

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 144

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 18 MAY 2011

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 Claude Stanley Choules

The Premier, without notice, moved,

That this House records its sincere regret at the death of Claude Stanley Choules and tenders its deep sympathy to his family.

The motion was supported by Mr E.S. Ripper, Mr B.J. Grylls, Mr B.S. Wyatt, Mr M. McGowan, Mr J.M. Francis and Mr P. Papalia.

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

3. Petitions

Container Deposit Scheme – Mr P. Papalia presented a petition from 66 persons requesting the immediate introduction of a Container Deposit Scheme, similar to the system operating in South Australia (P. 404).

Golden Bay Housing Development Proposal – Mr P. Papalia presented a petition from 219 persons requesting that some of the profit from the proposed housing development at Golden Bay be allocated to fund local community projects (P. 405).

Urban Development South of Moore River – Ms L.L. Baker presented a petition from 312 persons requesting that the Legislative Assembly support the recommendation that the land adjoining the proposed Wilbinga Conservation Park be protected from future development (P. 406).

Skilled Local Jobs – Ms J.M. Freeman presented a petition from 107 persons requesting that a greater share of skilled engineering and fabrication work for major resources projects is performed in Western Australia (P. 407).

Warwick Train Station – Mr A. Krsticevic presented a petition from 105 persons requesting that a CCTV Monitoring System be installed at both ends of the walk bridge that joins Methuen Way, Duncraig to the Warwick Train Station (P. 408).

Road Trauma Victim Support Service – Mr T.G. Stephens presented a petition from 43 persons requesting the establishment of a road trauma victim support service for all Western Australians (P. 409).

4. Speaker's Statement – Petition Sheet Out of Order

The Speaker advised members that the petition presented by Mr M.J. Cowper yesterday contained a page that did not comply with the Standing Orders. The number of signatories has thus been amended from 133 to 97.

5. Papers

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

Bush Fires Act 1954 – Local Laws (Shire of Derby/West Kimberley Bush Fire Brigades Amendment Local Law 2011 G.G. 12/04/2011) (3338).

Casino Control Act 1984 – Regulations (Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations 2011 G.G. 12/04/2011) (3339).

Cemeteries Act 1986 – Local Laws (Shire of Derby/West Kimberley Cemeteries Amendment Local Law 2011 G.G. 12/04/2011) (3340).

Country Areas Water Supply Act 1947 – By-laws (Country Areas Water Supply Amendment By-laws 2011 G.G. 21/04/2011) (3341).

Country Towns Sewerage Act 1948 – By-laws (Country Towns Sewerage Amendment By-laws 2011 G.G. 21/04/2011) (3342).

Dog Act 1976 – Local Laws (Shire of Derby/West Kimberley Dogs Amendment Local Law 2011 G.G. 12/04/2011) (3343).

Electricity Act 1945 – Regulations (Electricity (Licensing) Amendment Regulations 2011 G.G. 10/05/2011) (3344).

Electricity Act 1945 – Regulations (Electricity Amendment Regulations (No. 3) 2010 G.G. 10/05/2011) (3345).

Energy Safety Act 2006 – Notices (Energy Safety Levy Notice 2011 G.G. 03/05/2011) (3346).

Evidence Act 1906 – Regulations (Evidence (Prescribed Persons) Amendment Regulations 2011 G.G. 21/04/2011) (3347).

Family Court Act 1997 – Regulations (Family Court Amendment Regulations 2011 G.G. 13/05/2011) (3348).

Fish Resources Management Act 1994 – Management Plans (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment 2011 [1019] G.G. 06/05/2011) (3349).

Fish Resources Management Act 1994 – Management Plans (Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2011 [1017] G.G. 10/05/2011) (3350).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 5) 2011 G.G. 06/05/2011) (3351).

Health Act 1911 – Local Laws (Shire of Ravensthorpe Health Local Laws 2010 G.G. 11/05/2011) (3352).

Health Act 1911 – Notices (City of Armadale – Health Fees and Charges G.G. 06/05/2011) (3353).

Health Act 1911 – Regulations (Health (Offensive Trades Fees) Amendment Regulations 2011 G.G. 29/04/2011) (3354).

Health Act 1911 – Regulations (Health (Public Buildings) Amendment Regulations 2011 G.G. 29/04/2011) (3355).

Health Act 1911 – Regulations (Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Amendment Regulations 2011 G.G. 29/04/2011) (3356).

Health Act 1911 – Regulations (Health (Western Australian Cancer Register) Regulations 2011 G.G. 29/04/2011) (3357).

Hospitals and Health Services Act 1927 – Regulations (Hospitals (Licensing and Conduct of Private Psychiatric Hostels) Amendment Regulations (No. 2) 2011 G.G. 12/04/2011) (3358).

Hospitals and Health Services Act 1927 – Regulations (Hospitals (Services Charges) Amendment Regulations (No. 3) 2011 G.G. 12/04/2011) (3359).

Legal Profession Act 2008 – Rules (Legal Profession Amendment Rules 2011 G.G. 12/04/2011) (3360).

Liquor Control Act 1988 – Regulations (Liquor Control (Jigalong Restricted Area) Amendment Regulations 2011 G.G. 29/04/2011) (3361).

Liquor Control Act 1988 – Regulations (Liquor Control (Kunawarritji Restricted Area) Regulations 2011 G.G. 03/05/2011) (3362).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 2) 2011 G.G. 03/05/2011) (3363).

Local Government (Miscellaneous Provisions) Act 1960 – Regulations (Building Amendment Regulations 2011 G.G. 10/05/2011) (3364).

Local Government Act 1995 – Local Laws (City of Gosnells Local Government Property Amendment Local Law 2011 G.G. 06/05/2011) (3365).

Local Government Act 1995 – Local Laws (City of Kalgoorlie-Boulder Fencing Local Law 2010 G.G. 15/04/2011) (3366).

Local Government Act 1995 – Local Laws (City of Rockingham Dogs Amendment Local Law 2011 G.G. 06/05/2011) (3367).

Local Government Act 1995 – Local Laws (City of Rockingham Fencing Amendment Local Law 2011 G.G. 06/05/2011) (3368).

Local Government Act 1995 – Local Laws (City of Stirling Repeal and Amendment Local Law 2011 G.G. 15/04/2011) (3369).

Local Government Act 1995 – Local Laws (Shire of Busselton Standing Orders Local Law 2010 G.G. 09/05/2011) (3370).

Local Government Act 1995 – Local Laws (Shire of Coorow Cemeteries Local Law 2011 G.G. 18/04/2011) (3371).

Local Government Act 1995 – Local Laws (Shire of Derby/West Kimberley Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2011 G.G. 12/04/2011) (3372).

Local Government Act 1995 – Local Laws (Shire of Derby/West Kimberley Local Government Property Amendment Local Law 2011 G.G. 12/04/2011) (3373).

Local Government Act 1995 – Local Laws (Shire of Derby/West Kimberley Standing Orders Amendment Local Law 2011 G.G. 12/04/2011) (3374).

Local Government Act 1995 – Local Laws (Shire of Roebourne Parking and Parking Facilities Amendment Local Law 2011 G.G. 15/04/2011) (3375).

Local Government Act 1995 – Local Laws (Town of Bassendean Standing Orders Local Law 2011 G.G. 21/04/2011) (3376).

Local Government Act 1995 – Regulations (Local Government (Administration) Amendment Regulations 2011 G.G. 03/05/2011) (3377).

Metropolitan Water Supply, Sewerage, and Drainage Act 1909 – By-laws (Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws (No. 2) 2011 G.G. 21/04/2011) (3378).

Misuse of Drugs Act 1981 – Orders (Misuse of Drugs (Amounts of Prohibited Drugs) Order 2011 G.G. 29/04/2011) (3379).

Misuse of Drugs Act 1981 – Orders (Misuse of Drugs (Numbers of Cannabis Plants) Order 2010 G.G. 15/04/2011) (3380).

Misuse of Drugs Act 1981 – Regulations (Misuse of Drugs Amendment Regulations (No. 2) 2011 G.G. 06/05/2011) (3381).

Murdoch University Act 1973 – Statutes (Murdoch University – Amendment to Statute No. 2 of 2010 – Statute No. 17 – Guild of Students G.G. 06/05/2011) (3382).

Pearling Act 1990 – Regulations (Pearling (General) Amendment Regulations (No. 2) 2011 G.G. 29/04/2011) (3383).

Pearling Act 1990 – Regulations (Pearling (General) Amendment Regulations 2011 G.G. 15/04/2011) (3384).

Perth Parking Management Act 1999 – Regulations (Perth Parking Management Amendment Regulations (No. 2) 2011 G.G. 29/04/2011) (3385).

Planning and Development Act 2005 – Regulations (Planning and Development Amendment Regulations (No. 4) 2011 G.G. 06/05/2011) (3386).

Security and Related Activities (Control) Act 1996 – Regulations (Security and Related Activities (Control) Amendment Regulations (No. 2) 2011 G.G. 29/04/2011) (3387).

State Superannuation Act 2000 – Regulations (State Superannuation Amendment Regulations 2011 G.G. 10/05/2011) (3388).

Stock (Identification and Movement) Act 1970 – Regulations (Stock (Identification and Movement) Amendment Regulations 2011 G.G. 15/04/2011) (3389).

Stock Diseases (Regulations) Act 1968 – Regulations (Enzootic Diseases Amendment Regulations 2011 G.G. 15/04/2011) (3390).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (Shire of Dowerin Waste Amendment Local Law 2011 G.G. 03/05/2011) (3391).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (Shire of Goomalling Waste Amendment Local Law 2011 G.G. 29/04/2011) (3392).

6. Joint Standing Committee on the Corruption and Crime Commission

The Speaker reported that a response by the Attorney General to the recommendations of the Joint Standing Committee on the Corruption and Crime Commission's Report on the Analysis of Recommended Reforms to the *Corruption and Crime Commission Act 2003* had not been received by the required time.

7. Notices of Motion

8. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Emergency Services on the launch of the State's storm season campaign.

The Minister for Education on the Aboriginal Education Plan for Western Australian Public Schools 2011–2014.

Paper

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

By the Minister for Education –

Education, Department of – Aboriginal Education Plan for Western Australian Public Schools 2011–2014 (3393).

The Minister for Local Government on the Local Government Forum held on 12 May 2011.

9. Messages from the Governor

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

No. 10 – 2 May 2011

Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010, Act No. 6 of 2011.

Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010, Act No. 7 of 2011.

Hope Valley-Wattleup Redevelopment Amendment Bill 2010, Act No. 8 of 2011.

Charitable Trusts Amendment Bill 2010, Act No. 9 of 2011.

Criminal Code Amendment (Infringement Notices) Bill 2010, Act No. 10 of 2011.

Criminal Investigation Amendment Bill 2010, Act No. 11 of 2011.

Police Amendment Bill 2010, Act No. 12 of 2011

No. 11 – 2 May 2011

Juries Legislation Amendment Bill 2010, Act No. 13 of 2011.

10. Messages from the Legislative Council

Messages from the Legislative Council were reported returning the following bills without amendment -

14 April 2011

Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010 (Message No. 145) .

Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010 (Message No. 146).

11. Curriculum Council Amendment Bill 2011

The Minister for Education, pursuant to notice, moved,

That a bill for “An Act to amend —

- the *Curriculum Council Act 1997*; and
- certain other Acts as a consequence,

and for related purposes.” be introduced and read a first time.

Question put and passed.

The Minister for Education presented an explanatory memorandum and bill read a first time.

The Minister for Education moved, That the bill be now read a second time.

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

Question put and passed.

12. Residential Tenancies Amendment Bill 2011

The Minister for Transport, pursuant to notice, moved,

That a bill for “An Act to amend the *Residential Tenancies Act 1987* and to consequentially amend various other Acts.” be introduced and read a first time.

Question put and passed.

The Minister for Transport presented an explanatory memorandum and bill read a first time.

The Minister for Transport moved, That the bill be now read a second time.

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

Question put and passed.

13. Statutes (Repeals and Minor Amendments) Bill 2010

The Attorney General, pursuant to notice, moved,

That a bill for “An Act to amend the statute law by repealing various written laws and making minor amendments to various other written laws.” be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and bill read a first time.

The Attorney General moved, That the bill be now read a second time.

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

Question put and passed.

14. Professional Combat Sports Amendment Bill 2009

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.

15. Questions

Questions without Notice were taken.

Questions on Notice Nos 5340 to 5353 were asked.

Questions on Notice Nos 4879, 4884 to 4886, 5080, 5097, 5113 and 5114 were answered.

Paper tabled by the Minister for Agriculture and Food; Forestry; Corrective Services –

Question on Notice No. 4886 – Statistics relating to work skills, education and rehabilitative programs for offenders within the prison system for the years 2008–2009, 2009–2010 and 2010–2011 (3394).

16. Joint Standing Committee on the Corruption and Crime Commission – Extension of Reporting Date

The Speaker advised members that he had received a letter dated 18 May 2011 from the Chairman of the Joint Standing Committee on the Corruption and Crime Commission, advising that the Committee had resolved to extend the reporting date for its Inquiry into Corruption Risks of Controlled Operations and Informants to allow further input from key agencies. The Committee would now report on 26 May 2011.

17. Additional Information

The Minister for Emergency Services provided additional information relating to Question without Notice No. 269 from Ms M.M. Quirk.

18. Matter of Public Interest – 2011–2012 Budget

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

At least five members having risen in support,

Mr E.S. Ripper moved,

That this House calls on the Government to bring down a budget tomorrow that will meet the real needs of people in Western Australia.

Debate ensued.

Question put and passed.

19. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

20. Professional Combat Sports Amendment Bill 2009

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.

21. Variation to the Order of Business

Ordered, That Private Members' Business Order of the Day No. 15 be next considered.

22. Skilled Local Jobs Bill 2011

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.

23. Message from the Legislative Council

Message No. 150 dated 18 May 2011 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that Hon. Sally Talbot has been appointed to fill the vacancy on the Joint Standing Committee on Delegated Legislation following the resignation of Hon. Robin Chapple.

24. 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, 19 May at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Dr A.D. Buti and Mr W.R. Marmion.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly