

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 130

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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THURSDAY, 12 MARCH 2015

### 1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Petition

Health Services in the Kimberley – Ms J. Farrer presented a petition from 744 persons requesting that the Legislative Assembly requests the State Government to fund a permanent mammography facility in the Kimberley (P. 221).

### 3. Paper

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

By the Clerk –

Financial Management Act 2006 – Notice Under Section 82 of the Act From the Minister for Tourism Regarding Legislative Council Question Without Notice No. 114 (2681).

### 4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the opening of the 2015 Sculpture by the Sea Exhibition at Cottesloe Beach.

The Minister for Citizenship and Multicultural Interests on Harmony Week 2015.

The Minister for Youth on the Western Australian finalists in the 2015 National Youth Awards.

### 5. Grievances

The Speaker called for grievances which were then made.

## **6. Joint Standing Committee on Delegated Legislation**

Mr P. Abetz, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – Shire of Kellerberrin: Cemeteries Local Law 2014; Shire of Kellerberrin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2014; Shire of Kellerberrin Local Government (Council Meetings) Local Law 2014; and Shire of Kellerberrin Fencing Local Law 2014, Report 80 (2682).

## **7. Conservation and Land Management Amendment Bill 2015**

The Minister for Environment, pursuant to notice, moved,

That a bill for “An Act to amend the *Conservation and Land Management Act 1984* and to consequentially amend other Acts.” be introduced and read a first time.

Question put and passed.

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

The Minister for Environment 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. Partial Revocation of State Forest No. 16**

The Minister for Environment, pursuant to notice, moved,

That the proposal for the partial revocation of State Forest No. 16, laid on the table of the Legislative Assembly on Wednesday, 11 March 2015 by command of His Excellency the Administrator, be carried out.

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

Question put and passed.

## **9. Land Legislation Amendment Bill 2014**

### **Land Legislation Amendment (Taxing) Bill 2014**

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

Debate resumed.

Question put and passed.

Land Legislation Amendment Bill 2014 read a second time.

## *CONSIDERATION IN DETAIL*

Clauses 1 to 3 agreed to.

Clause 4.

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

## **10. Members' Statements**

The Acting Speaker called for members' statements which were then made.

## **11. Questions**

Questions without Notice were taken.

### *Suspension of Member*

The Speaker, having called Ms L.L. Baker to order more than three times, suspended the member from the service of the Assembly for the remainder of the sitting.

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Questions on Notice Nos 3749 to 3754 were asked.

Questions on Notice Nos 3319, 3370, 3384, 3404, 3410, 3458, 3490 were answered.

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Paper tabled by the Minister Representing the Minister for Agriculture and Food; Fisheries –

Question on Notice No. 3370 – Motor Vehicles Provided to Senior Executives Above Level 9.1 or Equivalent (2683).

Paper tabled by Minister Representing the Minister for Agriculture and Food –

Question on Notice No. 3458 – Potato Marketing Corporation Advertisement (2684).

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## **12. Messages from the Governor**

Messages from Her Excellency the Governor were reported recommending that appropriations be made for the purposes of the following bills –

Aquatic Resources Management Bill 2015 (Message No. 9).

Aquatic Resources Legislation Amendment Bill 2015 (Message No. 10).

Conservation and Land Management Amendment Bill 2015 (Message No. 11).

## **13. Suspension of Standing Orders**

Mr W.J. Johnston, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the member for Cannington to move the following motion forthwith –

That the House directs –

(1) the member for Forrestfield to deliver to the Clerk by 19 March 2015:

- (a) the documents referred to by the member in his speech on 24 February 2015 during the second reading debate on the Criminal Law Amendment (Home Burglary and Other Offences) Bill 2014 which he said he obtained under freedom of information;
- (b) a copy of the application or applications he made to obtain the documents under freedom of information; and
- (c) a copy of the response or responses and any decision by the relevant agency or agencies with respect to the application or applications under freedom of information,

(2) that any documents received by the Clerk from the member for Forrestfield as a result of the House's direction above, be deemed tabled in the House.

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

“

, subject to the debate being limited to 15 minutes for government members and 15 minutes for non-government members.

”.

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.

#### 14. Member for Forrestfield – Freedom of Information Documents

Mr W.J. Johnston, pursuant to the foregoing motion, moved,

That the House directs –

- (1) the member for Forrestfield to deliver to the Clerk by 19 March 2015:
  - (a) the documents referred to by the member in his speech on 24 February 2015 during the second reading debate on the Criminal Law Amendment (Home Burglary and Other Offences) Bill 2014 which he said he obtained under freedom of information;
  - (b) a copy of the application or applications he made to obtain the documents under freedom of information; and
  - (c) a copy of the response or responses and any decision by the relevant agency or agencies with respect to the application or applications under freedom of information,
- (2) that any documents received by the Clerk from the member for Forrestfield as a result of the House's direction above, be deemed tabled in the House.

Debate ensued.

Question put.

The Assembly divided.

##### Ayes (14)

Mr R.H. Cook  
Ms J. Farrer  
Ms J.M. Freeman  
Mr W.J. Johnston  
Mr D.J. Kelly

Mr M. McGowan  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk  
Mrs M.H. Roberts

Ms R. Saffioti  
Mr P.C. Tinley  
Mr B.S. Wyatt  
Ms S.F. McGurk (*Teller*)

##### Noes (30)

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 W.M. Duncan  
Ms E. Evangel

Mr J.M. Francis  
Mrs G.J. Godfrey  
Dr K.D. Hames  
Mrs L.M. Harvey  
Mr C.D. Hatton  
Mr A.P. Jacob  
Dr G.G. Jacobs  
Mr S.K. L'Estrange  
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 A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr A. Krsticevic (*Teller*)

Question thus negatived.

#### 15. Additional Information

The Minister for Water provided additional information relating to Question without Notice No. 145 from Mrs G. Godfrey.

#### 16. Message from the Governor

Message No. 13 from Her Excellency the Governor was reported assenting to the following bills –

Swan and Canning Rivers Management Amendment Bill 2014, Act No. 6 of 2015.

Perth Theatre Trust Amendment Bill 2014, Act No. 7 of 2015.

Taxation Legislation Amendment Bill 2014, Act No. 8 of 2015.

**17. Children and Community Services Legislation Amendment and Repeal Bill 2014**

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 17 agreed to.

New Part 2 Division 3 Subdivision 1A.

The Parliamentary Secretary to the Minister for Child Protection moved,

Page 14, after line 10 – To insert:

“

**Subdivision 1A — *School Education Act 1999* amended****17A. Act amended**

This Subdivision amends the *School Education Act 1999*.

**17B. Section 26 amended**

In section 26(3) delete “*Parental Support and Responsibility Act 2008*” and insert:

*Children and Community Services Act 2004*

**17C. Section 40 amended**

In section 40(3A) delete “*Parental Support and Responsibility Act 2008*” and insert:

*Children and Community Services Act 2004*

”.

Amendment put and passed.

Clauses 18 to 46 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.

**18. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 4.50 p.m. until Tuesday, 17 March 2015 at 2.00 p.m.

*Members present during any part of the day's proceedings* – All the members except Mr G.M. Castrilli, Mr V.A. Catania, Mr B.J. Grylls, Mr F.M. Logan, Mr S. Love and Mr M.P. Murray.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. MICHAEL SUTHERLAND**

Speaker of the Legislative Assembly