

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 3

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

WEDNESDAY, 17 APRIL 2013

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petition

Thornlie Senior High School – Mr C.J. Tallentire presented a petition from 93 persons requesting that Thornlie Senior High School be expanded to accommodate year seven students by 2015 (P. 1).

3. Papers

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

By the Speaker –

Auditor General, Office of the – Follow-on Performance Audit to “Room to Move: Improving the Cost Efficiency of Government Office Space”, Report 2 – April 2013 (43).

By the Clerk –

Adoption Act 1994 – Regulations (Adoption Amendment Regulations 2012 G.G. 30/11/2012) (44).

Agriculture and Related Resources Protection Act 1976 – Local Laws (City of Stirling Pest Plant Local Law 2012 G.G. 16/11/2012) (45).

Australian Children’s Education and Care Quality Authority – Annual Report 2011–2012 (46).

Betting Control Act 1954 – Regulations (Betting Control Amendment Regulations (No. 2) 2012 G.G. 16/11/2012) (47).

Building Act 2011 – Regulations (Building Amendment Regulations (No. 3) 2012 G.G. 30/11/2012) (48).

Carers Advisory Council – Annual Compliance Report 2012 (49).

Casino Control Act 1984 – Regulations (Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations 2012 G.G. 16/11/2012) (50).

Casino Control Act 1984 – Regulations (Casino Control Amendment Regulations 2012 G.G. 16/11/2012) (51).

Cat Act 2011 – Regulations (Cat Regulations 2012 G.G. 16/11/2012) (52).

Children and Community Services Act 2004 – Report of the Legislative Review of the Act, October 2012 (53).

Children's Court of Western Australia Act 1988 – Regulations (Children's Court (Fees) Amendment Regulations (No. 2) 2012 G.G. 30/11/2012) (54).

Civil Judgments Enforcement Act 2004 – Regulations (Civil Judgments Enforcement Amendment Regulations 2012 G.G. 30/11/2012) (55).

Classification (Publications, Films and Computer Games) Act 1995 – Guidelines for the Classification of Computer Games 2012 (57).

Classification (Publications, Films and Computer Games) Act 1995 – Guidelines for the Classification of Films 2012 (58).

Classification (Publications, Films and Computer Games) Act 1995 – National Classification Code, 1 January 2013 (56).

Commercial Tenancy (Retail Shops) Agreements Act 1985 – Regulations (Commercial Tenancy (Retail Shops) Agreements Amendment Regulations (No. 2) 2012 G.G. 30/11/2012) (59).

Community Protection (Offender Reporting) Act 2004 – Regulations (Community Protection (Offender Reporting) Amendment Regulations 2012 G.G. 30/11/2012) (60).

Co-operatives Act 2009 – Regulations (Co-operatives Amendment Regulations 2012 G.G. 27/11/2012) (61).

Coroners Act 1996 – Regulations (Coroners Amendment Regulations 2012 G.G. 30/11/2012) (62).

District Court of Western Australia Act 1969 – Regulations (District Court (Fees) Amendment Regulations (No. 3) 2012 G.G. 30/11/2012) (63).

Education and Care Services Ombudsman, National Education and Care Services FOI and Privacy Commissioners – Annual Report 2012 (64).

Environmental Protection Act 1986 – Regulations (Environmental Protection Amendment Regulations (No. 3) 2012 G.G. 27/11/2012) (65).

Evidence Act 1906 – Regulations (Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2012 G.G. 30/11/2012) (66).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 5 of 2012 – Permanent ban on small, high powered magnets G.G. 16/11/2012) (67).

Fair Trading Act 2010 – Standards (Competition and Consumer (Tobacco) Amendment Information Standard 2012 (No. 1) G.G. 30/11/2012) (68).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 2012 G.G. 23/11/2012) (69).

Fish Resources Management Act 1994 – Management Plans (West Coast Deep Sea Crustacean Managed Fishery Management Plan 2012 [1114] G.G. 27/11/2012) (70).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing by Line from Fishing Boats (Pilbara Waters) Amendment Order (No. 2) 2012 [1116] G.G. 30/11/2012) (71).

Gaming and Wagering Commission Act 1987 – Regulations (Gaming and Wagering Commission Amendment Regulations 2012 G.G. 16/11/2012) (72).

Health Act 1911 – Regulations (Health (Drugs and Allied Substances) Amendment Regulations 2012 G.G. 27/11/2012) (73).

Higher Education Act 2004 – Regulations (Higher Education Amendment Regulations 2012 G.G. 27/11/2012) (74).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 3) 2012 G.G. 16/11/2012) (75).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 6) 2012 G.G. 16/11/2012) (76).

Local Government Act 1995 – Local Laws (City of Busselton Holiday Homes Amendment Local Law 2012 G.G. 16/11/2012) (77).

Local Government Act 1995 – Local Laws (City of Busselton Regional Airport Amendment Local Law 2012 G.G. 16/11/2012) (78).

Local Government Act 1995 – Local Laws (Shire of Collie Activities in Thoroughfares and Public Places and Trading Local Law 2012 G.G. 13/11/2012) (79).

Local Government Act 1995 – Local Laws (Shire of Collie Parking and Parking Facilities Local Law 2012 G.G. 13/11/2012) (80).

Magistrates Court Act 2004 – Regulations (Magistrates Court (Fees) Amendment Regulations (No. 3) 2012 G.G. 30/11/2012) (81).

Mines and Safety Inspection Act 1994 – Code of Practice – Mineral Exploration Drilling (83).

Mines and Safety Inspection Act 1994 – Mineral Exploration Drilling (Code of Practice) Notice 2012 (82).

Mutual Recognition (Western Australia) Act 2010 – Regulations (Mutual Recognition (Western Australia) (Temporary Exemptions) Regulations 2012 G.G. 16/11/2012) (84).

Racing and Wagering Western Australia Act 2003 – Regulations (Racing and Wagering Western Australia Amendment Regulations 2012 G.G. 16/11/2012) (85).

Racing Penalties (Appeals) Act 1990 – Regulations (Racing Penalties (Appeals) Amendment Regulations 2012 G.G. 16/11/2012) (86).

Road Traffic Act 1974 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations (No. 3) 2012 G.G. 30/11/2012) (87).

Road Traffic Act 1974 – Regulations (Road Traffic (Charges and Fees) Amendment Regulations (No. 10) 2012 G.G. 30/11/2012) (88).

Road Traffic Act 1974 – Regulations (Road Traffic (Charges and Fees) Amendment Regulations (No. 7) 2012 G.G. 23/11/2012) (89).

Road Traffic Act 1974 – Regulations (Road Traffic (Charges and Fees) Amendment Regulations (No. 8) 2012 G.G. 30/11/2012) (90).

School Education Act 1999 – Regulations (School Education Amendment Regulations (No. 3) 2012 G.G. 27/11/2012) (91).

State Administrative Tribunal Act 2004 – Regulations (State Administrative Tribunal Amendment Regulations (No. 3) 2012 G.G. 30/11/2012) (92).

Supreme Court Act 1935 – Regulations (Supreme Court (Fees) Amendment Regulations (No. 3) 2012 G.G. 30/11/2012) (93).

Teacher Registration Act 2012 – Regulations (Teacher Registration (Accreditation of Initial Teacher Education Programmes) Regulations 2012 G.G. 16/11/2012) (94).

Teacher Registration Act 2012 – Regulations (Teacher Registration (General) Regulations 2012 G.G. 16/11/2012) (95).

Tobacco Products Control Act 2006 – Regulations (Tobacco Products Control Amendment Regulations (No. 2) 2012 G.G. 27/11/2012) (96).

Transport Co-ordination Act 1966 – Regulations (Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 3) 2012 G.G. 30/11/2012) (97).

Trans-Tasman Mutual Recognition (Western Australia) Act 2007 – Regulations (Trans-Tasman Mutual Recognition (Western Australia) (Temporary Exemptions) Regulations 2012 G.G. 16/11/2012) (98).

Vocational Education and Training Act 1996 – By-laws (Goldfields Institute of Technology By-laws 2012 G.G. 30/11/2012) (99).

Working with Children (Criminal Record Checking) Act 2004 – Regulations (Working with Children (Criminal Record Checking) Amendment Regulations (No. 2) 2012 G.G. 30/11/2012) (100).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the report of the special inquiry into aspects of the delivery of public health services at the Peel Health Campus.

Paper

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

By the Premier –

Public Sector Commission – Peel Health Campus: Contract Management and Clinical Outcomes: A Special Inquiry examining the delivery of public health services at the Peel Health Campus, Professor Bryant Stokes AM (101).

The Premier on the establishment of a cabinet subcommittee on Aboriginal Affairs.

5. Address in Reply

The Order of the Day for the resumption of debate upon the Address in Reply to His Excellency the Governor's speech was read.

Debate resumed.

Mr M. McGowan moved, To add to the Address in Reply the following –

"but regrets to inform His Excellency that the Barnett Government has broken a promise to the people of Western Australia that the Government will not re-merge Synergy and Verve".

Debate ensued.

Debate interrupted by the Chair (Minister for Energy speaking) and adjourned until a later stage of the sitting.

6. Questions

Questions without Notice were taken.

Questions on Notice Nos 7 to 128 were asked.

7. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

8. Address in Reply

The Order of the Day for the resumption of debate upon the amendment moved by Mr M. McGowan to the Address in Reply to His Excellency the Governor's speech was read.

Debate resumed.

Amendment put.

The Assembly divided.

Ayes (19)

Ms L.L. Baker

Dr A.D. Buti

Mr R.H. Cook

Ms J. Farrer

Mr W.J. Johnston

Mr D. Kelly

Mr F.M. Logan

Mr M. McGowan

Ms S. McGurk

Mr M.P. Murray

Mr P. Papalia

Mr J.R. Quigley

Ms M.M. Quirk

Mrs M.H. Roberts

Ms R. Saffioti

Mr P.C. Tinley

Mr P.B. Watson

Mr B.S. Wyatt

Mr D.A. Templeman (*Teller*)

Noes (35)

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

Mr J.M. Francis
 Mrs G. Godfrey
 Mr B.J. Grylls
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr C.D. Hatton
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 Mr S. L'Estrange
 Mr S. Love
 Mr J.E. McGrath

Mr P.T. Miles
 Ms A.R. Mitchell
 Mr N.W. Morton
 Dr M.D. Nahan
 Mr D. Nalder
 Mr J. Norberger
 Mr D.T. Redman
 Mr A.J. Simpson
 Mr M. Taylor
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Amendment thus negatived.

Speaker's Statement – Member for Kimberley – Maiden Speech to be Partly Delivered in Gidja

The Speaker advised members that he had granted permission for the Member for Kimberley to deliver part of her maiden speech in her first language, aboriginal Gidja. The Speaker agreed to this as a “one-off” arrangement as it was appropriate to make all speeches in English so that other members could understand what was being said and the Chair could ensure that it was both relevant and appropriate. After the Member made a short part of her speech in Gidja, she would repeat that part of the speech in English so that it could be reported by Hansard.

On the question, That the Address in Reply be agreed to,
 Debate resumed.

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

9. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 6.47 p.m. until Thursday, 18 April 2013 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Ms M. Davies and Mr W.R. Marmion.

PETER J. McHUGH
 Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
 Speaker of the Legislative Assembly