

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 93

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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WEDNESDAY, 13 AUGUST 2014

### 1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Death of Graham Burkett – a former Member of the Legislative Assembly

The Premier, without notice, moved,

That the House records its sincere regret at the death of Graham Burkett and tenders its deep sympathy to his family.

The motion was supported by Mr M. McGowan, Mr T.K. Waldron, Mrs M.H. Roberts, Mr V.A. Catania, Mr R.F. Johnson and Dr K.D. Hames.

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

### 3. Petition

Lakelands Estate Mandurah – Mr D.A. Templeman presented a petition from 424 persons requesting that the Legislative Assembly requests the Minister for Transport to instruct and fund Main Roads to install traffic lights at the intersection of Catalina Drive and Mandurah Road, Lakelands, and also that the Minister provides 50 per cent of the funding through Main Roads to ensure that the extension of Banksiadale Gate to Mandurah Road and Madora Bay Road, Lakelands is constructed (P. 153).

### 4. Papers

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

By the Speaker –

Auditor General, Office of the – Our Heritage and Our Future: Health of the Swan Canning River System, Report 16 (1838).

By the Clerk –

Adoption Act 1994 – Regulations (Adoption Amendment Regulations 2014 G.G. 27/06/2014) (1839).

Biosecurity and Agriculture Management Act 2007 – Determinations (Biosecurity and Agriculture Management Determination under s. 130(1) – Pastoral lease in the Prescribed Areas 2014 G.G. 24/06/2014) (1840).

- Building Act 2011 – Regulations** (Building Amendment Regulations (No. 3) 2014 G.G. 27/06/2014) (1841).
- Cemeteries Act 1986 – Local Laws** (Shire of Dardanup Cemeteries Local Law 2014 G.G. 27/06/2014) (1842).
- Children and Community Services Act 2004 – Regulations** (Children and Community Services Amendment Regulations 2014 G.G. 27/06/2014) (1843).
- Children's Court of Western Australia Act 1988 – Regulations** (Children's Court (Fees) Amendment Regulations (No. 2) 2014 G.G. 27/06/2014) (1844).
- Civil Judgments Enforcement Act 2004 – Regulations** (Civil Judgments Enforcement Amendment Regulations 2014 G.G. 27/06/2014) (1845).
- Community Protection (Offender Reporting) Act 2004 – Regulations** (Community Protection (Offender Reporting) Amendment Regulations 2014 G.G. 5/08/2014) (1846).
- Conservation and Land Management Act 1984 – Proposal for the Partial Revocation of State Forests No. 6, 22, 23, 28, 32, 33 and 65** (1847).
- Coroners Act 1996 – Regulations** (Coroners Amendment Regulations (No. 2) 2014 G.G. 27/06/2014) (1848).
- Dangerous Goods Safety Act 2004 – Orders** (Dangerous Goods Safety Exemption Notice No. 45 G.G. 4/07/2014) (1849).
- Disability Services Act 1993 – Regulations** (Disability Services Amendment Regulations 2014 G.G. 30/06/2014) (1850).
- District Court of Western Australia Act 1969 – Regulations** (District Court (Fees) Amendment Regulations (No. 3) 2014 G.G. 27/06/2014) (1851).
- Dividing Fences Act 1961 – Local Laws** (Shire of Mundaring Fencing Local Law 2014 G.G. 5/08/2014) (1852).
- Energy Operators (Powers) Act 1979 – By-laws** (Energy Operators (Electricity Generation and Retail Corporation) (Charges) Amendment By-laws 2014 G.G. 27/06/2014) (1853).
- Energy Operators (Powers) Act 1979 – By-laws** (Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2014 G.G. 27/06/2014) (1854).
- Environmental Protection Act 1986 – Orders** (Environmental Protection (Shark Hazard Mitigation Drum Line Program) Exemption Order 2014 G.G. 27/06/2014) (1855).
- Environmental Protection Act 1986 – Regulations** (Environmental Protection (Controlled Waste) Amendment Regulations 2014 G.G. 1/08/2014) (1856).
- Environmental Protection Act 1986 – Regulations** (Environmental Protection Amendment Regulations (No. 3) 2014 G.G. 1/08/2014) (1857).
- Evidence Act 1906 – Regulations** (Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2014 G.G. 27/06/2014) (1858).
- Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations** (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 2014 G.G. 4/07/2014) (1859).
- Fish Resources Management Act 1994 – Management Plans** (West Coast Estuarine Managed Fishery Management Plan Amendment 2014 [1194] G.G. 4/07/2014) (1860).
- Human Reproductive Technology Act 1991 – Regulations** (Human Reproductive Technology (Licences and Registers) Amendment Regulations 2014 G.G. 15/07/2014) (1861).
- Industrial Relations Act 1979 – Regulations** (Industrial Relations (General) Amendment Regulations 2014 G.G. 27/06/2014) (1862).
- Industrial Relations Act 1979 – Regulations** (Industrial Relations Commission Amendment Regulations 2014 G.G. 4/07/2014) (1863).
- Jetties Act 1926 – Regulations** (Jetties Amendment Regulations (No. 2) 2014 G.G. 25/07/2014) (1864).
- Land Administration Act 1997 – Proposal No. 5/2014 for the Excision of Land From Class A Reserve 12439, Yanchep** (1865).
- Land Tax Assessment Act 2002 – Regulations** (Land Tax Assessment Amendment Regulations 2014 G.G. 30/06/2014) (1866).

- Licensed Surveyors Act 1909 – Regulations (Licensed Surveyors (Licensing and Registration) Amendment Regulations 2014 G.G. 15/07/2014) (1867).
- Liquor Control Act 1988 – Regulations (Liquor Control (Juwurlinji Restricted Area) Amendment Regulations 2014 G.G. 11/07/2014) (1868).
- Liquor Control Act 1988 – Regulations (Liquor Control (Spinifex Restricted Area) Regulations 2014 G.G. 1/07/2014) (1869).
- Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 2) 2014 G.G. 27/06/2014) (1870).
- Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 4) 2014 G.G. 1/07/2014) (1871).
- Local Government Act 1995 – Local Laws (City of Fremantle Alfresco Dining Local Law 2014 G.G. 18/07/2014) (1872).
- Local Government Act 1995 – Local Laws (City of Nedlands Site Erosion and Sand Drift Local Law 2014 G.G. 5/08/2014) (1873).
- Local Government Act 1995 – Local Laws (Shire of Augusta Margaret River Extractive Industries Local Law 2014 G.G. 5/08/2014) (1874).
- Lotteries Commission Act 1990 – Rules (Lotteries Commission (Cash 3) Amendment Rules 2014 G.G. 25/07/2014) (1875).
- Lotteries Commission Act 1990 – Rules (Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 2014 G.G. 24/06/2014) (1876).
- Magistrates Court Act 2004 – Regulations (Magistrates Court (Fees) Amendment Regulations (No. 3) 2014 G.G. 27/06/2014) (1877).
- Misuse of Drugs Act 1981 – Regulations (Misuse of Drugs Amendment Regulations (No. 2) 2014 G.G. 5/08/2014) (1878).
- Motor Vehicle Dealers Act 1973 – Regulations (Motor Vehicle Dealers (Licensing) Amendment Regulations 2014 G.G. 15/07/2014) (1879).
- Motor Vehicle Repairers Act 2003 – Regulations (Motor Vehicle Repairers Amendment Regulations 2014 G.G. 15/07/2014) (1880).
- Pawnbrokers and Second-hand Dealers Act 1994 – Regulations (Pawnbrokers and Second-hand Dealers Amendment Regulations (No. 2) 2014 G.G. 5/08/2014) (1881).
- Poisons Act 1964 – Orders (Poisons (Appendix A Amendment) Order 2014 G.G. 27/06/2014) (1882).
- Professional Standards Act 1997 – Schemes (Institute of Chartered Accountants in Australia Professional Standards Scheme (WA) G.G. 8/08/2014) (1883).
- Professional Standards Act 1997 – Schemes (Law Society of Western Australia Scheme Amendment 2014 G.G. 27/06/2014) (1884).
- Public Trustee Act 1941 – Notices (Public Trustee's Scale of Fees 2014 G.G. 24/06/2014) (1885).
- Rates and Charges (Rebates and Deferments) Act 1992 – Regulations (Rates and Charges (Rebates and Deferments) Amendment Regulations 2014 G.G. 30/06/2014) (1886).
- Road Traffic Act 1974 – Regulations (Road Traffic (Drug Driving) Amendment Regulations 2014 G.G. 11/07/2014) (1887).
- Security and Related Activities (Control) Act 1996 – Regulations (Security and Related Activities (Control) Amendment Regulations (No. 2) 2014 G.G. 5/08/2014) (1888).
- Shipping and Pilotage Act 1967 – Regulations (Navigable Waters Amendment Regulations (No. 3) 2014 G.G. 25/07/2014) (1889).
- Shipping and Pilotage Act 1967 – Regulations (Shipping and Pilotage (Ports and Harbours) Amendment Regulations (No. 2) 2014 G.G. 27/06/2014) (1890).
- Spent Convictions Act 1988 – Regulations (Spent Convictions Amendment Regulations (No. 3) 2014 G.G. 27/06/2014) (1891).
- State Administrative Tribunal Act 2004 – Regulations (State Administrative Tribunal Amendment Regulations (No. 4) 2014 G.G. 27/06/2014) (1892).

State Enterprises (Commonwealth Tax Equivalents) Act 1996 – Regulations (State Enterprises (Commonwealth Tax Equivalents) (Application) Amendment Regulations 2014 G.G. 27/06/2014) (1893).

Supreme Court Act 1935 – Notices (Rule of Court 2015 – Sittings and Winter Vacation for 2015 G.G. 25/07/2014) (1894).

Supreme Court Act 1935 – Regulations (Supreme Court (Fees) Amendment Regulations (No. 2) 2014 G.G. 27/06/2014) (1895).

Supreme Court Act 1935 – Regulations (Supreme Court (Fees) Amendment Regulations (No. 3) 2014 G.G. 11/07/2014) (1896).

Swan and Canning Rivers Management Act 2006 – Regulations (Swan and Canning Rivers Management Amendment Regulations 2014 G.G. 27/06/2014) (1897).

Teacher Registration Act 2012 – Regulations (Teacher Registration (General) Amendment Regulations (No. 3) 2014 G.G. 1/07/2014) (1898).

Tobacco Products Control Act 2006 – Regulations (Tobacco Products Control Amendment Regulations 2014 G.G. 27/06/2014) (1899).

Transport Co-ordination Act 1966 – Regulations (Transport (Country Taxi-car) Amendment Regulations (No. 2) 2014 G.G. 27/06/2014) (1900).

Vocational Education and Training Act 1996 – By-laws (Durack Institute of Technology By-laws 2014 G.G. 4/07/2014) (1901).

Vocational Education and Training Act 1996 – Regulations (Vocational Education and Training (General) Amendment Regulations (No. 2) 2014 G.G. 15/07/2014) (1902).

Water Services Act 2012 – Regulations (Water Services (Water Corporations Charges) Regulations 2014 G.G. 25/06/2014) (1903).

Water Services Act 2012 – Regulations (Water Services Amendment Regulations 2014 G.G. 27/06/2014) (1904).

Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2014 G.G. 1/07/2014) (1905).

Witness Protection (Western Australia) Act 1996 – Regulations (Witness Protection (Western Australia) Amendment Regulations (No. 2) 2014 G.G. 5/08/2014) (1906).

Working with Children (Criminal Record Checking) Act 2004 – Regulations (Working with Children (Criminal Record Checking) Amendment Regulations (No. 2) 2014 G.G. 27/06/2014) (1907).

## **5. Joint Standing Committee on the Commissioner for Children and Young People**

The Speaker reported that a response by the Minister representing the Attorney General to the recommendations of the Joint Standing Committee on the Commissioner for Children and Young People's report 'Changing Priorities in the Post-Blaxell Environment' had not been received by the required time.

## **6. Notice of Motion**

## **7. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Housing on the Head Maintenance Contract procurement process for the Department of Housing.

The Minister for Corrective Services on an update of the progress of the Department of Corrective Services in addressing the recommendations of the Inspector of Custodial Services' investigation following the riot at Banksia Hill Detention Centre in January 2013.

The Minister for Sport and Recreation on the impact of the fire that occurred at the State Netball Centre construction site on 10 July 2014.

The Parliamentary Secretary to the Minister for Commerce on the GovHack competition.

## 8. Australian Red Cross Centenary

The Premier, pursuant to notice, moved,

That this House:

- notes that 13 August 2014 marks the centenary year of the Australian Red Cross and celebrates this significant milestone in the history of humanitarian endeavours;
- takes this opportunity to reflect on 100 years of life-changing and, often, life-saving assistance provided to people in need by Australian Red Cross workers, volunteers, supporters and donors; and
- congratulates generations of Australians for their extraordinary contributions through the everyday work of the Red Cross.

Debate ensued.

Question put and passed.

## 9. 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.

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

## 10. Questions

Questions without Notice were taken.

Questions on Notice Nos 2704 to 2762 were asked.

Questions on Notice Nos 2329 to 2331, 2338, 2352 to 2354, 2371, 2380, 2381, 2396 to 2398, 2405 to 2407, 2413, 2414, 2422 to 2424, 2484, 2530, 2533 to 2539, 2543, 2544, 2547, 2558, 2559, 2574 to 2576, 2583, 2591 to 2593, 2600, 2608 to 2610, 2617, 2625 to 2627, 2634, 2643 to 2652 and 2656 to 2662 were answered.

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

Question on Notice No. 2329 – Names of Corporate/Club/Associations to Which a Sponsorship Fee was Paid and the Amount, Since 1 April 2013 (1908).

Paper tabled by the Minister Representing the Attorney General; Minister for Commerce –

Question on Notice No. 2330 – Names of Corporate/Club/Associations to Which a Sponsorship Fee was Paid and the Amount, Since 1 April 2013 (1909).

Paper tabled by the Minister for Water; Forestry –

Question on Notice No. 2338 – Names of Corporate/Club/Associations to Which a Sponsorship Fee was Paid and the Amount, Since 1 April 2013 (1910).

Papers tabled by the Minister for Transport –

Question on Notice No. 2380 – Monthly Summary of Train Commuters for 2013–2014 in the Maylands Electorate (1911).

Question on Notice No. 2543 – Details of Transit Officers on Duty on Metropolitan Rail Lines (1912).

Papers tabled by the Minister for Water –

Question on Notice No. 2544 – Details of the Amount of Rebates or Concessions Provided to Concession Card Holders From September to December 2008 (1913).

Question on Notice No. 2547 – Details of the Amount of Rebates or Concessions Provided to Concession Card Holders for 2009 (1914).

Question on Notice No. 2658 – Details of the Amount of Rebates or Concessions Provided to Concession Card Holders for 2010 (1915).

Question on Notice No. 2659 – Details of the Amount of Rebates or Concessions Provided to Concession Card Holders for 2011 (1916).

Question on Notice No. 2660 – Details of the Amount of Rebates or Concessions Provided to Concession Card Holders for 2012 (1917).

Question on Notice No. 2661 – Details of the Amount of Rebates or Concessions Provided to Concession Card Holders for 2013 (1918).

Question on Notice No. 2662 – Details of the Amount of Rebates or Concessions Provided to Concession Card Holders For January to June 2014 (1919).

Papers tabled by the Parliamentary Secretary Representing the Minister for Child Protection –

Question on Notice No. 2647 – Details of HUGS Grants for 2009 (1920).

Question on Notice No. 2648 – Details of HUGS Grants for 2010 (1921).

Question on Notice No. 2649 – Details of HUGS Grants for 2011 (1922).

Question on Notice No. 2650 – Details of HUGS Grants for 2012 (1923).

Question on Notice No. 2651 – Details of HUGS Grants for 2013 (1924).

Question on Notice No. 2652 – Details of HUGS Grants for January to June 2014 (1925).

Paper tabled by the Minister Representing the Minister for Education –

Question on Notice No. 2656 – Building Condition Assessment Reports for Schools in the Bassendean Area (1926).

## **11. Ministerial Statement**

The Minister for Energy was granted leave to make a Ministerial Statement on the Electricity Market Review Phase 1 Discussion Paper.

### *Paper*

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

By the Minister for Energy –

Energy, Minister for – Electricity Market Review: Discussion Paper (1927).

## **12. Community Development and Justice Standing Committee – Extension of Reporting Date**

The Speaker advised the House that he had received a letter from the Chair of the Community Development and Justice Standing Committee advising that the Committee had resolved to extend its reporting date to the House on its Inquiry into Policy Implications of an Ageing Community to 20 November 2014.

## **13. 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 to the House on its Inquiry into the Management of Western Australia's Freight Rail Network to 16 October 2014.

## **14. Variation to the Order of Business**

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

**15. 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.

Mr W.J. Johnston was granted leave to continue his remarks at a later stage of the sitting.

**16. Ministerial Statement – Reply**

Mr W.J. Johnston spoke in reply to the Ministerial Statement made earlier by the Minister for Energy on the Electricity Market Review Phase 1 Discussion Paper.

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

**17. Variation to the Order of Business**

Ordered, That Private Members' Business Notices of Motion Nos 22 and 24 be next considered.

**18. Education and Health Standing Committee – Referral of Inquiry into Suicides of FIFO workers**

Mr M. McGowan, pursuant to notice, moved,

That the Education and Health Standing Committee undertake an urgent inquiry into the reasons behind suicides of fly-in fly-out (FIFO) workers and recommend initiatives industry and government can take to reduce their prevalence.

Debate ensued.

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

Question put and passed.

**19. Privatisation of the TAB**

Mr M.P. Murray, pursuant to notice, moved,

That this House condemns the Barnett Government for breaking its word in relation to the privatisation of the TAB.

Debate ensued.

Debate interrupted by the Chair (the Premier speaking) and adjourned until a later stage of the sitting.

**20. 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, 13 August 2014 at 9.00 a.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