

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 223

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 13 SEPTEMBER 2012

1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

2. Petition

Save Midland Hospital – Mr R.H. Cook presented a petition from 46 persons requesting that the Legislative Assembly urges government members to vote in favour of the No Privatisation of Midland Hospital Bill 2011 (P. 635).

3. Papers

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

By the Clerk –

Construction Industry Long Service Leave Scheme – Annual Report 2011–2012 (5209).

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 2012 (5210).

Perry Lakes Redevelopment Project – Annual Report 2011–2012 (5211).

Water Corporation – Annual Report 2011–2012 (5212).

Western Australian Industrial Relations Commission, Department of the Registrar – Annual Report 2011–2012 (5213).

4. Notice of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Racing and Gaming on Racing and Wagering Western Australia's new twelve year SuperTAB pooling agreement with TABCorp.

The Parliamentary Secretary representing the Minister for Child Protection on the Report of the Review of the *Working with Children (Criminal Record Checking) Act 2004*.

Paper

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

By the Parliamentary Secretary representing the Minister for Child Protection –

Child Protection, Department for – Review of the Working with Children (Criminal Record Checking) Act 2004, July 2012 (5214).

6. Grievances

The Speaker called for grievances which were then made.

7. Suspension of Standing Orders

Mr B.S. Wyatt, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House condemns the Barnett Government:

- (a) for misleading the House in relation to the amount Mr Jake Smith and Mr James Larsson were entitled to upon their resignations;
- (b) for the secrecy surrounding the payments; and
- (c) for the excessive nature of the payments.

Debate ensued.

The Leader of the House moved, That the following words be added:

“

subject to the debate being limited to 20 minutes for government members and 20 minutes for non-government members.

”.

Amendment put and passed.

On the question, That the Standing Orders be suspended,

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion, as amended to be carried with the concurrence of an absolute majority of the whole number of members of the House.

8. Staff Payments

Mr B.S. Wyatt, pursuant to the foregoing motion, moved,

That this House condemns the Barnett Government:

- (a) for misleading the House in relation to the amount Mr Jake Smith and Mr James Larsson were entitled to upon their resignations;
- (b) for the secrecy surrounding the payments; and
- (c) for the excessive nature of the payments.

Debate ensued.

Question put.

The Assembly divided.

Ayes (22)

Ms L.L. Baker
 Dr A.D. Buti
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr J.N. Hyde
 Mr W.J. Johnston
 Mr F.M. Logan
 Mr M. McGowan

Mr M.P. Murray
 Mr A.P. O’Gorman
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk
 Mr E.S. Ripper
 Mrs M.H. Roberts
 Ms R. Saffioti

Mr T.G. Stephens
 Mr P.C. Tinley
 Mr A.J. Waddell
 Mr P.B. Watson
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Noes (26)

Mr F.A. Alban
 Mr I.C. Blayney
 Mr J.J.M. Bowler
 Mr I.M. Britza
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Mr V.A. Catania
 Dr E. Constable
 Mr M.J. Cowper

Mr J.H.D. Day
 Mr J.M. Francis
 Mr B.J. Grylls
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr A. Krsticevic
 Mr W.R. Marmion

Mr J.E. McGrath
 Mr P.T. Miles
 Ms A.R. Mitchell
 Dr M.D. Nahan
 Mr C.C. Porter
 Mr M.W. Sutherland
 Mr T.K. Waldron
 Mr A.J. Simpson (*Teller*)

Question thus negatived.

9. Joint Standing Committee on the Commissioner for Children and Young People

Dr E. Constable, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Commissioner for Children and Young People, Joint Standing Committee on the – Annual Report 2011–2012, Report No. 10 (5215).

Dr E. Constable and Mr M.P. Whitely spoke on the report.

10. Joint Standing Committee on Delegated Legislation

Mr P.T. Miles, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – Mindarie Regional Council Standing Orders Amendment Local Law 2012, Report No. 53 (5216).

Mr P.T. Miles and Ms J.M. Freeman spoke on the report.

11. Joint Standing Committee on Delegated Legislation

Mr P.T. Miles, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – City of Bayswater Standing Orders Local Law 2012, Report No. 54 (5217).

Mr P.T. Miles and Ms J.M. Freeman spoke on the report.

12. Joint Standing Committee on Delegated Legislation

Mr P.T. Miles, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – City of Perth Standing Orders Amendment Local Law 2012, Report No. 55 (5218).

Mr P.T. Miles and Mr A.J. Waddell spoke on the report.

13. Joint Standing Committee on Delegated Legislation

Mr P.T. Miles, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – The Ability to Conduct Electronic Meetings and the Trial of iPads by Committee Members, Report No. 56 (5219).

Mr P.T. Miles, Mr A.J. Waddell and Ms J.M. Freeman spoke on the report.

14. Queen Elizabeth II Medical Centre Amendment Bill 2012

The Minister for Health, pursuant to notice, moved,

That a bill for “An Act to amend the *Queen Elizabeth II Medical Centre Act 1966*.” be introduced and read a first time.

Question put and passed.

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

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

Ms J.M. Freeman moved, That the debate be adjourned.

Question put and passed.

15. Evidence and Public Interest Disclosure Legislation Amendment Bill 2011

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

Debate resumed.

The Minister for Planning moved, That the debate be adjourned.

Question put and passed.

16. Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry Bill 2012

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 C.J. Tallentire speaking) and adjourned until a later stage of the sitting.

17. Members’ Statements

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

18. Questions

Questions without Notice were taken.

Paper

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

By the Minister for Road Safety –

Road Safety, Minister for – Changes to the Laws Relating to the Penalties for Drink and Drug Driving Offences (5220).

Questions on Notice Nos 8674 to 8679 were asked.

Questions on Notice Nos 8168, 8232, 8280, 8303, 8314, 8317, 8328, 8371, 8372, 8393, 8416, 8450 and 8537 were answered.

19. Community Development and Justice Standing Committee – Terms of Reference

The Speaker advised members that he had received a letter dated 13 September 2012 from the Chairman of the Community Development and Justice Standing Committee, advising that the Committee had determined for itself terms of reference in relation to an inquiry into the State's preparedness for this year's fire season:

The Committee will examine relevant State Government agencies and community organisations as to the State's preparedness for this year's fire season, especially:

- (a) the implementation of recommendations flowing from inquiries and reviews of recent bushfires in Western Australia;
- (b) the funding of recommendations flowing from inquiries and reviews of recent bushfires in Western Australia; and
- (c) the ongoing impact on victims of communities recently affected by bushfires.

The Committee will report by 15 November 2012.

20. Variation to the Order of Business

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

21. Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry 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.

CONSIDERATION IN DETAIL

Clauses 1 to 7 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.

22. Royal Perth Hospital Protection Bill 2008

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

CONSIDERATION IN DETAIL

Clause 3.

The Minister for Health moved,

Page 2, lines 10 to 16 – To delete the lines and substitute –

“

Royal Perth Hospital means that part of the public hospital of that name situated on the land being any of the following –

- (a) Lot 915 on Deposited Plan 183229; and
- (b) Lot 916 on Deposited Plan 183230; being the whole or part of the land the subject of the Certificate of Title Volume 2726 Folio 337; and

(c) Lot 500 on Deposited Plan 58617,
and being a portion of the land the subject of the Certificate of Title Volume 2726 Folio 339

”.

Amendment put and passed.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

23. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 4.54 p.m. until Tuesday, 18 September 2012 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr C.J. Barnett, Mrs C.A. Martin, Mr D.T. Redman and Dr J.M. Woollard.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly