

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 193

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 1 MARCH 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. Petitions

Burswood Multi-purpose Stadium – Mr R.H. Cook presented a petition from 927 persons requesting that the Legislative Assembly pressures the Government to reconsider the site for the proposed multi-purpose stadium at Burswood, and instead consider the site at Kitchener Park in Subiaco (P. 551).

Skilled Local Jobs – Ms L.L. Baker presented a petition from 26 persons requesting that Legislative Assembly takes full and comprehensive action to ensure a greater share of skilled work for major resources projects is performed in Western Australia (P. 552).

Midland Train Line – Ms L.L. Baker presented a petition from 25 persons requesting that the Legislative Assembly ensures that the Barnett Government builds adequate car parking on the Midland train line (P. 553).

Carpark Facilities Cockburn Central Railway Station – Mr F.M. Logan presented a petition from 221 persons requesting that the Legislative Assembly call 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. 554).

3. Papers

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

By the Clerk –

Commerce, Department of – EnergySafety Division Business Plan 2012–2013 and Explanatory Memorandum (4546).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the Love2Read Café opening at the Perth Cultural Centre.

The Minister for Local Government on the reduction in size of the Compliance Audit Return lodged by local governments.

The Minister for Environment on the Swan River Trust's oxygenation program.

5. Grievances

The Speaker called for grievances which were then made.

6. Education and Health Standing Committee

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

Education and Health Standing Committee – Child Health – Child Development: The First 3 Years, Report No. 13 (4547).

Dr J.M. Woollard, Dr G.G. Jacobs, Ms L.L. Baker, Mr P. Abetz and, by leave, Ms R. Saffioti and Mr R.H. Cook spoke on the report.

7. 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 Ironbridge Holdings Pty Ltd and Other Matters Regarding Residential Land and Property Developments, Report No. 11 (4548).

Economics and Industry Standing Committee – Inquiry into Ironbridge Holdings Pty Ltd and Other Matters Regarding Residential Land and Property Developments, Report No. 11 – Submissions (4549).

Dr M.D. Nahan, Mr W.J. Johnston, Mr M.P. Murray, Ms A.R. Mitchell, Mr I.C. Blayney and, by leave, Dr G.G. Jacobs spoke on the report.

8. 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 – Clarification of Issue from Committee Report No. 10, Report No. 12 (4550).

Dr M.D. Nahan spoke on the report.

9. 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 post-CHOGM technological capability of the WA Police, Report No. 23 (4551).

Mr J.N. Hyde spoke on the report.

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

Ms A.R. Mitchell, 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 – Report on the Functions of the Commissioner for Children and Young People: Working with Children Checks (4552).

Ms A.R. Mitchell and Mr M.P. Whitely spoke on the report.

11. Education and Care Services National Law (WA) 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 (Mr R.H. Cook speaking) and adjourned until a later stage of the sitting.

12. Members' Statements

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

13. Questions

Questions without Notice were taken.

Questions on Notice Nos 7362 to 7399 were asked.

14. Public Accounts Committee – Extension of Reporting Date

The Speaker advised members that he had received a letter dated 29 February 2012 from the Chair of the Public Accounts Committee advising that the Committee had resolved to amend the tabling date of its report on the inquiry into the provision of non-clinical services at Fiona Stanley Hospital from 29 March 2012 to 21 June 2012.

15. Matter of Public Interest – Police Officers at Police and Citizens Youth Centres

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 the House calls on the Premier to:

- (1) immediately halt plans to withdraw police officers and administration staff from PCYCs; and
- (2) explain why he has broken his 2008 promise to reinstate school based police officers.

Debate ensued.

Question put.

The Assembly divided.

Ayes (25)

Ms L.L. Baker
Dr A.D. Buti
Ms A.S. Carles
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 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 (29)

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

Question thus negatived.

16. Suspension of Standing Orders

The Deputy Premier, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable a motion to be debated forthwith referring matters relating to the Kimberley Ultramarathon event to the Economics and Industry Standing Committee.

Question put.

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

17. Economics and Industry Standing Committee – Referral to Committee – 2011 Kimberley Ultramarathon

The Deputy Premier, pursuant to the foregoing motion, moved,

- (1) That the Economics and Industry Standing Committee investigate and report by 21 June on the 2011 Kimberley Ultramarathon event held by RacingThePlanet (RTP) which resulted in injuries to a number of participants. The investigation will include:
 - (a) whether RTP took all reasonable steps to identify and reduce risks and maintain the safety of competitors, employees, contractors, spectators and volunteers in the preparation for and the running of the event and in responding to the fire and the injuries, including access to medical support and evacuations;
 - (b) the extent to which the terms and conditions applied by an event organiser to employees, volunteers and competitors and any associated sponsorship agreement with WA Tourism should reasonably protect the safety and interests of competitors, employees, contractors, volunteers and spectators;
 - (c) insurance and civil liabilities matters and the appropriateness of the *Civil Liability Act 2002* (Western Australia) provisions regarding liability of operators and organisation of recreational activities particularly of a high risk nature;
 - (d) the extent to which WA Tourism adequately assessed the qualifications, capability, experience, and capacity of RTP to organise, promote and run the event safely and with appropriate protections to competitors, employees, contractors, volunteers and spectators and the extent to which these should be assessed for future events;
 - (e) the role and actions of Western Australian government departments and agencies, including WA Tourism, DEC, FESA, Police and Health departments and local governments in respect of the event and the protection and rescue of competitors, employees, contractors, volunteers and spectators; and

- (f) whether there are measures that should be taken by government to ensure the risks including bush fires in remote areas in the context of extreme sporting events are adequately identified and addressed.

- (2) That the member for Midland be co-opted to the Committee for this inquiry.

Debate ensued.

Question put and passed.

18. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 1 be next considered.

19. Education and Care Services National Law (WA) 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.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for Planning, 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.

20. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 20 March 2012 at 2.00 p.m.

Question put and passed.

21. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 5.22 p.m. until Tuesday, 20 March 2012 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly