

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 138

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 22 APRIL 2015

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 Clerk –

Auditor General, Office of the – Asbestos Management in Public Sector Agencies, Report 3: April 2015 (2839).

Conservation and Land Management Act 1984 – Lease No. 1011/97 Between the Department of Parks and Wildlife and Stephen Beresford Dilley for the Purpose of a Dam Site for Commercial Purposes in State Forest No. 28, Near Kirup (2840).

Conservation and Land Management Act 1984 – Lease No. 2153/97 Between the Department of Parks and Wildlife and Lindsay Forrest for the Purpose of a Dam Site for Commercial Purposes in State Forest No. 25, Near Donnybrook (2841).

Conservation and Land Management Act 1984 – Lease No. 2295/100 Between the Department of Parks and Wildlife and Australian Craftwood and Timbers Pty Ltd Over Newly Created Reserve 51982 at Palgarup Near Manjimup for the Purpose of Natural Resource Processing and Ancillary Uses (2842).

3. Notice of Motion

4. Economics and Industry Standing Committee – Extension of Reporting Date

The Speaker advised the House that he had received a letter from the Chair of the Economics and Industry Standing Committee advising that the Committee had resolved to extend its reporting date on its inquiry into safety related matters concerning FLNG projects to 7 May 2015.

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the 150th anniversary of the death of Governor Sir James Stirling.

The Minister for Energy on an electrical incident where two teenagers received electric shocks from a damaged street light in Greenfields in March 2015.

The Minister for Veterans on a booklet on Western Australia's Victoria Cross and George Cross recipients produced by the Veterans Portfolio.

6. Land Legislation Amendment (Taxing) Bill 2014

Message No. 85 dated 21 April 2015 from the Legislative Council was reported agreeing to the bill without amendment.

7. Variation to the Order of Business

Ordered, That Government Business Notice of Motion No. 1 be next considered.

8. ANZAC Centenary

The Premier, pursuant to notice, moved,

That as we approach the 100th anniversary of the landing of Australian and New Zealand troops at Gallipoli this House continues to commemorate the ANZAC Centenary. In doing so we should be mindful that this commemoration is not about the glorification of war, but a recognition of the bravery and sacrifice of our service men and women.

Debate ensued.

Question put and passed unanimously with members and officers of the Assembly standing in their places as a mark of respect.

9. 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, 22 April 2015 between 4.00 p.m. and 6.00 p.m.

Debate ensued.

Question put and passed.

10. Criminal Code Amendment (Interference with War Memorials) Bill 2015

Mr P.B. Watson, pursuant to notice, moved,

That a bill for "An Act to amend *The Criminal Code*." be introduced and read a first time.

Question put and passed.

Mr P.B. Watson 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.

11. Mining Legislation Amendment Bill 2015

The Minister for Mines and Petroleum, pursuant to notice, moved,

That a bill for "An Act to amend –

- the *Mining Act 1978*; and
- the *Mining Legislation Amendment Act 2014*; and
- the *Environmental Protection Act 1986*; and
- the *Mining Rehabilitation Fund Act 2012*." be introduced and read a first time.

Question put and passed.

The Minister for Mines and Petroleum presented an explanatory memorandum and bill read a first time.

The Minister for Mines and Petroleum moved, That the bill be now read a second time.

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

Question put and passed.

12. Loan Bill 2015

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to authorise the borrowing of eight billion dollars for public purposes.” be introduced and read a first time.

Question put and passed.

The Treasurer presented an explanatory memorandum and bill read a first time.

The Treasurer moved, That the bill be now read a second time.

Ms R. Saffioti moved, That the debate be adjourned.

Question put and passed.

13. Railway (Forrestfield-Airport Link) Bill 2015

The Minister for Transport, pursuant to notice, moved,

That a bill for “An Act to authorise the construction of a railway from Bayswater to Forrestfield (known as the Forrestfield-Airport Link).” be introduced and read a first time.

Question put and passed.

The Minister for Transport presented an explanatory memorandum and bill read a first time.

Papers

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

By the Minister for Transport –

Transport, Minister for – Extension of the Urban Railway Network – Enabling Legislation Forrestfield-Airport Link (2846).

Transport, Minister for – Map of the Extension of the Urban Railway Network – Forrestfield-Airport Link (2847).

The Minister for Transport moved, That the bill be now read a second time.

Ms R. Saffioti moved, That the debate be adjourned.

Question put and passed.

14. Electricity Corporations Amendment Bill 2015

The Minister for Energy, pursuant to notice, moved,

That a bill for “An Act to amend the *Electricity Corporations Act 2005*.” be introduced and read a first time.

Question put and passed.

The Minister for Energy presented an explanatory memorandum and bill read a first time.

The Minister for Energy moved, That the bill be now read a second time.

Ms R. Saffioti moved, That the debate be adjourned.

Question put and passed.

15. Taxation Legislation Amendment Bill 2015

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

Debate interrupted by the Chair (Mr R.H. Cook speaking) and adjourned until a later stage of the sitting.

16. 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 Citizenship and Multicultural Interests –

Citizenship and Multicultural Interests, Minister for – Report to Western Australian Department of Local Government and Communities, Office of Multicultural Interests: Review of the WA Community Language Program (2848).

Questions on Notice Nos 3991 to 4031 were asked.

Questions on Notice Nos 3643, 3645 to 3652, 3655 to 3660, 3662 to 3669, 3672 to 3677, 3679 to 3686, 3689 to 3693, 3701, 3711, 3716, 3720 to 3723, 3726, 3736, 3747, 3749, 3758, 3763, 3770, 3780, 3787 and 3815 were answered.

Paper tabled by the Minister for Emergency Services; Corrective Services; Small Business; Veterans –

Question on Notice No. 3763 – Ticket Entitlements Received by Each Department, Agency, Commission or Government Trading Enterprise Within the Minister's Portfolio of Responsibilities for the Financial Year 2013–2014, and for the Period 1 July 2014 to Date (2843).

Paper tabled by the Minister for Education –

Question on Notice No. 3747 – The Number of Unexplained Absences From Schools in 2014 (2844).

Paper tabled by the Minister Representing the Minister for Mental Health; Disability Services; Child Protection –

Question on Notice No. 3770 – Ticket Entitlements Received by Each Department, Agency, Commission or Government Trading Enterprise Within the Minister's Portfolio of Responsibilities for the Financial Year 2013–2014, and for the Period 1 July 2014 to Date (2845).

17. Education and Health Standing Committee – Terms of Reference

The Speaker advised members that he had received a letter dated 22 April 2015 from the Chair of the Education and Health Standing Committee advising that the Committee had resolved to undertake an inquiry with the following terms of reference.

The Committee will inquire into and report on the risks to patients and staff, and the financial implications to the State arising from the:

- (a) transition and operation of clinical services to Fiona Stanley Hospital by the Department of Health; and
- (b) management by Serco of the services it is contracted to deliver at Fiona Stanley Hospital.

The Committee will report by 24 September 2015.

18. Variation to the Order of Business

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

19. Taxation Legislation Amendment Bill 2015

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

Debate resumed.

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

20. Variation to the Order of Business

Ordered, That the Order of the Day for the second reading of the Criminal Code Amendment (Interference with War Memorials) Bill 2015, followed by Private Members' Business Notice of Motion No. 7 and Private Members' Business Order of the Day No. 19 be next considered.

21. Criminal Code Amendment (Interference with War Memorials) Bill 2015

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

Mr P.B. Watson moved, That the bill be now read a second time.

Mr R.F. Johnson moved, That the debate be adjourned.

Question put and passed.

22. The Italian Community in Western Australia

Ms R. Saffioti, pursuant to notice, moved,

That this House condemns the Barnett Government for its cuts to the Italian Community Language Program and the lack of respect shown to the Italian community in Western Australia.

Debate ensued.

Question put.

The Assembly divided.

Ayes (17)

Dr A.D. Buti
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
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*)

Noes (31)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr I.M. Britza
Mr M.J. Cowper
Mr J.H.D. Day
Ms W.M. Duncan
Ms E. Evangel
Mrs G.J. Godfrey
Mr B.J. Grylls

Dr K.D. Hames
Mrs L.M. Harvey
Mr C.D. Hatton
Dr G.G. Jacobs
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*)

Question thus negatived.

23. Variation to the Order of Business

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

24. Taxation Legislation Amendment Bill 2015

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

Debate resumed.

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 V.A. Catania
Mr M.J. Cowper
Mr J.H.D. Day
Ms W.M. Duncan
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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*)

Question thus passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clause 1.

Ms R. Saffioti moved,

Page 2, line 3 – To delete “*Taxation Legislation Amendment Act 2015*” and substitute:

“

Another Liberal Tax Slug Act 2015

”.

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

Question 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 V.A. Catania
 Mr M.J. Cowper
 Mr J.H.D. Day
 Ms W.M. Duncan
 Ms E. Evangel
 Mrs G.J. Godfrey

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 Mr S.K. L'Estrange
 Mr R.S. Love
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 Mr J.E. McGrath
 Ms L. Mettam

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 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk

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

Question thus passed.

On the question, That the words to be deleted, be deleted,

Question put.

The Assembly divided.

Ayes (17)

Dr A.D. Buti
 Ms J. Farrer
 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
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 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.

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

Question 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 V.A. Catania
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Mr J.R. Quigley
Ms M.M. Quirk

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

Question thus passed.

On the question, That Clause 1 be agreed to,
Clause agreed to.

Mr W.J. Johnston moved, That the Bill be referred to the Economics and Industry Standing Committee for inquiry and report.

Debate ensued.

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 V.A. Catania
Mr M.J. Cowper
Mr J.H.D. Day
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Mr J.R. Quigley
Ms M.M. Quirk
Ms R. Saffioti

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

Question thus passed.

On the question, That the motion be agreed to,

Question put.

The Assembly divided.

Ayes (16)

Dr A.D. Buti
Ms J. Farrer
Ms J.M. Freeman
Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan

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Mr D.A. Templeman (*Teller*)

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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.

Clause 2.

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 V.A. Catania
Mr M.J. Cowper
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 Ms M.M. Quirk
 Ms R. Saffioti

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

Question thus passed.

On the question, That Clause 2 be agreed to,

Clause agreed to.

Clause 3.

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 V.A. Catania
 Mr M.J. Cowper
 Mr J.H.D. Day
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Ms S.F. McGurk
 Mr M.P. Murray
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk
 Ms R. Saffioti

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

Question thus passed.

On the question, That Clause 3 be agreed to,

Clause agreed to.

Clauses 4 to 19 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.

25. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Thursday, 23 April 2015 at 12.00 noon.

Question put and passed.

26. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 12.41 a.m. until Thursday, 23 April 2015 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Mr G.M. Castrilli and Mrs M.H. Roberts.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly