

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 94

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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THURSDAY, 14 AUGUST 2014

### 1. Meeting of Assembly

The Assembly met at 9.00 a.m. 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 –

Busselton Water – Statement of Corporate Intent 2014–2015 (1928).

Commerce, Department of – Local Content Report, May 2014 (1929).

Community Development and Justice Standing Committee – Government Response to Report No. 3: Client Driven? Or Driven to Despair? Inquiry into Accommodation and Intensive Family Support Funding for People with Disabilities (1930).

Community Development and Justice Standing Committee – Government Response to Report No. 4: The Toll of Trauma on Western Australian Emergency Staff and Volunteers (1931).

Water Corporation – Strategic Development Plan 2014–2015 to 2018–2019 (1932).

### 3. Notices of Motion Lapsed

The Speaker advised that Private Members' Business Notices of Motion Nos 1 and 2 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

### 4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Police on the Government's response to the Community Development and Justice Standing Committee's Report – Review of Police Investigation into Traffic Incidents Involving a Member of Parliament.

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*Paper*

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

By the Minister for Police –

Police, Minister for – Government Response to the Community Development and Justice Standing Committee Report – Review of Police Investigation into Traffic Incidents Involving a Member of Parliament (1933).

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The Minister for Environment on the publication of new State Environment Offsets Guidelines.

The Minister for Transport on his official visit to the Wheatbelt and Great Southern Regions.

## **5. Grievances**

The Speaker called for grievances which were then made.

## **6. Joint Standing Committee on the Corruption and Crime Commission**

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

Corruption and Crime Commission, Joint Standing Committee on the – Ensuring the Timely Appointment of a New Corruption and Crime Commissioner, Report No. 15 (1934).

## **7. Partial Revocation of State Forests 6, 22, 23, 28, 32, 33 and 65**

The Minister for Environment, pursuant to notice, moved,

That the proposal for the partial revocation of State forests 6, 22, 23, 28, 32, 33 and 65, laid on the table of the Legislative Assembly on Wednesday, 13 August 2014, by command of His Excellency the Governor, be carried out.

Debate ensued.

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

Question put and passed.

## **8. Taxation Legislation Amendment 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 3 agreed to.

Clause 4.

Mr W.J. Johnston moved,

Page 3, line 13 – To insert after “forms part”:

“ , or is an associated entity of a political party ”

Mr W.J. Johnston, by leave, withdrew his amendment.

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

## **9. Members' Statements**

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

## 10. Questions

Questions without Notice were taken.

Questions on Notice Nos 2763 to 2785 were asked.

Questions on Notice Nos 2568, 2585, 2602 and 2619 were answered.

## 11. Variation to the Order of Business

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

## 12. Taxation Legislation Amendment Bill 2014

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

### CONSIDERATION IN DETAIL

Clause 4.

Mr W.J. Johnston moved, That further consideration of clause 4 be postponed.

Question put and passed.

Clause 5 agreed to.

Clause 6.

Ms R. Saffioti moved,

Page 9, after line 5 – To insert:

“

- (11) A determination under this section is subsidiary legislation for the purposes of the *Interpretation Act 1984*.
- (12) Section 42 of the *Interpretation Act 1984* applies to and in relation to a determination made under this section as if the determination were a regulation.

”

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

Question put.

The Assembly divided.

### Ayes (30)

Mr P. Abetz	Mr J.M. Francis	Ms A.R. Mitchell
Mr F.A. Alban	Mrs G.J. Godfrey	Mr N.W. Morton
Mr C.J. Barnett	Dr K.D. Hames	Dr M.D. Nahan
Mr I.C. Blayney	Mrs L.M. Harvey	Mr D.C. Nalder
Mr I.M. Britza	Mr C.D. Hatton	Mr J. Norberger
Mr G.M. Castrilli	Mr A.P. Jacob	Mr D.T. Redman
Mr V.A. Catania	Dr G.G. Jacobs	Mr A.J. Simpson
Ms M.J. Davies	Mr R.S. Love	Mr M.H. Taylor
Mr J.H.D. Day	Mr W.R. Marmion	Mr T.K. Waldron
Ms E. Evangel	Mr P.T. Miles	Mr A. Krsticevic ( <i>Teller</i> )

### Noes (16)

Ms L.L. Baker	Mr M. McGowan	Mr C.J. Tallentire
Mr R.H. Cook	Mr P. Papalia	Mr P.C. Tinley
Ms J. Farrer	Mr J.R. Quigley	Mr P.B. Watson
Mr W.J. Johnston	Ms M.M. Quirk	Ms J.M. Freeman ( <i>Teller</i> )
Mr D.J. Kelly	Mrs M.H. Roberts	
Mr F.M. Logan	Ms R. Saffioti	

Question thus passed.

On the question, That the words to be inserted, be inserted,  
Amendment put.

The Assembly divided.

Ayes (16)

Ms L.L. Baker  
Mr R.H. Cook  
Ms J. Farrer  
Mr W.J. Johnston  
Mr D.J. Kelly  
Mr F.M. Logan

Mr M. McGowan  
Mr P. Papalia  
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  
Ms J.M. Freeman (*Teller*)

Noes (30)

Mr P. Abetz  
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Mr C.J. Barnett  
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Mr G.M. Castrilli  
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Dr K.D. Hames  
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Mr C.D. Hatton  
Mr A.P. Jacob  
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Mr R.S. Love  
Mr W.R. Marmion  
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*)

Amendment thus negatived.

On the question, That clause 6 be agreed to,

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

Question put.

The Assembly divided.

Ayes (30)

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  
Ms M.J. Davies  
Mr J.H.D. Day  
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 R.S. Love  
Mr W.R. Marmion  
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Mr T.K. Waldron  
Mr A. Krsticevic (*Teller*)

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Mr M. McGowan  
Mr P. Papalia  
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  
Ms J.M. Freeman (*Teller*)

Question thus passed.

Clause agreed to.

Clauses 7 and 8 agreed to.

Clause 9.

Ms R Saffioti moved,

Page 14, after line 28 – To insert:

“

- (11) A determination under this section is subsidiary legislation for the purposes of the *Interpretation Act 1984*.
- (12) Section 42 of the *Interpretation Act 1984* applies to and in relation to a determination made under this section as if the determination were a regulation.

”.

Amendment put.

The Assembly divided.

#### Ayes (14)

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

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

Ms R. Saffioti  
Mr C.J. Tallentire  
Mr P.B. Watson  
Ms J.M. Freeman (*Teller*)

#### Noes (27)

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

Mrs G.J. Godfrey  
Dr K.D. Hames  
Mrs L.M. Harvey  
Mr C.D. Hatton  
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Dr G.G. Jacobs  
Mr R.S. Love  
Mr W.R. Marmion  
Mr P.T. Miles

Ms A.R. Mitchell  
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Mr D.C. Nalder  
Mr D.T. Redman  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr A. Krsticevic (*Teller*)

Amendment thus negatived.

Clause agreed to.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

### 13. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 5.14 p.m. until Tuesday, 19 August 2014 at 2.00 p.m.

*Members present during any part of the day's proceedings* – All the members except Mr M.J. Cowper and Mr S. L'Estrange.

**PETER J. McHUGH**  
Clerk of the Legislative Assembly

**HON. MICHAEL SUTHERLAND**  
Speaker of the Legislative Assembly