

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 37

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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THURSDAY, 26 SEPTEMBER 2013

### 1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Petitions

Thornlie Train Line – Mr C.J. Tallentire presented a petition from 31 persons requesting that the Legislative Assembly calls upon the Barnett Government to embrace the extension of the Thornlie Train Line and fund urgent planning work without delay (P. 48).

Increases to Household Fees and Charges – Mr C.J. Tallentire presented a petition from 27 persons requesting that the Legislative Assembly voices the case of householders aggrieved by the increases in household fees and charges and gives them relief (P. 49).

Disability Justice Centres – Mr D.J. Kelly presented a petition from 2,883 persons requesting that the Legislative Assembly finds more appropriate locations for two disability justice centres to be located at Lord Street and Altone Road in Lockridge (P. 50).

### 3. Papers

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

By the Speaker –

Legislative Council, Department of the – Annual Report 2012–2013 (897).

By the Clerk –

Attorney General, Department of the – Annual Report 2012–2013 (898).

Burswood Park Board – Annual Report 2012–2013 (899).

Chemcentre – Annual Report 2012–2013 (900).

Combat Sports Commission – Annual Report 2012–2013 (901).

Commerce, Department of – Annual Report 2012–2013 (902).

Commissioner for Children and Young People – Annual Report 2012–2013 (903).

Construction Industry Long Service Leave Scheme – Annual Report 2012–2013 (904).

Corruption and Crime Commission– Surveillance Devices Act 1998 – Annual Report 2012–2013 (905).

Criminal Injuries Compensation, Office of – Annual Report 2012–2013 (906).  
 Disability Services Commission – Annual Report 2012–2013 (907).  
 Drug and Alcohol Office – Annual Report 2012–2013 (908).  
 Financial Management Act 2006 – Notice Under Section 65 of the Act, from the Minister for Agriculture and Food, advising that the Potato Marketing Corporation's Annual Report 2012–2013 will not be tabled within the prescribed period (909).  
 Gaming and Wagering Commission of Western Australia – Annual Report 2012–2013 (910).  
 Gender Reassignment Board of Western Australia – Annual Report 2012–2013 (911).  
 Governor's Establishment – Annual Report 2012–2013 (912).  
 Insurance Commission of Western Australia – Annual Report 2012–2013 (913).  
 Law Reform Commission of Western Australia – Annual Report 2012–2013 (914).  
 Legal Aid Western Australia – Annual Report 2012–2013 (915).  
 Legal Costs Committee – Annual Report 2012–2013 (916).  
 Legal Profession Complaints Committee of Western Australia – Annual Report 2012–2013 (917).  
 Liquor Commission of Western Australia – Annual Report 2012–2013 (918).  
 Mental Health Commission – Annual Report 2012–2013 (919).  
 Mentally Impaired Accused Review Board – Annual Report 2012–2013 (920).  
 Parliamentary Inspector of the Corruption and Crime Commission of Western Australia – Annual Report 2012–2013 (921).  
 Perth Mint – Annual Report 2012–2013 (922).  
 Premier and Cabinet, Department of the – Annual Report 2012–2013 (923).  
 Prisoners Review Board – Annual Report 2012–2013 (924).  
 Professional Standards Council of Western Australia – Financial Statements for the Financial Year Ended 30 June 2013 (925).  
 Professional Standards Councils – Annual Report 2012–2013 (926).  
 Public Advocate of Western Australia – Annual Report 2012–2013 (927).  
 Public Sector Commission – Annual Report 2012–2013 (928).  
 Public Transport Authority – Annual Report 2012–2013 (929).  
 Public Trustee – Annual Report 2012–2013 (930).  
 Racing Penalties Appeal Tribunal of Western Australia – Annual Report 2012–2013 (931).  
 Racing, Gaming and Liquor, Department of – Annual Report 2012–2013 (932).  
 State Administrative Tribunal – Annual Report 2012–2013 (933).  
 State Development, Department of – Annual Report 2012–2013 (934).  
 State Training Board – Annual Report 2012–2013 (935).  
 Technology and Industry Advisory Council – Annual Report 2012–2013 (936).  
 Training and Workforce Development, Department of – Annual Report 2012–2013 (937).  
 VenuesWest – Annual Report 2012–2013 (938).  
 Western Australian Coastal Shipping Commission – Annual Report 2012–2013 (939).  
 Western Australian Industrial Relations Commission, Department of the Registrar – Annual Report 2012–2013 (940).  
 Western Australian Industrial Relations Commission, The Chief Commissioner of the – Annual Report 2012–2013 (941).  
 Workcover WA – Annual Report 2012–2013 (942).

#### **4. Notice of Motion Lapsed**

The Speaker advised that Private Members' Business Notice of Motion No. 1 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

## **5. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Road Safety on the Road Safety Community Grants Program.

The Minister for Planning on the Port Kennedy Development Project.

The Minister for Housing on the honorary doctorate awarded to Dr Robert Isaacs, Keystart Executive Manager for Social Lending and Noongar elder.

The Minister for Environment on the management of the Swan Canning Riverpark.

## **6. Grievances**

The Speaker called for grievances which were then made.

## **7. Paper**

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

By the Minister for Energy –

Western Power – Annual Report 2012–2013 (943).

## **8. Community Development and Justice Standing Committee**

Ms M.M. Quirk, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Community Development and Justice Standing Committee – Report No. 1, Annual Report 2012–2013, September 2013 (944).

Mr I.M. Britza spoke on the report.

## **9. Partial Revocation of State Forests No. 7, 14, 20 and 56**

The Order of the Day having been read for the resumption of debate on the motion moved by the Minister for Environment,

That the proposal for the partial revocation of State Forest No. 7, 14, 20 and 56, laid on the Table of the Legislative Assembly on Tuesday, 24 September, 2013, by command of His Excellency the Governor, be carried out.

Debate resumed.

Question put and passed.

The Minister for Environment moved, That the Legislative Council be acquainted accordingly and requested to agree to a similar resolution.

Question put and passed.

## **10. Family Court Amendment (Family Violence and Other Measures) 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.

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

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

Question put and passed.

Bill read a third time and passed.

## **11. Restraining Orders 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 and passed.

Bill read a second time.

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

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

Question put and passed.

Bill read a third time and passed.

## **12. Message from the Governor**

Message No. 14 from His Excellency the Governor was reported assenting to the Revenue Laws Amendment Bill 2013, Act No. 10 of 2013.

## **13. Medicines, Poisons and Therapeutic Goods Bill 2013**

The Order of the Day for the further consideration in detail of the bill was read.

### *CONSIDERATION IN DETAIL*

Clause 97.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

## **14. Members' Statements**

The Acting Speaker called for members' statements which were then made.

## **15. Questions**

Questions without Notice were taken.

Questions on Notice Nos 1264 to 1276 were asked.

Question on Notice No. 1070 was answered.

## **16. Papers**

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

By the Speaker –

Parliamentary Commissioner for Administrative Investigations [Ombudsman] – Annual Report 2012–2013 (945).

By the Clerk –

Animal Resources Authority – Annual Report 2012–2013 (946).

Child and Adolescent Health Service Governing Council – Annual Report 2012–2013 (947).

Communities, Department of – Annual Report 2012–2013 (948).

Director of Equal Opportunity in Public Employment – Annual Report 2012–2013 (949).

Energy Disputes Arbitrator – Annual Report 2012–2013 (950).

Equal Opportunity Commission – Annual Report 2012–2013 (951).

Finance, Department of – Annual Report 2012–2013 (952).

Financial Management Act 2006 – Notice Under Section 65 of the Act, from the Minister for Health, advising that the Queen Elizabeth II Medical Trust's Annual Report 2012–2013 will not be tabled within the prescribed period (953).

Financial Management Act 2006 – Notice Under Section 65 of the Act, from the Minister for Regional Development; Lands, advising that the Department of Regional Development and Lands Annual Report 2012–2013 will not be tabled within the prescribed period (954).

Health and Disability Services Complaints Office – Annual Report 2012–2013 (955).

Health, Department of – Annual Report 2012–2013 (956).

Healthway – Annual Report 2012–2013 (957).  
 Horizon Power – Annual Report 2012–2013 (958).  
 Horizon Power – Financial Report 2012–2013 (959).  
 Local Government, Department of – Annual Report 2012–2013 (960).  
 Local Health Authorities Analytical Committee – Annual Report 2012–2013 (961).  
 Metropolitan Health Service – Annual Report 2012–2013 (962).  
 North Metropolitan Health Service Governing Council – Annual Report 2012–2013 (963).  
 Northern and Remote Country Governing Council – Annual Report 2012–2013 (964).  
 Quadriplegic Centre Board of Management – Annual Report 2012–2013 (965).  
 South Metropolitan Health Service Governing Council – Annual Report 2012–2013 (966).  
 Southern Country Governing Council – Annual Report 2012–2013 (967).  
 State Supply Commission – Annual Report 2012–2013 (968).  
 Synergy – Annual Report 2012–2013 (969).  
 Veterinary Surgeons’ Board – Annual Report 2012–2013 (970).  
 WA Country Health Service – Annual Report 2012–2013 (971).  
 Water, Department of – Annual Report 2012–2013 (972).  
 Western Australian Building Management Authority – Annual Report 2012–2013 (973).  
 Western Australian Meat Industry Authority – Annual Report 2012–2013 (974).  
 Western Australian Reproductive Technology Council – Annual Report 2012–2013 (975).

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

Ordered, That consideration of Government Business Order of the Day No. 4 be resumed.

#### **18. Medicines, Poisons and Therapeutic Goods Bill 2013**

The Order of the Day for the further consideration in detail of the bill was read.

#### *CONSIDERATION IN DETAIL*

Clause 97.

Mr R. Cook moved,

Page 65, line 18 – To delete “reasonably believes” and substitute:

“ reaches a diagnosis ”.

Amendment put and negatived.

Mr R. Cook moved,

Page 65, after line 22 – To insert:

“

(1A) It is a defence to a charge under subsection (1) to prove that the authorised health professional considered it to be in the best interests of the patient’s health to not make a report in accordance with subsection (2).

”.

Amendment put and negatived.

Clause agreed to.

Clause 98 agreed to.

Clause 99.

The Leader of the House moved, That the debate be adjourned.  
Question put and passed.

**19. Special Adjournment**

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 15 October 2013 at 2.00 p.m.

Question put and passed.

**20. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 4.04 p.m. until Tuesday, 15 October 2013 at 2.00 p.m.

*Members present during any part of the day's proceedings* – All the members except Ms W.M. Duncan, Ms J. Farrer, Mr R.F. Johnson, Mr P. Papalia and Mr D.A. Templeman.

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

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