

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 204

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 16 MAY 2012

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Prostitution Bill 2011 – Mr P. Abetz presented a petition from 193 persons requesting that the Legislative Assembly fully investigates the Swedish law and commits to phasing out all brothels (P. 590).

Carpark Facilities Cockburn Central Railway Station – Mr F.M. Logan presented a petition from 224 persons requesting that the Legislative Assembly calls upon the State Government to commit to building a new overpass road bridge joining an upgraded North Lake Road to Armadale Road and a new rail station with car parking at Russell Road (P. 591).

Proposed Hammond Park High School – Mr F.M. Logan presented a petition from 141 persons requesting that the Legislative Assembly immediately brings forward the development and construction of a High School at Hammond Park (P. 592).

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 – Audit Results Report – Annual Assurance Audits and Across Government Benchmarking Audits, Report 5 – May 2012 (4813).

Auditor General, Office of the – Victim Support Service: Providing Assistance to Victims of Crime, Report 6 – May 2012 (4814).

By the Clerk –

Conservation and Land Management Act 1984 – Lease No. 1764/100 between the Department of Environment and Conservation and Christ Church Grammar School for the purpose of a domestic-use waterhole within a portion of Lane Poole Reserve 39819 (4815).

Treasury Corporation of Western Australia – Quarterly Report for the quarter ended 31 March 2012 (4816).

4. Notices of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Treasurer on his official visits to the People's Republic of China, Japan and the United States.

The Minister for Housing on the KPMG Report into the Department of Housing's transition to a Head Contractor model to manage the maintenance of its properties.

Paper

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

By the Minister for Housing –

Housing, Department of – Internal Audit Report Head Contractor Maintenance Model, March 2012 (4819).

The Minister for Education on the significant number of capital works programs underway at public secondary schools in Western Australia.

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

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to amend the *Unclaimed Money (Superannuation and RSA Providers) Act 2003* and the *State Superannuation Act 2000* and for related purposes.” be introduced and read a first time.

Question put and passed.

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.

7. Lotteries Commission 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.

Debate interrupted by the Chair (Ms J.M. Freeman speaking) and adjourned until a later stage of the sitting.

8. Questions

Questions without Notice were taken.

Questions on Notice Nos 7995 to 8015 were asked.

Questions on Notice Nos 7424, 7518, 7626 and 7643 were answered.

Paper tabled by the Premier –

Question on Notice No. 7424 – Details on the provision of training to public sector employees in relation to decision making and the acceptance of gifts, including the date of training, the number of employees that participated and the agencies involved in this training since 1 July 2011 (4817).

Paper tabled by the Minister for Health –

Question on Notice No. 7518 – Details on Government facilities and publicly funded non-government facilities providing accommodation specifically for people with mental illness for each of the financial years 2008–2009, 2009–2010, 2010–2011 and to date in 2011–2012, including the number of people currently on waiting lists for this type of accommodation (4818).

9. Variation to the Order of Business

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

10. Lotteries Commission 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.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 3 agreed to.

Clause 4.

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

11. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 23 and Private Members' Business Orders of the Day Nos 7 and 18 be next considered.

12. Hospital and Health Services in Western Australia

Mr R.H. Cook, pursuant to notice, moved,

That this House condemns the Barnett Government for its failure to protect hospital services in the suburbs and for its failure to properly plan for the increase in demand on health services in Western Australia.

Debate ensued.

Paper

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

By the Minister for Health –

Health, Department of – Metropolitan Bed Capacity Table (4820).

Question put.

The Assembly divided.

Ayes (18)

Dr A.D. Buti

Mr R.H. Cook

Ms J.M. Freeman

Mr W.J. Johnston

Mr J.C. Kobelke

Mr F.M. Logan

Mrs C.A. Martin

Mr M. McGowan

Mr M.P. Murray

Mr J.R. Quigley

Mr E.S. Ripper

Mrs M.H. Roberts

Mr C.J. Tallentire

Mr P.C. Tinley

Mr A.J. Waddell

Mr P.B. Watson

Mr B.S. Wyatt

Ms R. Saffioti (*Teller*)

Noes (23)

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

Mr J.H.D. Day
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr A.P. Jacob
 Mr R.F. Johnson
 Mr A. Krsticevic
 Mr W.R. Marmion
 Mr J.E. McGrath

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

Question thus negatived.

13. Infrastructure Across Western Australia

The Order of the Day having been read for the resumption of debate on the motion moved by Mr E.S. Ripper,

That this House condemns the Barnett Government for its failure to invest in basic infrastructure across Western Australia, in particular its failure to purchase additional trains and buses or to construct new road works to keep up with population growth.

Debate resumed.

Debate interrupted by the Chair (Mr A.J. Waddell speaking) and adjourned until a later stage of the sitting.

14. Variation to the Order of Business

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

15. Lotteries Commission Amendment Bill 2011

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

CONSIDERATION IN DETAIL

Clause 4 agreed to.

New clause.

The Premier moved,

Page 3, after line 16, To insert:

“

5. Section 7A inserted

After section 6 insert:

7A. Exemptions from s. 6(4)

- (1) The Minister, with the Treasurer's concurrence, may by order exempt a contract or arrangement, or class of contracts or arrangements, from the operation of section 6(4) either unconditionally or on specified conditions.
- (2) An order under subsection (1) is to show sufficient particulars of the contract or arrangement, or class of contracts or arrangements, to which it relates to enable the contract or arrangement, or class, to be identified.
- (3) The Minister must, within 6 sitting days after an order under subsection (1) is made, cause it to be laid before each House of Parliament.

- (4) Subject to subsection (5), an order made under subsection (1) is not subsidiary legislation for the purposes of the *Interpretation Act 1984*.
- (5) The *Interpretation Act 1984* sections 43 (other than subsection (6)) and 44 and Part VIII apply to an order made under subsection (1) as if it were subsidiary legislation.

”.

New clause agreed to.

Clause 5 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.

16. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 7.15 p.m. until Thursday, 17 May 2012 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr M.P. Whitely.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly