

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 117

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 19 NOVEMBER 2014

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petition

Genetically Modified Crops Free Areas Act 2003 – Mr C.J. Tallentire presented a petition from 894 persons requesting that the Legislative Assembly calls for an independent review of the *Genetically Modified Crops Free Areas Act 2003* by a parliamentary committee, and also that it supports GM-free farming and urges the Government to introduce farmer protection legislation to compensate farmers who suffer economic loss due to GM contamination (P. 195).

3. Papers

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

By the Speaker –

Auditor General, Office of the – Ensuring Compliance with Conditions on Mining – Follow-Up: Report 20 – November 2014 (2387).

By the Clerk –

Administrator National Health Funding Pool – Annual Report 2013–2014 (2388).

Training and Workforce Development, Minister for – Final Report 2013–2014 (2390).

Training and Workforce Development, Minister for – Ministerial Response to the Independent Review of the Vocational Education and Training Sector in Western Australia 2013–14, Final Report (2389).

4. Notices of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Training and Workforce Development on the outcomes of the independent review of the vocational education and training sector in Western Australia.

Paper

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

By the Minister for Training and Workforce Development –

Training and Workforce Development, Minister for – Independent Review of the Vocational Education and Training Sector in Western Australia 2013–14, Final Report (2392).

The Acting Minister for Tourism on the Margaret River Gourmet Escape.

The Minister for Environment on the Government's environmental legislative and approvals reform program.

The Parliamentary Secretary to the Minister for Commerce on the proclamation of the *Consumer Protection Legislation Amendment Act 2014* and the repeal of the *Door to Door Trading Act 1987*.

6. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 10 be next considered.

7. Child Support (Adoption of Laws) Amendment Bill 2014

The Order of the Day for the second reading of the bill was read.

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

Ms S. McGurk moved, That the debate be adjourned.

Question put and passed.

8. School Education Amendment Bill 2014

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

CONSIDERATION IN DETAIL

Clauses 1 to 7 agreed to.

Clause 8.

Dr A.D. Buti moved,

Page 16, after line 26 – To insert:

“

(la) the arrangements for prohibiting any form of corporal punishment at schools;

”.

Page 19, after line 2 – To insert:

“

(ha) the school will ensure that no child is subjected to any form of corporal punishment;
and

”.

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 D.J. Kelly

Mr F.M. Logan
 Mr M. McGowan
 Ms S.F. McGurk
 Mr M.P. Murray
 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 (34)

Mr P. Abetz
 Mr F.A. Alban
 Mr I.C. Blayney
 Mr I.M. Britza
 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
 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
 Ms L. Mettam
 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.

Clause agreed to.

Clauses 9 to 37 agreed to.

Title agreed to.

Consideration in detail concluded.

The Minister for Planning moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

9. Taxation Legislation Amendment Bill (No. 2) 2014

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

CONSIDERATION IN DETAIL

Clauses 7 to 16 agreed to.

Clause 17.

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

10. Questions

Questions without Notice were taken.

Questions on Notice Nos 3192 to 3199 were asked.

Questions on Notice Nos 3022, 3025, 3032, 3033, 3040, 3057, 3068 and 3112 were answered.

Paper tabled by the Minister for Health –

Question on Notice No. 3025 – Television Services in Public Hospitals (2391).

11. Additional Information

The Minister for Housing provided additional information relating to Question without Notice No. 943 from Mr F.M. Logan.

12. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

13. Taxation Legislation Amendment Bill (No. 2) 2014

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

CONSIDERATION IN DETAIL

Clauses 17 to 21 agreed to.

Clause 22.

The Minister for Finance moved,

Page 22, line 5 – To insert after “**exemptions**”:

“ **and rural business land** ”.

Amendment put and passed.

The Minister for Finance, moved,

Page 22, after line 7 – To insert:

“

2012 to 2014 assessment period means the period —

- (a) beginning on 1 July 2012; and
- (b) ending on 30 June 2014;

”.

Page 22, after line 11 – To insert:

“

modified rural business land provisions means Part 3 Division 3 as in force immediately before the amending Act section 6 comes into operation, as modified by inserting after section 29(4):

- (5) For the purposes of this section —
 - (a) income produced or derived from carrying out a rural business, or businesses, includes income produced or derived from the sale of produce or stock in a processed or converted state; but
 - (b) the processing or converting of anything for the purpose of selling it is not carrying out a rural business or businesses.

”.

Page 22, after line 18 – To insert:

“

rural business land assessment means an assessment in respect of land for an assessment year during the 2012 to 2014 assessment period that land was exempt, or subject to a concession —

- (a) due to the application, or purported application, of Part 3 Division 3; and
- (b) based on income that was, or included, income produced or derived from the sale of produce or stock in a processed or converted state;

”.

Page 23, after line 24 – To insert:

“

12A. Application of modified rural business land provisions during the 2012 to 2014 assessment period

The modified rural business land provisions apply, and are taken to have always applied, for the purposes of assessing, or reassessing, land tax for an assessment year during the 2012 to 2014 assessment period.

12B. Validation of rural business land assessments

- (1) A rural business land assessment made, or purported to be made, in respect of land for an assessment year during the 2012 to 2014 assessment period is to be taken to be, and to have always been, valid and effective to the same extent as it would have been if, when the assessment was made, the modified rural business land provisions had been in force.
- (2) The rights, obligations and liabilities of all persons are taken to be, and to have always been, the same as if a rural business land assessment had been validly made.
- (3) Anything done, or purportedly done, before commencement is as valid and effective, and is to be taken to have always been as valid and effective, as it would have been if a rural business land assessment had been validly made.
- (4) In this clause, a reference to the doing of anything includes a reference to an omission to do anything.

”.

Amendments put and passed.

Clause, as amended, agreed to.

Clauses 23 to 28 agreed to.

Title agreed to.

Consideration in detail concluded.

The Minister for Finance 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.

14. Variation to the Order of Business

Ordered, That Private Members' Business Orders of the Day Nos 17 and 1 be next considered.

15. Constitution Amendment (Recognition of Aboriginal People) Bill 2014

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

Debate resumed.

Mr P. Papalia moved, That the debate be adjourned.

Question put and passed.

16. Council Amalgamation Process

The Order of the Day having been read for the resumption of debate on the motion moved by Mr D.A. Templeman,

That this House condemns the Barnett Government for creating chaos and confusion amongst Local Governments with its shambolic and dysfunctional Council amalgamation process.

Debate resumed.

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

17. 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, 20 November 2014 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr C.J. Barnett, Ms J. Farrer, Mrs L.M. Harvey and Mr B.S. Wyatt.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly