

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 29

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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TUESDAY, 10 SEPTEMBER 2013

### 1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

### 2. Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of a delegation from the Saskatchewan Legislative Assembly in Canada. He informed members that the delegation's two week visit was being hosted by the Parliament of Western Australia. The Speaker noted that in addition to learning about Western Australia's parliamentary and political system, the delegation members had the unique opportunity to visit Western Australian members of Parliament in their electorates to see how they and their electorate offices work.

The eight members of the delegation were:

- The Hon. Dan D'Autremont MLA, Speaker of the Saskatchewan Legislative Assembly
- Mr Glen Hart MLA, Deputy Speaker
- Ms Jennifer Campeau MLA
- Mr John Nilson MLA
- Mr Rob Norris MLA
- Mr Gregory Putz, Clerk of the Saskatchewan Legislative Assembly
- Mr Darcy Hislop, Chief Technology Officer
- Ms Lynn Jacobson, Executive Director, Member and Corporate Services

### 3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Mines and Petroleum on the 2013 Australian Prospectors and Miners' Hall of Fame inductees.

The Minister for Heritage on the Heritage Grants Program.

The Minister for Police on the correction of an error in the Western Australia Police Annual Report 2011–2012 regarding the reporting of traffic patrol hours.

#### 4. Questions

Questions without Notice were taken.

Questions on Notice Nos 1065 to 1222 were asked.

Questions on Notice Nos 344, 522, 857, 864, 871, 937 to 946, 948 to 950, 953 to 956, 958 to 962, 963 to 965, 967 to 969, 972 to 975, 977 to 979, 981, 982, 986, 1001 to 1008, 1012 to 1019, 1021, 1050, 1051, 1056, 1057 and 1060 were answered.

Paper tabled by the Premier –

Question on Notice No. 962 – Details of the Premier's use of the ministerial air-charter services since 1 January 2013 (742).

Papers tabled by the Deputy Premier; Minister for Health –

Question on Notice No. 961 – Number of stroke patients admitted each year for each public hospital from January 2008 (743).

Question on Notice No. 963 – Details of the Deputy Premier's use of the ministerial air-charter services since 1 January 2013 (744).

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

Question on Notice No. 967 – Details of the Minister for Planning's use of the ministerial air-charter services since 1 January 2013 (745).

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

Question on Notice No. 968 – Details of the Minister for Police's use of the ministerial air-charter services since 1 January 2013 (746).

Question on Notice No. 979 – Successful Regional Events Scheme applicants for 2012–2013 and 2013–2014 funding rounds (747).

Question on Notice No. 1018 – *Rottnest Island Research for Marketing and Tourism Strategy* prepared for Rottnest Island Authority (748).

Paper tabled by the Minister for Mines and Petroleum; Housing –

Question on Notice No. 972 – Details of the Minister for Mines and Petroleum's use of the ministerial air-charter services since 1 January 2013 (749).

Paper tabled by the Minister for Energy; Finance; Citizenship and Multicultural Interests –

Question on Notice No. 975 – Details of the Minister for Energy's use of the ministerial air-charter services since 1 January 2013 (750).

Paper tabled by the Minister for Regional Development; Lands –

Question on Notice No. 964 – Details of the Minister for Regional Development's use of the ministerial air-charter services since 1 January 2013 (751).

Papers tabled by the Minister for Environment; Heritage –

Question on Notice No. 977 – Details of the Minister for Environment's use of the ministerial air-charter services since 1 January 2013 (752).

Question on Notice No. 1014 – List of forest blocks treated during the 'sustenance worker' period from 1931 to 1941 (753).

Paper tabled by the Minister for Sport and Recreation; Racing and Gaming –

Question on Notice No. 973 – Details of the Minister for Sport's use of the ministerial air-charter services since 1 January 2013 (754).

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

Question on Notice No. 978 – Details of the Minister for Emergency Services' use of the ministerial air-charter services since 1 January 2013 (755).

Paper tabled by the Minister for Training and Workforce Development; Water; Forestry –

Question on Notice No. 969 – Details of the Minister for Training and Workforce Development's use of the ministerial air-charter services since 1 January 2013 (756).

Paper tabled by the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs –

Question on Notice No. 965 – Details of the Minister for Education’s use of the ministerial air-charter services since 1 January 2013 (757).

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

Question on Notice No. 974 – Details of the Minister for Agriculture and Food’s use of the ministerial air-charter services since 1 January 2013 (758).

Questions on Notice Nos 289, 296, 346, 362, 383, 398, 486, 499, 614, 626, 638, 650, 662, 674, 686, 698, 710, 727, 742, 771, 791, 829, 867 to 869, 872, 873, 888, 889, 1009 and 1010 were answered on 2 September 2013.

Paper tabled by the Deputy Premier; Minister for Health; Tourism –

Question on Notice No. 383 – Details of hospitality received by officers above level 3.1 for each department, agency or government trading enterprises within the Deputy Premier’s portfolios (660).

## 5. Petitions

Bassendean Fire Station – Mr D.J. Kelly presented a petition from 1,105 persons requesting that the Legislative Assembly put an end to the uncertainty surrounding the future of the Volunteer Fire Service and the Bassendean Fire Station and provide local volunteers with a long-term facility within the Bassendean community (P. 37).

Beaconsfield, Derelict Houses – Ms S.F. McGurk presented a petition from 150 persons requesting that the Legislative Assembly ensure the safety of Beaconsfield Primary School students and the accessibility of school facilities by addressing the unsafe and derelict houses situated at 66 and 68 Jenkin Street, Beaconsfield (P. 38).

South Beach Preservation – Ms S.F. McGurk presented a petition from 104 persons requesting that the Legislative Assembly ensure the preservation of South Beach and its natural surrounds (P. 39).

Mandurah Pinjarra Bus Services – Mr M.J. Cowper presented a petition from 390 persons requesting that the Legislative Assembly support their campaign for the Government to extend bus service routes 600 and 604 between Mandurah and Pinjarra to run on weekends (P. 40).

## 6. Papers

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

By the Clerk –

Anzac Day Trust – Annual Report 2012 (661).

Associations Incorporation Act 1987 – Regulations (Associations Incorporation Amendment Regulations 2013 G.G. 20/08/2013) (662).

Building Act 2011 – Regulations (Building Amendment Regulations 2013 G.G. 20/08/2013) (663).

Bush Fires Act 1954 – Local Laws (Shire of Mundaring Bush Fire Brigades Local Law 2013 G.G. 26/08/2013) (664).

Business Names Act 1962 – Regulations (Business Names Amendment Regulations 2013 G.G. 20/08/2013) (665).

Caravan Parks and Camping Grounds Act 1995 – Regulations (Caravan Parks and Camping Grounds Amendment Regulations 2013 G.G. 20/08/2013) (666).

Cat Act 2011 – Regulations (Cat Amendment Regulations (No. 2) 2013 G.G. 23/08/2013) (667).

Cat Act 2011 – Regulations (Cat Amendment Regulations 2013 G.G. 20/08/2013) (668).

- Charitable Collections Act 1946 – Regulations (Charitable Collections Amendment Regulations 2013 G.G. 20/08/2013) (669).
- Chattel Securities Act 1987 – Regulations (Chattel Securities Amendment Regulations 2013 G.G. 20/08/2013) (670).
- Classification (Publications, Films and Computer Games) Enforcement Act 1996 – Regulations (Classification (Publications, Films and Computer Games) Enforcement Amendment Regulations 2013 G.G. 20/08/2013) (671).
- Credit (Administration) Act 1984 – Regulations (Credit (Administration) Amendment Regulations 2013 G.G. 20/08/2013) (672).
- Credit Act 1984 – Regulations (Credit Amendment Regulations 2013 G.G. 20/08/2013) (673).
- Criminal Procedure Act 2004 – Regulations (Criminal Procedure Amendment Regulations (No. 2) 2013 G.G. 3/09/2013) (674).
- Criminal Procedure Act 2004 – Regulations (Criminal Procedure Amendment Regulations 2013 G.G. 30/08/2013) (675).
- Dangerous Goods Safety Act 2004 – Codes (Approved Codes of Practice in accordance with section 20 of the Dangerous Goods Safety Act 2004 (2013) G.G. 27/08/2013) (676).
- Debt Collectors Licensing Act 1964 – Regulations (Debt Collectors Licensing Amendment Regulations 2013 G.G. 20/08/2013) (677).
- Dog Act 1976 – Regulations (Dog Amendment Regulations 2013 G.G. 23/08/2013) (678)
- Economic Regulation Authority – Final Report – Inquiry Into Western Australia’s Home Indemnity Insurance Arrangements, 28 June 2013 (679).
- Electricity Act 1945 – Regulations (Electricity Amendment Regulations 2013 G.G. 20/08/2013) (680).
- Employment Agents Act 1976 – Regulations (Employment Agents Amendment Regulations 2013 G.G. 20/08/2013) (681).
- Energy Coordination Act 1994 – Regulations (Energy Coordination (General) Amendment Regulations 2013 G.G. 20/08/2013) (682).
- Energy Operators (Powers) Act 1979 – By-laws (Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws (No. 2) 2013 G.G. 30/08/2013) (683).
- Energy Operators (Powers) Act 1979 – By-laws (Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws (No. 2) 2013 G.G. 30/08/2013) (684)
- Energy Safety Act 2006 – Regulations (Energy Safety Amendment Regulations 2013 G.G. 20/08/2013) (685).
- Environmental Protection Act 1986 – Regulations (Environmental Protection Amendment Regulations 2013 G.G. 20/08/2013) (686).
- Fair Trading Act 2010 – Regulations (Fair Trading (Infringement Notices) Amendment Regulations 2013 G.G. 20/08/2013) (687).
- Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 2013 G.G. 20/08/2013) (688).
- Fish Resources Management Act 1994 – Management Plans (Shark Bay Crab Fishery (Interim) Management Plan Amendment 2013 [1155] G.G. 27/08/2013) (689).
- Fish Resources Management Act 1994 – Management Plans (Warnbro Sound (Crab) Fishery Management Plan Amendment 2013 G.G. 30/08/2013) (690).
- Fish Resources Management Act 1994 – Management Plans (West Coast Demersal Scalefish (Interim) Management Plan Amendment (No. 2) 2013 [1145] G.G. 23/08/2013) (691).
- Fish Resources Management Act 1994 – Orders (Prawn Fishing Restrictions (Notice No. 549) Amendment Order 2013 G.G. 23/08/2013) (692).
- Fish Resources Management Act 1994 – Orders (Prohibition on Fishing for Crabs (Peel Inlet and Harvey Estuary) Amendment Order 2013 G.G. 23/08/2013) (693).
- Fish Resources Management Act 1994 – Orders (Prohibition on Recreational Fishing for Molluscs and Sea Urchins Revocation Order 2013 G.G. 23/08/2013) (694).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 6) 2013 G.G. 27/08/2013) (695).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 7) 2013 G.G. 4/09/2013) (696).

Food Act 2008 – Regulations (Food Amendment Regulations 2013 G.G. 20/08/2013) (697).

Gas Standards Act 1972 – Regulations (Gas Standards (Infringement Notices) Amendment Regulations 2013 G.G. 20/08/2013) (698).

Hire-Purchase Act 1959 – Regulations (Hire-Purchase (General) Amendment Regulations 2013 G.G. 20/08/2013) (699).

Juries Act 1957 – Regulations (Juries Amendment Regulations 2013 G.G. 20/08/2013) (700).

Land Valuers Licensing Act 1978 – Regulations (Land Valuers Licensing Amendment Regulations 2013 G.G. 20/08/2013) (701).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations 2013 G.G. 20/08/2013) (702).

Local Government Act 1995 – Local Laws (City of Joondalup Parking Local Law 2013 G.G. 19/08/2013) (703).

Local Government Act 1995 – Local Laws (City of Perth Parking Amendment Local Law 2013 G.G. 3/09/2013) (704).

Local Government Act 1995 – Local Laws (City of Perth Thoroughfares and Public Places Amendment Local Law 2013 G.G. 3/09/2013) (705).

Local Government Act 1995 – Local Laws (City of Stirling Thoroughfares and Public Places Amendment Local Law 2013 G.G. 23/08/2013) (706).

Local Government Act 1995 – Local Laws (Shire of Dundas Activities on Thoroughfares and Public Places and Trading Local Law 2013 G.G. 20/08/2013) (707).

Lotteries Commission Act 1990 – Rules (Lotteries Commission (Internet Entries) Amendment Rules 2013 G.G. 3/09/2013) (708).

Magistrates Court (Civil Proceedings) Act 2004 – Rules (Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 2013 G.G. 20/08/2013) (709).

Magistrates Court Act 2004 – Regulations (Magistrates Court (Fees) Amendment Regulations 2013 G.G. 20/08/2013) (710).

Magistrates Court Act 2004 – Rules (Magistrates Court (General) Amendment Rules (No. 2) 2013 G.G. 20/08/2013) (711).

Metropolitan Redevelopment Authority Act 2011 – Regulations (Metropolitan Redevelopment Authority Amendment Regulations 2013 G.G. 30/08/2013) (712).

Motor Vehicle Dealers Act 1973 – Regulations (Motor Vehicle Dealers (Infringements) Amendment Regulations 2013 G.G. 20/08/2013) (713).

Motor Vehicle Repairers Act 2003 – Regulations (Motor Vehicle Repairers Amendment Regulations (No. 2) 2013 G.G. 20/08/2013) (714).

Mutual Recognition Act 1992 – Mutual Recognition (Amendment of Act – Container Deposit Scheme) Regulation 2013 (715).

Official Travel – Report of Interstate and Overseas Travel Undertaken by Members of Parliament Funded by the Imprest System for the Three months Ended 31 March 2013 (716)

Port Authorities Act 1999 – Regulations (Port Authorities Amendment Regulations 2013 G.G. 13/08/2013) (717).

Public Sector Commission – Report of an Examination Into the Relationship Between the Office of the Former Minister for Training and the Department of Training and Workforce Development (Received by the Clerk of the Legislative Assembly and Deemed Tabled on 30 August 2013) (659).

Public Trustee Act 1941 – Notices (Public Trustee's Scale of Fees 2013-14 – No. 2 G.G. 19/08/2013) (718).

- Real Estate and Business Agents Act 1978 – Regulations (Real Estate and Business Agents (General) Amendment Regulations 2013 G.G. 20/08/2013) (719).
- Residential Tenancies Act 1987 – Regulations (Residential Tenancies Amendment Regulations (No. 2) 2013 G.G. 20/08/2013) (720).
- Rights in Water and Irrigation Act 1914 – Regulations (Rights in Water and Irrigation Amendment Regulations 2013 G.G. 20/08/2013) (721).
- Road Traffic Act 1974 – Regulations (Road Traffic (Infringements) Amendment Regulations 2013 G.G. 20/08/2013) (722).
- School Curriculum and Standards Authority Act 1997 – Regulations (School Curriculum and Standards Authority Amendment Regulations 2013 G.G. 6/09/2013) (723).
- Settlement Agents Act 1981 – Regulations (Settlement Agents Amendment Regulations 2013 G.G. 20/08/2013) (724).
- Shipping and Pilotage Act 1967 – Regulations (Navigable Waters Amendment Regulations (No. 3) 2013 G.G. 6/09/2013) (725).
- Spent Convictions Act 1988 – Regulations (Spent Convictions Amendment Regulations (No. 2) 2013 G.G. 13/08/2013) (726).
- Street Collections (Regulation) Act 1940 – Regulations (Street Collections Amendment Regulations 2013 G.G. 20/08/2013) (727).
- Sunday Entertainments Act 1979 – Regulations (Sunday Entertainments Amendment Regulations 2013 G.G. 20/08/2013) (728).
- Swan and Canning Rivers Management Act 2006 – Regulations (Swan and Canning Rivers Management Amendment Regulations 2013 G.G. 20/08/2013) (729).
- Teacher Registration Act 2012 – Regulations (Teacher Registration (General) Amendment Regulations (No. 2) 2013 G.G. 13/08/2013) (730).
- Tobacco Products Control Act 2006 – Regulations (Tobacco Products Control Amendment Regulations 2013 G.G. 20/08/2013) (731).
- Transport Co-ordination Act 1966 – Regulations (Transport (Country Taxi-car) Amendment Regulations 2013 G.G. 20/08/2013) (733).
- Trans-Tasman Mutual Recognition Act 1997 – Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013 (732).
- Travel Agents Act 1985 – Regulations (Travel Agents Amendment Regulations 2013 G.G. 20/08/2013) (734).
- Water Agencies (Powers) Act 1984 – Regulations (Water Agencies (Infringements) Amendment Regulations 2013 G.G. 20/08/2013) (735).
- Western Australian College of Teaching – Final Report – 1 April 2012–6 December 2012 (736).
- Western Australian Marine Act 1982 – Regulations (Western Australian Marine (Infringements) Amendment Regulations 2013 G.G. 20/08/2013) (737).
- Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations (No. 3) 2013 G.G. 27/08/2013) (738).
- Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations 2013 G.G. 20/08/2013) (739).
- Western Australian Planning Commission – Improvement Plan No. 36 – Stirling City Centre (740).
- Witness Protection (Western Australia) Act 1996 – Annual Report 2012–2013 (741).



## 7. Notices of Motion

### 8. Matter of Public Interest – Public Schools in Western Australia

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 this House condemns the Barnett Government for its savage cuts to West Australian public schools and the dishonest attempt to describe them as education reforms.

Debate ensued.

Question put.

The Assembly divided.

#### Ayes (19)

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

#### Noes (35)

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.M. Britza	Mrs L.M. Harvey	Dr M.D. Nahan
Mr T.R. Buswell	Mr C.D. Hatton	Mr D.C. Nalder
Mr V.A. Catania	Mr A.P. Jacob	Mr J. Norberger
Mr M.J. Cowper	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 S.K. L'Estrange	Mr M.H. Taylor
Ms W.M. Duncan	Mr R.S. Love	Mr T.K. Waldron
Ms E. Evangel	Mr W.R. Marmion	Mr A. Krsticevic ( <i>Teller</i> )
Mr J.M. Francis	Mr J.E. McGrath	

Question thus negatived.

## 9. Messages from the Governor

Messages from His Excellency the Governor were reported assenting to the following bills –

No. 11 – 19 August 2013

Queen Elizabeth II Medical Centre Amendment Bill 2013, Act No. 6 of 2013.

Insurance Commission of Western Australia Amendment Bill 2013, Act No. 7 of 2013.

Hospitals and Health Services Amendment Bill 2013, Act No. 8 of 2013.

No. 12 – 22 August 2013

City of Fremantle and Town of East Fremantle Trust Funds (Amendment and Expiry) Bill 2013, Act No. 9 of 2013.

## 10. Message from the Governor

Message No. 13 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Revenue Laws Amendment Bill 2013.

**11. Revenue Laws Amendment 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.

The Assembly divided.

**Ayes (31)**

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr T.R. Buswell  
Mr V.A. Catania  
Mr M.J. Cowper  
Ms M.J. Davies  
Mr J.H.D. Day  
Ms W.M. Duncan

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

**Noes (16)**

Ms L.L. Baker  
Dr A.D. Buti  
Ms J. Farrer  
Mr W.J. Johnston  
Mr D.J. Kelly  
Mr F.M. Logan

Mr M. McGowan  
Mr M.P. Murray  
Mr P. Papalia  
Ms M.M. Quirk  
Ms R. Saffioti  
Mr C.J. Tallentire

Mr P.C. Tinley  
Mr P.B. Watson  
Mr B.S. Wyatt  
Mr D.A. Templeman (*Teller*)

Question thus passed.

Bill read a second time.

*CONSIDERATION IN DETAIL*

Clauses 1 to 8 agreed to.

Clause 9.

Mr W.J. Johnston moved,

Page 8, line 10 – To delete the word “before” and substitute:

“ after ”.

Amendment put and negatived.

Clause agreed to.

Clauses 10 to 43 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.



**12. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 11.47 p.m. until Wednesday, 11 September 2013 at 12.00 noon.

*Members present during any part of the day's proceedings* – All the members except Mr I.C. Blayney and Mr G.M. Castrilli.

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

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