.M. Quirk
 Ms R. Saffioti
 Mr C.J. Tallentire

Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Clause thus passed.

Clause 11.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (27)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr M.J. Cowper
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms E. Evangel

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 Mr C.J. Tallentire

Mr P.C. Tinley
 Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That clause 11 be agreed to,

Clause put.

The Assembly divided.

Ayes (27)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr M.J. Cowper
 Ms M.J. Davies
 Mr J.H.D. Day
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 Mr C.J. Tallentire

Mr P.C. Tinley
 Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Clause thus passed.

Clauses 12 to 17 agreed to.

Clause 18.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (27)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr M.J. Cowper
 Ms M.J. Davies
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Mr P.C. Tinley
 Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That clause 18 be agreed to,

Clause put and passed.

Clauses 19 to 27 agreed to.

Clause 28.

The Leader of the House moved, That the question be now put.

Question put and passed.

On the question, That clause 28 be agreed to,

Clause put and passed.

Clauses 29 to 37 agreed to.

Clause 38.

The Leader of the House moved, That the question be now put.

Question put and passed.

On the question, That clause 38 be agreed to,

Clause put and passed.

Clauses 39 to 45 agreed to.

Clause 46.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (25)

Mr P. Abetz
 Mr F.A. Alban
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr M.J. Cowper
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms E. Evangel
 Mr J.M. Francis

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Mr C.J. Tallentire

Mr P.C. Tinley
Mr P.B. Watson
Mr B.S. Wyatt
Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That clause 46 be agreed to,

Clause put and passed.

Clause 47 agreed to.

Clause 48.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (24)

Mr P. Abetz
Mr F.A. Alban
Mr I.C. Blayney
Mr I.M. Britza
Ms M.J. Davies
Mr J.H.D. Day
Ms E. Evangel
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Mr P.C. Tinley
Mr P.B. Watson
Mr B.S. Wyatt
Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That clause 48 be agreed to,

Clause put and passed.

Clauses 49 to 55 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.

20. Revenue Laws Amendment Bill 2014

Message No. 49 dated 25 June 2014 from the Legislative Council was reported agreeing to the bill without amendment.

21. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.44 p.m. until Thursday, 26 June 2014 at 9.00 a.m.

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

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly