

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 92

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 12 AUGUST 2014

### 1. Meeting of Assembly

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Speaker's Statement – Malaysia Airlines Flight MH17

The Speaker advised members that all members in the House were solemnly united as they acknowledged the devastating loss on 17 July 2014 of all 298 passengers and crew of Malaysian Airlines MH17. He stated that many Western Australians had been directly affected by the tragedy. Some members knew people whose lives were taken that day; some members knew their families or friends. He further stated that others could only feel profound compassion as they attempted to imagine how mothers, fathers, husbands, wives, sons, daughters, grandparents and beloved friends would go on living in the face of such loss.

The Speaker advised that, on behalf of all those present, and on behalf of the Western Australian community, he expressed a shared grief and the deepest of sympathy to all those people who had been affected by those terrible events. He invited all to stand and observe a minute of silence as a mark of respect for those lost, and also in sympathy for those left behind.

The Speaker's statement concluded with members and officers of the Assembly standing in their places as a mark of respect.

### 3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Sport and Recreation on the 2014 Commonwealth Games in Glasgow.

The Minister for Citizenship and Multicultural Interests on the Ramadan Iftar Dinner for members of the Western Australian Parliament held on 21 July 2014.

The Minister for Mines and Petroleum on the Western Australian Institute of Public Administration Patron's Award, awarded to Mr Richard Sellers, Director General of the Department of Mines and Petroleum.

#### 4. Questions

Questions without Notice were taken.

Questions on Notice Nos 2670 to 2703 were asked.

Questions on Notice Nos 2314 to 2320, 2322 to 2328, 2332 to 2337, 2340 to 2343, 2345 to 2350, 2355 to 2357, 2359 to 2370, 2372, 2377 to 2379, 2383 to 2387, 2389 to 2395, 2403, 2404, 2408, 2411, 2412, 2415 to 2421, 2425 to 2432, 2434 to 2483, 2485 to 2503, 2517 to 2519, 2521, 2523 to 2528, 2541, 2556, 2560, 2561, 2563 to 2567, 2569 to 2573, 2577 to 2582, 2584, 2586 to 2590, 2594 to 2599, 2601, 2603 to 2607, 2611 to 2616, 2618, 2620 to 2624, 2628 to 2633, 2635 to 2640, 2653 to 2655 and 2663 to 2669 were answered.

Paper tabled by the Deputy Premier; Minister for Health; Training and Workforce Development –

Question on Notice No. 2323 – Names of Corporate/Club/Associations to Which a Sponsorship Fee was Paid and the Amount, Since 1 April 2013 (1818).

Paper tabled by the Minister for Police –

Question on Notice No. 2517 – Police Structural Chart (1819).

Paper tabled by the Minister for Mines and Petroleum –

Question on Notice No. 2370 – Details of Payments Made Under the Exploration Incentive Scheme (1820).

Paper tabled by the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development –

Question on Notice No. 2324 – Names of Corporate/Club/Associations to Which a Sponsorship Fee was Paid and the Amount, Since 1 April 2013 (1821).

Paper tabled by the Minister for Planning; Culture and the Arts –

Question on Notice No. 2327 – Names of Corporate/Club/Associations to Which a Sponsorship Fee was Paid and the Amount, Since 1 April 2013 (1822).

Paper tabled by the Minister for Police; Tourism; Road Safety; Women's Interests –

Question on Notice No. 2328 – Names of Corporate/Club/Associations to Which a Sponsorship Fee was Paid and the Amount, Since 1 April 2013 (1823).

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

Question on Notice No. 2337 – Names of Corporate/Club/Associations to Which a Sponsorship Fee was Paid and the Amount, Since 1 April 2013 (1824).

Papers tabled by the Minister for Planning –

Question on Notice No. 2564 – Details of Town Planning Schemes Currently With the Western Australian Planning Commission (1825).

Question on Notice No. 2565 – Details of Local Structure Plans Currently With the Western Australian Planning Commission (1826).

Question on Notice No. 2656 – Details of Properties Acquired by the Western Australian Planning Commission in 2013–2014 (1827).

Paper tabled by the Minister for Energy –

Question on Notice No. 2372 – Details of the Next Round of Underground Power (1828).

Paper tabled by the Minister for Housing –

Question on Notice No. 2434 – Details of Properties Sold by the Department of Housing in the Midland Area, in 2012–2014 (1829).

Papers tabled by the Minister for Corrective Services –

Question on Notice No. 2383 – Details of Children Registered With Youth Justice Services in the Kimberley Region (1830).

Question on Notice No. 2441 – Details of Female Prisoners Entering the Prison System and Re-Offending (1831).

Question on Notice No. 2470 – Details of Available Prison Beds (1832).

Question on Notice No. 2472 – Details of Programs Provided for Adult Prisoners (1833).

Question on Notice No. 2475 – Details of Violent Offender Programs Conducted (1834).

Paper tabled by the Minister Representing the Minister for Education –

Question on Notice No. 2341 – Details of Student Numbers and Funding for Durham Road School, Bayswater (1835).

Paper tabled by the Minister Representing the Minister for Fisheries –

Question on Notice No. 2556 – Details of Safety Checks Made by Fisheries and Marine Officers (1836).

Questions on Notice Nos 2321, 2339, 2351, 2358, 2373 to 2376, 2382, 2388, 2399 to 2402, 2409, 2410, 2433, 2504 to 2516, 2520, 2522, 2540, 2542, 2545, 2546, 2548, 2550 to 2555, 2557, 2641 and 2642 were answered on 1 August 2014.

Paper tabled by the Minister for Health –

Question on Notice No. 2375 – Daily Ambulance Ramping Hours for Perth Hospitals (1798).

Paper tabled by the Minister for Police –

Question on Notice No. 2542 – Monthly Domestic Violence Figures for 2013 (1799).

Paper tabled by the Minister for Road Safety –

Question on Notice No. 2373 – List of Schools Where There Were Fatalities or Serious Injuries (1800).

Papers tabled by the Minister for Training and Workforce Development –

Question on Notice No. 2545 – Student Contact Hours by Training Providers for Semester 1, 2013 (1801).

Question on Notice No. 2546 – Student Contact Hours by Training Providers for Semester 2, 2013 (1802).

Question on Notice No. 2557 – Student Contact Hours by Various Training Providers for Semester 1, 2013 (1803).

Question on Notice No. 2641 – Student Contact Hours by Various Training Providers for Semester 2, 2013 (1804).

Papers tabled by the Minister for Youth –

Question on Notice No. 2550 – Government Grants to Youth Services in 2009 (1805).

Question on Notice No. 2551 – Government Grants to Youth Services in 2010 (1806).

Question on Notice No. 2552 – Government Grants to Youth Services in 2011 (1807).

Question on Notice No. 2553 – Government Grants to Youth Services in 2012 (1808).

Question on Notice No. 2554 – Government Grants to Youth Services in 2013 (1809).

## **5. Unanswered Questions on Notice**

Mr W.J. Johnston asked why no answer had been received in respect of his Questions on Notice Nos 2413 and 2414.

## **6. Petitions**

Fly By Night Musicians Club – Ms S.F. McGurk presented a petition from 5,032 persons requesting that the Legislative Assembly calls on the State Government to support the Fly By Night Musicians Club in its bid to continue to operate in its current form, and to ensure it remains part of the vibrant Fremantle arts community (P. 151).

Cockburn Council – Mr F.M. Logan presented a petition from 115 persons requesting that the Legislative Assembly calls on the State Government to leave the City of Cockburn’s current boundaries in place (P. 152).

## 7. Papers

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

By the Speaker –

Auditor General, Office of the – Information Systems Audit, Report 14 (Received by the Clerk of the Legislative Assembly and deemed tabled on 30 June 2014) (1790).

Auditor General, Office of the – Working With Children Checks, Report 15 (Received by the Clerk of the Legislative Assembly and deemed tabled on 30 June 2014) (1791).

Inspector of Custodial Services, Office of the – Report No. 90: Report of an Announced Inspection of Acacia Prison (Received by the Clerk of the Legislative Assembly on 25 June and held for a period of thirty days) (1810).

