

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 215

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

TUESDAY, 7 AUGUST 2012

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 – Media Arrangements

The Speaker advised members that he had approved the presence of television cameras in the north and south doors of the chamber and in the public and press galleries to film the commencement of Question Time.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on changes to the Ministry.

Paper

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

By the Premier –

Premier and Cabinet, Department of – State Government Ministerial Offices, 23 July 2012 (5027).

Premier and Cabinet, Department of – Ministers' Representation in the Other House – Allocation of Portfolios, 31 July 2012 (5028).

Speaker's Statement – Chamber Seating

The Speaker advised members that that he had approved an amended seating plan for government and independent members.

The Minister for Environment on Magellan Metals exporting lead carbonate through the port of Fremantle.

The Minister for Corrective Services on the escape of two detainees from the Banksia Hill Detention Centre.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 8266 to 8439 were asked.

Questions on Notice Nos 7740, 7788, 7808, 7861, 7881, 7903, 7916, 7972, 7986, 8010, 8014, 8024, 8029, 8031 to 8036, 8040, 8041, 8043 to 8055, 8057 to 8066, 8069, 8071 to 8073, 8075, 8082, 8086 to 8088, 8094, 8098, 8100 to 8103, 8105, 8107 to 8112, 8115 to 8117, 8119, 8122 to 8125, 8129 to 8135, 8137, 8138, 8140, 8142, 8143, 8145, 8148 to 8167, 8169 to 8174, 8176, 8179, 8181, 8182, 8187, 8189, 8191 to 8195, 8197, 8200, 8202, 8203, 8205, 8208, 8210, 8212 to 8219, 8221 to 8228, 8230, 8231, 8233, 8234, 8236 to 8239, 8241 to 8250, and 8263 to 8265 were answered.

Papers tabled by the Minister for Health –

Question on Notice No. 7788 – Details of specialists employed by the Health Department, funding allocations and waiting list details for paediatric specialty services as at 1 April 2012 (5006).

Question on Notice No. 7881 – Details of services delivered by the private sector for each hospital treating public patients (5007).

Question on Notice No. 8010 – Temporary closures of public dental services since September 2008 as a result of staff shortages (5008).

Question on Notice No. 8071 – Breakdown of total hours of ambulance ramping in July 2011 for each metropolitan hospital (5009).

Question on Notice No. 8072 – Breakdown of total hours of ambulance ramping in October 2010 for each metropolitan hospital (5010).

Question on Notice No. 8087 – Details of the total number of doctors in training in Western Australian hospitals (5011).

Question on Notice No. 8212 – Average length of episode for patients admitted, transferred or discharged from metropolitan hospitals from January to March 2012 (5012).

Question on Notice No. 8213 – Accident and Emergency waiting times per patient for metropolitan hospitals from January to March 2012 (5013).

Question on Notice No. 8215 – Active ambulance diversion/bypass times for metropolitan hospitals from January to March 2012 (5014).

Question on Notice No. 8216 – Details of all staff at each metropolitan hospital as at 31 March 2012 (5015).

Question on Notice No. 8217 – Details of all staff at each regional hospital as at 31 March 2012 (5016).

Question on Notice No. 8218 – Details of unfilled vacancies at each metropolitan hospital for speech pathologists, occupational therapists and speech therapists and average waiting times as at 31 March 2012 (5017).

Question on Notice No. 8219 – Details of unfilled vacancies at each regional hospital for speech pathologists, occupational therapists and speech therapists and average waiting times as at 31 March 2012 (5018).

Question on Notice No. 8237 – Details of elective surgery wait times at all public hospitals, including privately operated public hospitals (5019).

Papers tabled by the Minister representing the Minister for Finance –

Question on Notice No. 8100 – First Home Owners Grants paid, by suburb, for 2010–2011 financial year (5020).

Question on Notice No. 8101 – First Home Owners Grants paid, by suburb, for 2011–2012 financial year (5021).

Question on Notice No. 8191 – Details of Dumas House occupancy by government departments or agencies (5022).

Papers tabled by the Minister for Heritage –

Question on Notice No. 8157 – Advice provided to the Minister regarding the heritage status of buildings between Murray and Hay Streets in Perth (5023).

Question on Notice No. 8158 – Correspondence to and from the Office of State Heritage, the Heritage Council of Western Australia and the Western Australian Planning Commission regarding the waterfront development (5024).

Paper tabled by the Minister for Agriculture and Food –

Question on Notice No. 8043 – Current Committees, working parties and reference groups established by the Department of Agriculture and Food, their terms of reference, membership, funding and research projects (5025).

Paper tabled by the Minister for Police –

Question on Notice No. 8123 – Details of the deployment of police officers at James Price Point (5026).

Questions on Notice Nos 7707, 8038, 8039, 8042, 8070, 8074, 8076 to 8080, 8083 to 8085, 8089 to 8091, 8093, 8095, 8097, 8104, 8120, 8121, 8256, and 8257 were answered on 1 August 2012.

Questions on Notice Nos 7794, 7823, 7995, 7996 and 8009 were answered on 1 July 2012.

Paper tabled by the Minister for Education –

Question on Notice No. 7995 – Teacher allowances payable to teachers in the Pilbara region as at 9 May 2012 (4965).

5. Papers

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

By the Speaker –

Report No. 78: Report of an Announced Inspection of Albany Regional Prison – Inspector of Custodial Services, Office of the (4971).

By the Clerk –

Aerial Spraying Control Act 1966 – Regulations (Aerial Spraying Control Amendment Regulations 2012 G.G. 19/06/2012) (4972).

Agriculture and Related Resources Protection Act 1976 – Regulations (Agriculture and Related Resources Protection (Declared Animals) Amendment Regulations 2012 G.G. 19/06/2012) (4973).

Beekeepers Act 1963 – Regulations (Beekeepers Amendment Regulations 2012 G.G. 19/06/2012) (4974).

Cockburn Sound Management Council – State of Cockburn Sound 2011 Report (4975).

Conservation and Land Management Act 1984 – Orders (Camden Sound Marine Park Order 2012 G.G. 19/06/2012) (4976).

Co-operatives Act 2009 – Regulations (Co-operatives Amendment Regulations (No. 2) 2012 G.G. 22/06/2012) (4977).

Criminal Procedure Act 2004 – Regulations (Criminal Procedure Amendment Regulations 2012 G.G. 22/06/2012) (4978).

Criminal Procedure Act 2004 – Rules (Criminal Procedure Amendment Rules 2012 G.G. 19/06/2012) (4979).

Economic Regulation Authority – Inquiry into Synergy's Costs and Electricity Tariffs, Final Report (Received by the Clerk of the Legislative Assembly and deemed tabled on 3 July 2012) (4966).

Electricity Corporations Act 2005 – Ministerial Direction under section 111 of the Act, entitled June 2012 Storms Supply Interruption Payment Direction 2012 (4980).

Energy, Office of – Final Report to Parliament 1 July 2011 to 31 March 2012 (Received by the Clerk of the Legislative Assembly and deemed tabled on 13 July 2012) (4968).

Fish Resources Management Act 1994 – Orders (Netting Restrictions (Pilbara and Kimberley) Revocation and Amendment Order 2012 G.G. 22/06/2012) (4981).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Diving) Amendment Order 2012 [1091] G.G. 22/06/2012) (4982).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 3) 2012 G.G. 22/06/2012) (4983).

Gene Technology Act 2006 – Report of the Review of the Act (4984).

Gold Corporation – Statement of Corporate Intent 2012–2013 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 June 2012) (4964).

Gold Corporation – Strategic Development Plan 2011–2012 – 2015–2016 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 June 2012) (4963).

Industrial Hemp Act 2004 – Regulations (Industrial Hemp Amendment Regulations 2012 G.G. 19/06/2012) (4985).

Local Government Act 1995 – Local Laws (City of Cockburn (Local Government Act) Amendment No. 2 Local Law 2012 G.G. 22/06/2012) (4986).

Lotterywest – Statement of Corporate Intent 2012–2013 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 June 2012) (4962).

Lotterywest – Strategic Development Plan 2011–2012 – 2015–2016 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 June 2012) (4961).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 2) 2012 G.G. 19/06/2012) (4987).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 3) 2012 G.G. 22/06/2012) (4988).

Offshore Minerals Act 2003 – Regulations (Offshore Minerals Amendment Regulations 2012 G.G. 22/06/2012) (4989).

Planning and Development Act 2005 – Order to City of Stirling under section 76(1) of the Act, in relation to Lot 201 Gribble Road, Gwelup (Received by the Clerk of the Legislative Assembly and deemed tabled on 25 June 2012) (4960).

Planning and Development Act 2005 – Order to Shire of Exmouth under section 76(1) of the Act, in relation to representation by Mr Alex Kailis (Received by the Clerk of the Legislative Assembly and deemed tabled on 10 July 2012) (4967).

Planning and Development Act 2005 – Order to the City of Joondalup under section 76(1) of the Act, in respect of City of Joondalup District Planning Scheme No. 2 (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 July 2012) (4970).

Planning and Development Act 2005 – Order to the City of Stirling under section 76(1) of the Act, in relation to Lots 235 and 900 North Beach Road, Gwelup (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 July 2012) (4969).

Plant Diseases Act 1914 – Regulations (Plant Diseases Amendment Regulations (No. 2) 2012 G.G. 19/06/2012) (4990).

Racing and Wagering Western Australia – Statement of Corporate Intent 2012–2013 (4991).

Registration of Deeds Act 1856 – Regulations (Registration of Deeds Amendment Regulations 2012 G.G. 22/06/2012) (4992).

Road Traffic Act 1974 – Rules (Road Traffic (Vehicle Standards) Amendment Rules 2012 G.G. 22/06/2012) (4993).

Seeds Act 1981 – Regulations (Seeds Amendment Regulations 2012 G.G. 19/06/2012) (4994).

Stock (Identification and Movement) Act 1970 – Regulations (Stock (Identification and Movement) Amendment Regulations 2012 G.G. 19/06/2012) (4995).

Stock Diseases (Regulations) Act 1968 – Regulations (Enzootic Diseases Amendment Regulations 2012 G.G. 19/06/2012) (4996).

Strata Titles Act 1985 – Regulations (Strata Titles General Amendment Regulations (No. 2) 2012 G.G. 22/06/2012) (4997).

Taxation Administration Act 2003 – Notices (Taxation Administration (Pre-enactment Provisions Determination) Notice 2012 G.G. 19/06/2012) (4998).

Terrorism (Preventative Detention) Act 2006 – Quarterly Report to 30 June 2012 (4999).

Transfer of Land Act 1893 – Regulations (Transfer of Land Amendment Regulations (No. 2) 2012 G.G. 22/06/2012) (5001).

Transport Co-ordination Act 1966 – Regulations (Country Taxi-cars (Fares and Charges) Amendment Regulations 2012 G.G. 22/06/2012) (5002).

Trans-Tasman Mutual Recognition (Western Australia) Act 2007 – Review of the Act (5000).

Valuation of Land Act 1978 – Regulations (Valuation of Land Amendment Regulations (No. 2) 2012 G.G. 22/06/2012) (5003).

Water Agencies (Powers) Act 1984 – By-laws (Water Agencies (Charges) Amendment By-laws 2012 G.G. 20/06/2012) (5004).

Water Agencies (Powers) Act 1984 – By-laws (Water Agencies Amendment By-laws 2012 G.G. 20/06/2012) (5005).

6. 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, Equal Opportunity Amendment Bill 2011, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

The Speaker further advised that a bill removed under this Standing Order may be restored by motion to the point it had reached prior to its removal.

7. Notices of Motion

8. Joint Standing Committee on the Corruption and Crime Commission

Mr J.N. Hyde, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission, Joint Standing Committee on the – Proceeds of crime and unexplained wealth: A role for the Corruption and Crime Commission?, Report No. 28 (5029).

Mr J.N. Hyde spoke on the report.

9. Messages from the Governor

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

No. 10 – 20 June 2012

Education and Care Services National Law (WA) Bill 2011, Act No. 11 of 2012.

No. 11 – 3 July 2012

Workers' Compensation and Injury Management Amendment Bill 2012, Act No. 12 of 2012.

Retail Trading Hours Amendment Bill 2012, Act No. 13 of 2012.

Bank of Western Australia Amendment Bill 2012, Act No. 14 of 2012.

Adoption Amendment Bill 2011, Act No. 15 of 2012.

Teacher Registration Bill 2011, Act No. 16 of 2012.

Appropriation (Consolidated Account) Recurrent 2012-13 Bill 2012, Act No. 17 of 2012.

Appropriation (Consolidated Account) Capital 2012-13 Bill 2012, Act No. 18 of 2012.

Petroleum and Geothermal Energy Safety Levies Amendment Bill 2012, Act No. 19 of 2012.

Petroleum and Geothermal Energy Safety Levies Amendment Bill (No. 2) 2012, Act No. 20 of 2012.

10. Messages from the Governor

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

National Health Funding Pool Bill 2012 (Message No. 12).

Corruption and Crime Commission Amendment Bill 2012 (Message No. 13).

11. Messages from the Legislative Council

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

26 June 2012

Appropriation (Consolidated Account) Recurrent 2012-13 Bill 2012 (Message No. 220).

Appropriation (Consolidated Account) Capital 2012-13 Bill 2012 (Message No. 221).

27 June 2012

Petroleum and Geothermal Energy Safety Levies Amendment Bill 2012 (Message No. 222).

Petroleum and Geothermal Energy Safety Levies Amendment Bill (No. 2) 2012 (Message No. 223).

12. Inheritance (Family and Dependants Provision) Amendment Bill 2012

Message No. 224 dated 27 June 2012 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the *Inheritance (Family and Dependants Provision) Amendment Act 2011*.”

Ordered, That the first reading of the bill be made an Order of the Day for the next sitting of the Assembly.

13. National Health Funding Pool Bill 2012

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.

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

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

Question put and passed.

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

14. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 3, 4, 5 and 6 be next considered.

15. Pay-roll Tax Rebate Bill 2012

Pay-roll Tax (Indigenous Wages) Rebate Bill 2012

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

Cognate Debate

Leave was granted to debate the Pay-roll Tax (Indigenous Wages) Rebate Bill 2012 in conjunction with the Pay-roll Tax Rebate Bill 2012.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 14 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Treasurer moved, That the bill be now read a third time.

Question put and passed.

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

16. Pay-roll Tax (Indigenous Wages) Rebate Bill 2012

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

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 16 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Treasurer moved, That the bill be now read a third time.

Question put and passed.

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

17. Revenue Laws Amendment Bill 2011

Revenue Laws Amendment Bill 2012

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

Cognate Debate

Leave was granted to debate the Revenue Laws Amendment Bill 2012 in conjunction with the Revenue Laws Amendment Bill 2011.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clause 1 agreed to.

Clause 2.

The Treasurer moved,

Page 2, line 8 – to insert before “on”:

“ are deemed to have come into operation ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 3 to 44 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.

18. Revenue Laws Amendment Bill 2012

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

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 43 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Treasurer moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

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

19. 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 use of Public Examinations by the Corruption and Crime Commission had not been received by the required time.

20. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.55 p.m. until Wednesday, 8 August 2012 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr J.H.D. Day.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly