

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

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No. 230

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

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TUESDAY, 16 OCTOBER 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. Brief Ministerial Statements

A Brief Ministerial Statement was made by –

The Minister for Environment on the October 2012 bushfire near Two Peoples Bay Nature Reserve that resulted in injuries for Department of Environment and Conservation and the local bushfire brigade firefighters.

### 3. Questions

Questions without Notice were taken.

Questions on Notice Nos 8859 to 8864 were asked.

Questions on Notice Nos 8281, 8348, 8488, 8521 to 8524, 8526 to 8529, 8533, 8534, 8538 to 8544, 8546 to 8553, 8555, 8557, 8558, 8561 to 8564, 8566, 8568 to 8572, 8574 to 8581, 8583 to 8594, 8596 to 8599, 8601, 8603 to 8607, 8609 to 8611, 8617 to 8620, 8623 to 8633, 8635 to 8637, 8640 to 8655, 8658 to 8674, 8678, 8679, 8682, 8688 to 8691, 8705, 8707, 8711, 8740, 8754, 8758, 8760, 8769, 8770, 8840, 8854 and 8857 were answered.

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Paper tabled by the Deputy Premier; Minister for Health; Tourism –

Question on Notice No. 8348 – Details of hospitality, travel or accommodation accepted by officers above level 3.1 from a private company or individual since 1 April 2012 (5435).

Paper tabled by the Minister for Planning –

Question on Notice No. 8544 – Earthworks plan of Taylor's College, College Place, O'Connor (5436).

Papers tabled by the Minister for Police –

Question on Notice No. 8526 – Details of priority 2, 3 and 4 computer aided dispatch tasks for the suburbs of Bayswater, Bedford, Embleton, Inglewood, Maylands and Morley between January 2009 and March 2012 (5437).

Question on Notice No. 8854 – Details of fully sworn police officers by district as at 1 July 2012 (5438).

Question on Notice No. 8857 – Details of meetings between the Minister and the Western Australian Police Union (5439).

Paper tabled by the Minister representing the Minister for Fisheries –

Question on Notice No. 8670 – Breakdown of spending on protection of Western Australian aquatic environments since November 2011 (5440).

Paper tabled by Minister representing the Minister for Education –

Question on Notice No. 8523 – List of schools visited by the Minister since 28 June 2012 (5441).

#### **4. Messages from the Governor**

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

No. 18 – 2 October 2012

Evidence and Public Interest Disclosure Legislation Amendment Bill 2011, Act No. 31 of 2012.

No. 19 – 8 October 2012

Revenue Laws Amendment Bill (No. 2) 2012, Act No. 32 of 2012.

#### **5. Unanswered Question on Notice**

Mr J.N. Hyde asked why no answer had been received in respect of his Questions on Notice Nos 8651 and 8669.

#### **6. Petitions**

Dog Breed Regulations – Petitions requesting that the Legislative Assembly removes all legal restrictions currently on certain breeds deeming them automatically dangerous, and replaces these with a system that considers all dog breeds to be not dangerous, unless an individual investigation of the dog and owner proves the dog is a true danger to society were presented by –

Mr J.N. Hyde from 328 persons (P. 649);

Mr J.N. Hyde from 117 persons (P. 650);

Mr J.N. Hyde from 58 persons (P. 651); and

Mr J.N. Hyde from 45 persons (P. 652).

Skilled Local Jobs – Ms M.M. Quirk presented a petition from 17 persons requesting that the Legislative Assembly ensures that a greater share of skilled work for major resources projects is performed in Western Australia (P. 653).

Container Deposit Scheme – Ms M.M. Quirk presented a petition from 22 persons requesting that the Legislative Assembly takes full and comprehensive action to ensure the passing of the Container Deposit Recovery Scheme Bill 2011 (P. 654).

Fire Fighters Compensation – Ms M.M. Quirk presented a petition from 36 persons requesting that the Legislative Assembly acknowledges that under present law a family of a fire fighter faces financial hardship where occupationally acquired cancer is contracted and ensures that laws are enacted to redress this unjust situation without further delay (P. 655).

Wanneroo and Warwick Road intersection – Ms M.M. Quirk presented a petition from 9 persons requesting that the Legislative Assembly ensures the realignment of the traffic light phasing at the intersection of Wanneroo and Warwick Roads to limit inconvenience, delay, and congestion and to better reflect traffic flow patterns at the intersection (P. 656).

Nutritional Education for Students – Ms M.M. Quirk presented a petition from 15 persons requesting that the Legislative Assembly ensures that the curriculum on nutrition for primary schools students

includes instruction on how to interpret nutritional panels appearing on food product packages (P. 657).

## **7. Papers**

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

By the Speaker –

Information Commissioner, Office of the – Annual Report 2011–2012 (5427).

Inspector of Custodial Services, Office of the – Annual Report 2011–2012 (Received by the Clerk of the Legislative Assembly on 31 August 2012 and held for a period of thirty days and deemed tabled on 30 September 2012) (5426).

Inspector of Custodial Services, Office of the – Report of an Announced Inspection of Wooroloo Prison Farm (Received by the Clerk of the Legislative Assembly on 29 August 2012 and held for a period of thirty days) (5428).

Register of Members' Financial Interests – Annual Returns as at 30 June 2012 and Additional Information for Returns from the Year 2011–2012 of Members of the Legislative Assembly under the *Members of Parliament (Financial Interests) Act 1992* (5429).

By the Clerk –

Agriculture and Food, Department of – Annual Report 2011–2012 (5430).

CBD Courts Project Contract – Annual Report 2011–2012 (5431).

Commission for Occupational Safety and Health – Annual Report 2011–2012 (5432).

Potato Marketing Corporation of Western Australia – Annual Report 2011–2012 (5433).

Supervised Release Review Board of Western Australia – Annual Report 2011–2012 (5434).

## **8. Notices of Motion**

## **9. Removal of Order of the Day**

The Speaker advised members that the Orders of the Day that appeared on the last Notice Paper as Nos 1 and 2 under Private Members' Business, Container Deposit and Recovery Scheme Bill 2011 and Human Tissue and Transplant 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, for members' information, that a bill removed under this Standing Order may be restored by motion to the point it had reached prior to its removal.

## **10. Matter of Public Interest – State Finances and the Police Budget**

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

At least five members having risen in support,

Mr M. McGowan moved,

That this House condemns the Barnett Government for its mismanagement of the State's finances – particularly the mishandling of the Police budget.

Debate ensued.

Question put.

The Assembly divided.

## Ayes (26)

Ms L.L. Baker  
 Dr A.D. Buti  
 Ms A.S. Carles  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr J.N. Hyde  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 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 C.J. Tallentire  
 Mr P.C. Tinley  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Mr B.S. Wyatt  
 Mr D.A. Templeman (*Teller*)

## Noes (30)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 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 D.T. Redman  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Dr J.M. Woollard  
 Mr A.J. Simpson (*Teller*)

Question thus negated.

#### 11. Personal Explanation

The Minister for Planning made a personal explanation on the status of Question on Notice No. 8669.

#### 12. Building Amendment Bill 2012

The Leader of the House, on behalf of the Treasurer, pursuant to notice, moved

That a bill for “An Act to amend the *Building Act 2011* and validate certain actions and for related matters.” be introduced and read a first time.

Question put and passed.

The Leader of the House, on behalf of the Treasurer presented an explanatory memorandum and bill read a first time.

The Treasurer 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. Criminal Law Amendment (Out-of-Control Gatherings) Bill 2012

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 Police was granted leave to continue her remarks in reply at the next sitting of the Assembly.

#### 14. School Education Amendment Bill 2012

Message No. 243 dated 16 October 2012 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the *School Education Act 1999* and to make consequential amendments to the *School Curriculum and Standards Authority Act 1997*.”

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

**15. Aboriginal Affairs Planning Authority Amendment Bill 2012**

Message No. 244 dated 16 October 2012 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the *Aboriginal Affairs Planning Authority Act 1972* and to consequentially amend the *Unclaimed Money Act 1990*.”

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

**16. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 10.21 p.m. until Wednesday, 17 October 2012 at 12.00 noon.

*Members present during any part of the day's proceedings* – All the members except Mrs C.A. Martin.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**

Speaker of the Legislative Assembly