

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 220

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 16 AUGUST 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

Housing Wait List – Ms J.M. Freeman presented a petition from 2 persons requesting that the Legislative Assembly gives urgent attention to the housing needs of all Western Australians who are facing homelessness due to a critical shortage of affordable community housing properties (P. 632).

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 – Annual Report 2011–2012 (5119).

By the Clerk –

Premier and Cabinet, Department of – Ministerial Resourcing Report as at 2 August 2012 (5120).

4. Message from the Governor

Message No. 13 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Corruption and Crime Commission Amendment Bill 2012.

5. Notice of Motion

6. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the State Library's acquisition of a rare historical archive of letters, memoirs and diaries associated with Resident Magistrate Robert Fairbairn.

The Minister for Environment on the latest round of grants made by the Waste Authority Community Grants Scheme.

The Minister for Local Government on the Workforce Planning Toolkit, which aims to position the local government sector to better meet the economic, demographic, social and environmental needs of local communities.

7. Grievances

The Speaker called for grievances which were then made.

8. Joint Standing Committee on the Corruption and Crime Commission

Mr J.N. Hyde, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission, Joint Standing Committee on the – Guarding the Guardians, Report No. 29 (5121).

Mr J.N. Hyde spoke on the report.

9. 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 – Hospital Parking Fees: *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011, Royal Perth Hospital Amendment By-laws (No. 2) 2011, Women's and Children's Hospitals Amendment By-laws (No. 2) 2011, Fremantle Hospital Amendment By-laws (No. 2), Osborne Park Hospital Amendment By-laws (No. 2) 2011*, Report No. 50 (5122).

Mr P.T. Miles, Mr A.J. Waddell and Ms J.M. Freeman 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 – *Town of Bassendean Repeal Local Law 2010 and Town of Bassendean Dust and Sand Local Law 2011*, Report No. 51 (5123).

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 – *Liquor Control Amendment Regulations (No. 10) 2011*, Report No. 52 (5124).

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

12. Economics and Industry Standing Committee

Dr M.D. Nahan, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Economics and Industry Standing Committee – Inquiry into the 2011 Kimberley Ultramarathon, Report No. 13 (5125).

Dr M.D. Nahan, Mr W.J. Johnston, Mrs M.H. Roberts, Ms A.R. Mitchell, Mr M.P. Murray and Mr I.C. Blayney spoke on the report.

13. Changes to Standing Committee Membership

The Leader of the House, pursuant to notice, moved –

- (1) that the Member for Kingsley is discharged from the Joint Standing Committee on the Commissioner for Children and Young People and the Member for Churchlands is appointed in her place;
- (2) that the Member for Ocean Reef is discharged from the Community Development and Justice Standing Committee and the Member for Hillarys is appointed in his place;
- (3) that the Member for North West is appointed to the Joint Standing Committee on Delegated Legislation in place of the Member for Jandakot resigned;
- (4) that on and from Friday, 17 August 2012, the Member for Riverton is discharged from the Economics and Industry Standing Committee and the Member for Kalgoorlie is appointed in his place; and
- (5) that the Member for Churchlands is appointed to the Public Accounts Committee in place of the Member for Jandakot resigned.

Debate ensued.

Question put and passed.

The Leader of the House moved, To acquaint the Legislative Council accordingly.

Question put and passed.

14. Wills Amendment (International Wills) Bill 2012

The Minister for Planning, pursuant to notice, moved,

That a bill for “An Act to amend the *Wills Act 1970*.” be introduced and read a first time.

Question put and passed.

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

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

Ms R. Saffioti moved, That the debate be adjourned.

Question put and passed.

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

16. Members' Statements

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

17. Questions

Questions without Notice were taken.

Papers

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

By the Minister for Health –

Health, Minister for – Email Correspondence Relating to Dental Clinic Assistant Salaries (5126).

By the Minister for Police –

Police, Minister for – Picture of Kimberley Protestors (5127).

Questions on Notice Nos 8497 to 8520 were asked.

18. Matter of Public Interest – Government Accountability Failures

The 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 many accountability failures, including:

- (a) not answering parliamentary questions; and
- (b) refusing to release information by way of the FOI process.

Debate ensued.

Question put.

The Assembly divided.

Ayes (23)

Ms L.L. Baker	Mrs C.A. Martin	Mr C.J. Tallentire
Dr A.D. Buti	Mr M. McGowan	Mr P.C. Tinley
Ms A.S. Carles	Mr M.P. Murray	Mr A.J. Waddell
Mr R.H. Cook	Mr P. Papalia	Mr P.B. Watson
Ms J.M. Freeman	Mr J.R. Quigley	Mr M.P. Whitely
Mr W.J. Johnston	Ms M.M. Quirk	Mr B.S. Wyatt
Mr J.C. Kobelke	Mr E.S. Ripper	Ms R. Saffioti (<i>Teller</i>)
Mr F.M. Logan	Mr T.G. Stephens	

Noes (27)

Mr P. Abetz	Mr M.J. Cowper	Mr A. Krsticevic
Mr F.A. Alban	Mr J.H.D. Day	Mr W.R. Marmion
Mr I.C. Blayney	Mr J.M. Francis	Mr P.T. Miles
Mr J.J.M. Bowler	Mr B.J. Grylls	Ms A.R. Mitchell
Mr I.M. Britza	Dr K.D. Hames	Dr M.D. Nahan
Mr T.R. Buswell	Mrs L.M. Harvey	Mr C.C. Porter
Mr G.M. Castrilli	Mr A.P. Jacob	Mr M.W. Sutherland
Mr V.A. Catania	Dr G.G. Jacobs	Mr T.K. Waldron
Dr E. Constable	Mr R.F. Johnson	Mr A.J. Simpson (<i>Teller</i>)

Question thus negatived.

19. Personal Explanation

The Minister for Planning made a personal explanation relating to an answer he provided to Question without Notice No. 441 regarding his ownership of shares.

20. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 3 be next considered.

21. 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 1.

Mr R.H. Cook moved,

Page 2, line 2 – To insert after “the”:

“ *Tertiary* ”.

Amendment put and negatived.

Mr R.H. Cook moved,

Page 2, line 2 – To delete “*Protection*” and substitute:

“ *Health Services* ”.

Amendment put and negatived.

Clause agreed to.

Clause 2 agreed to.

Clause 3.

Mr R.H. Cook moved,

Page 2, after line 9 – To insert alphabetically:

“

continued operation means to remain in existence and provide ongoing health services at the current level at Royal Perth Hospital, other health institutions, hospitals and health services in Western Australia;

for the time being means at the time of the Act coming into operation;

Protection means the safeguarding of existing health services provided by Royal Perth Hospital and other health institutions, hospitals and health services in Western Australia;

tertiary means tertiary health care which may include but is not limited to, services provided by state-designated trauma centres, a burn centre, trauma surgery neurosurgery, cardiothoracic surgery, organ transplant, paediatric surgery, magnetic resonance imaging and positron emissions tomography, and include secondary, primary and emergency care;

the entity means the Board of a public hospital;

”.

Amendment put and negatived.

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

Question put and passed.

22. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 11 September 2012 at 2.00 p.m.

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 5.05 p.m. until Tuesday, 11 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, Mr J.E. McGrath and Dr J.M. Woollard.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly