

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 84

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 11 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. Petitions

City of Fremantle – Ms S.F. McGurk presented a petition from 3,731 persons requesting that the Legislative Assembly supports new City of Fremantle boundaries that strengthen Fremantle as a unique and distinctive community of interest based on the Fremantle CBD as a strategic activity centre as defined under Directions 2031 (P. 137).

Rosehill Golf Course – Mrs G.J. Godfrey presented a petition from 100 persons requesting that the Legislative Assembly rejects the rezoning application for the Rosehill Golf Course (P. 138).

3. Expiration of Notice of Motion

The Speaker advised members that Private Members' Business Notice of Motion No. 1, notice of which was given on 6 August 2013 and renewed for a further 30 sitting days on 26 November 2013, had been removed from the Notice Paper.

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Science on the appointment of Professor Peter Klinken as Chief Scientist of Western Australia.

The Minister for Regional Development on his recent official visit to China.

The Minister for Citizenship and Multicultural Interests on the release of the *Diverse WA* online cultural competency training package to the non-government sector.

5. Private Members' Business Precedence

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

That so much of the Standing Orders be suspended as is necessary to enable Private Members' Business to have priority from 4.00 p.m. to 8.00 p.m. on Wednesday, 11 June 2014.

Question put and passed.

6. Variation to the Order of Business

Ordered, That Bills Notices of Motion Nos 2 and 1 be next considered.

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

Ms J. Farrer, pursuant to notice, moved,

That a bill for “An Act to amend the *Constitution Act 1889*.” be introduced and read a first time.

Question put and passed.

Ms J. Farrer 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. Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014

The Minister for Environment, pursuant to notice, moved,

That a bill for “An Act to amend the *Waste Avoidance and Resource Recovery Act 2007* to validate certain regulations and for related purposes.” 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.

Urgent Bill

The Minister for Environment moved, That the Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014 be considered an urgent bill.

Debate ensued.

Question put and passed.

Debate ensued.

Question put and passed.

Bill 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.

9. Questions

Questions without Notice were taken.

Questions on Notice Nos 2373 to 2380 were asked.

Questions on Notice Nos 2244 to 2246, 2266, 2270, 2271, 2299 and 2301 were answered.

Papers tabled by the Minister for Health –

Question on Notice No. 2245 – Commitment in May Budget in 2012 for 100 New and Additional Full-Time Equivalent (FTE) Child Nurses (1696).

Question on Notice No. 2246 – The Commitment for New and Additional Full-Time Equivalent (FTE) School Nurses (1697).

10. Personal Explanation

The Premier made a personal explanation on comments made in the House yesterday regarding Mineralogy.

11. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day for the further consideration in detail of the Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014 be resumed.

12. Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014

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

CONSIDERATION IN DETAIL

Clause 4 agreed to.

Title agreed to.

Consideration in detail concluded.

Leave was granted to proceed forthwith to the third reading of the bill.

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

Debate ensued.

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

13. Variation to the Order of Business

Ordered, That Private Members' Business Order of the Day for the second reading of the Constitution Amendment (Recognition of Aboriginal People) Bill 2014, Private Members' Business Order of the Day No. 13 and Private Members' Business Notice of Motion No. 24 be next considered.

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

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

Speaker's Statement – Part of speech in Aboriginal Gidja

The Speaker advised members that the member for Kimberley had sought permission to deliver part of her speech in her first language, aboriginal Gidja. The Speaker advised that the member for Kimberley had been asked to commence her speech in English and when she wished to speak Gidja, to seek the permission of the Chair to address the Assembly in Gidja, and to give an undertaking that there was nothing unparliamentary in the speech. The Speaker advised that after the member made a short part of her speech in Gidja, she would repeat that part of the speech in English so that it could be reported by Hansard.

Ms J. Farrer moved, That the bill be now read a second time.

Mr A. Krsticevic moved, That the debate be adjourned.

Question put and passed.

15. Criminal Law (Mentally Impaired Accused) 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.

The Assembly divided.

Ayes (17)

Ms L.L. Baker
 Dr A.D. Buti
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr D.J. Kelly
 Mr F.M. Logan

Mr M. McGowan
 Mr M.P. Murray
 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
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Noes (32)

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
 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 R.S. Love
 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 D.T. Redman
 Mr A.J. Simpson
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Question thus negatived.

Second reading not agreed to.

16. Public Housing

Mr F.M. Logan, pursuant to notice, moved,

That this House condemns the Barnett Government for its budget funding cuts to public housing, crisis accommodation and other housing programs as waiting times for public housing continue to increase and the failure of Liberal/National governments to increase the income threshold limit for public housing tenants.

Debate ensued.

Debate interrupted by the Chair (Ms J.M. Freeman speaking) and adjourned until a later stage of the sitting.

17. Community Development and Justice Standing Committee – Extension of Reporting Date

The Acting Speaker advised the House that he had received a letter from the Chair of the Community Development and Justice Standing Committee dated 11 June 2014 advising that the Committee had resolved to extend its reporting date to the House on its consideration of the agency review hearing with WA Police to 19 June 2014.

18. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day for the third reading of the Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014 be resumed.

19. Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014

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

Debate resumed.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

20. Revenue Laws Amendment Bill 2014

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

CONSIDERATION IN DETAIL

Clauses 1 to 3 agreed to.

Clause 4.

Clause put.

The Assembly divided.

Ayes (29)

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
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 A.P. Jacob
Dr G.G. Jacobs
Mr S.K. L'Estrange
Mr R.S. Love
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 D.T. Redman
Mr A.J. Simpson
Mr T.K. Waldron
Mr A. Krsticevic (*Teller*)

Noes (14)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Ms J.M. Freeman
Mr D.J. Kelly

Mr F.M. Logan
Mr M.P. Murray
Mr P. Papalia
Ms M.M. Quirk
Mrs M.H. Roberts

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

Clause thus passed.

Clause 5.

Clause put.

The Assembly divided.

Ayes (29)

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
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 A.P. Jacob
Dr G.G. Jacobs
Mr S.K. L'Estrange
Mr R.S. Love
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 D.T. Redman
Mr A.J. Simpson
Mr T.K. Waldron
Mr A. Krsticevic (*Teller*)

Noes (13)

Dr A.D. Buti
Mr R.H. Cook
Ms J.M. Freeman
Mr D.J. Kelly
Mr F.M. Logan

Mr M.P. Murray
Mr P. Papalia
Ms M.M. Quirk
Mrs M.H. Roberts
Ms R. Saffioti

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

Clause thus passed.

Clauses 6 to 9 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.

21. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.51 p.m. until Thursday, 12 June 2014 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr B.J. Grylls and Mr M.H. Taylor.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND

Speaker of the Legislative Assembly