By the Clerk –

Building and Construction Industry Training Fund and Levy Collection Act 1990 – Review of the Operation and Effectiveness of the Act (1811).

Commissioner for Children and Young People – Best Practice Programs That Improve the Wellbeing of Children and Young People – Edition Two (Received by the Clerk of the Legislative Assembly and deemed tabled on 14 July 2014) (1796).

Commissioner for Children and Young People – The State of Western Australia’s Children and Young People – Edition Two (Received by the Clerk of the Legislative Assembly and deemed tabled on 14 July 2014) (1795).

Conservation and Land Management Act 1984 – Lease No. 2267/97 Between the Department of Parks and Wildlife and Western Australia Biomass Pty Ltd for the Construction and Operation of a Biomass Power Plant Located Within State Forest No. 33 Near Manjimup (1812).

Corruption and Crime Commission, Joint Standing Committee on the – Government Response to Report No. 10: WA Police’s Use of Part 4 ‘Exceptional Powers’ in the *Corruption and Crime Commission Act 2003* (1837).

Criminal Investigation (Covert Powers) Act 2012 – Annual Report Regarding the Department of Fisheries Acquisition and Use of Assumed Identities Under Section 76(1) of the Act (1813).

Economic Regulation Authority – Inquiry Into Microeconomic Reform in Western Australia, Final Report (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 July 2014) (1797).

Education and Health Standing Committee – Government Response to Report No. 2: More than Bricks and Mortar: The Report of the Inquiry Into the Organisational Response Within the Department of Health to the Challenges Associated With Commissioning the Fiona Stanley Hospital (1814).

Gold Corporation – Statement of Corporate Intent 2014–2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 8 July 2014) (1793).

Land Surveyors Licensing Board of Western Australia – Annual Report 2013 (1815).

Landgate – Statement of Corporate Intent 2014–2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 1 July 2014) (1792).

Lotterywest – Statement of Corporate Intent 2014–2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 9 July 2014) (1794).

Salaries and Allowances Tribunal – Report on the Remuneration of Judges, District Court Judges, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission (1816).

Terrorism (Preventative Detention) Act 2006 – Quarterly Report for the Quarter Ended 30 June 2014 (1817).

## 8. Notices of Motion

### 9. Removal of Order of the Day

The Speaker advised members that the Order of the Day that appeared on the last Notice Paper as No. 1 under Private Members' Business, Gonski Reform Package, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

### 10. Matter of Public Interest – Energy Portfolio

The Speaker informed the Assembly that he was in receipt of a notice from Mr M. McGowan that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr M. McGowan moved,

That the House condemns the Barnett Government for its chaotic management of the Energy portfolio resulting in the resignation of the majority of the Synergy board and the losses incurred in the Pilbara underground power project.

Debate ensued.

Question put.

The Assembly divided.

#### Ayes (18)

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

#### Noes (33)

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

Question thus negatived.

### 11. Message from the Administrator

Message No. 16 from the Administrator was reported assenting to the following bills –

Medicines and Poisons Bill 2014, Act No. 13 of 2014.

Electoral Amendment Bill 2014, Act No. 14 of 2014.

Revenue Laws Amendment Bill 2014, Act No. 15 of 2014.

Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014, Act No. 16 of 2014.

Statutes (Repeals and Minor Amendments) Bill 2013, Act No. 17 of 2014.

Taxi Drivers Licensing Bill 2013, Act No. 18 of 2014.

**12. Messages from the Administrator**

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

Taxation Legislation Amendment Bill 2014 (Message No. 17).

Perth Theatre Trust Amendment Bill 2014 (Message No. 18).

**13. 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.

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

Question put and passed.

**14. Declared Places (Mentally Impaired Accused) Bill 2013**

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.

Ordered, That the consideration in detail of the bill be made an Order of the Day for the next sitting of the Assembly.

**15. Adjournment**

The Premier moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 10.22 p.m. until Wednesday, 13 August 2014 at 12.00 noon.

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

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. MICHAEL SUTHERLAND**

Speaker of the Legislative Assembly