

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

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No. 236

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

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TUESDAY, 6 NOVEMBER 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

Brief Ministerial Statements were made by –

The Minister for Environment on the Indian Ocean Climate Initiative Stage 3 Workshop.

The Minister for Training and Workforce Development on the commencement of works occurring on a new building and construction centre at the Challenger Institute of Technology's Rockingham campus.

### 3. Questions

Questions without Notice were taken.

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#### *Paper*

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

By the Minister for Regional Development –

Regional Development and Lands, Department for – Royalties for Regions, Progress Report July 2011–July 2012 (5545).

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Questions on Notice Nos 8866 to 8870 were asked.

Questions on Notice Nos 8717 to 8719, 8721 to 8724, 8726 to 8729, 8731, 8737 to 8739, 8741, 8743, 8745 to 8747, 8750 to 8753, 8755, 8771, 8772, 8777, 8778, 8780 to 8800, 8802 to 8829, 8831, 8833, 8834, 8836, 8838, 8839, 8841 to 8844, 8846 to 8848, 8851, 8855, 8859 and 8865 were answered.

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Paper tabled by the Minister for Culture and the Arts –

Question on Notice No. 8717 – Production and project assistance funding allocations and sources relating to lapsed commitments detailed in the Screenwest Annual Report 2011–2012 (5536).

Papers tabled by the Minister for Water –

Question on Notice No. 8820 – Average residential water bills issued by the Water Corporation in the Albany electorate between 1 January and 31 May from 2008 to 2012 (5537).

Question on Notice No. 8821 – Number of Water Corporation customers in arrears from 2008 to 2012 in the Albany electorate (5538).

Question on Notice No. 8822 – Number of Water Corporation customers receiving a hardship utility grant scheme payment in the Albany electorate from 2008 to 2012 (5539).

Papers tabled by the Minister for Police –

Question on Notice No. 8755 – Move on Notice data relating to categories of ethnic appearance (5540).

Question on Notice No. 8851 – Job description of a youth liaison officer (5541).

Paper tabled by the Minister for Agriculture and Food –

Question on Notice No. 8721 – Training curriculum and example examination questions for Animal Welfare Inspectors employed by the Department of Agriculture and Food (5542).

Paper tabled by the Parliamentary Secretary representing the Minister for Energy –

Question on Notice No. 8825 – Average residential electricity bills issued by Synergy in the Albany electorate between 1 June and 30 September from 2008 to 2012 (5543).

Paper tabled by the Minister representing the Minister for Education –

Question on Notice No. 8865 – Department of Education – School Grounds: Introduction to School Gardening (5544).

#### 4. Petitions

Dog Breed Regulations – Petitions requesting that the Legislative Assembly removes all legal restrictions on certain breeds deeming them automatically dangerous, and replace this 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 281 persons (P. 664);

Mr J.N. Hyde from 125 persons (P. 665);

Mr J.N. Hyde from 12 persons (P. 666); and

Mr J.N. Hyde from 84 persons (P. 667).

Quattro Estate, Queens Park – Mr W.J. Johnston presented a petition from 267 persons requesting that the Legislative Assembly ensures the Department of Housing be directed to develop the group housing lots in Quattro Estate, Queens Park to be consistent with existing Quattro Design Guidelines and Planning Policy SRS230 [R8], and to work collaboratively with all stakeholders to ensure the outcome enhances and benefits the Quattro Community directly (P. 668).

#### 5. Papers

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

By the Speaker –

Corruption and Crime Commission – Report on the Investigation of Alleged Public Sector Misconduct in Relation to Contact with Students and the Accessing of Child Pornography by a Department of Education Employee (Received by the Clerk of the Legislative Assembly and deemed tabled on 2 November 2012) (5511).

By the Clerk –

Bush Fires Act 1954 – Local Laws (Shire of Exmouth Bush Fire Brigades Local Law 2012 G.G. 30/10/2012) (5512).

Bush Fires Act 1954 – Regulations (Bush Fires Amendment Regulations 2012 G.G. 31/10/2012) (5513).

Emergency Management Act 2005 – Regulations (Emergency Management Amendment Regulations (No. 2) 2012 G.G. 31/10/2012) (5514).

Fire and Emergency Services Act 1998 – Regulations (Fire and Emergency Services Authority of Western Australia Amendment Regulations 2012 G.G. 31/10/2012) (5515).

Fire and Emergency Services Superannuation Act 1985 – Regulations (Fire and Emergency Services (Superannuation Fund) Amendment Regulations (No. 2) 2012 G.G. 31/10/2012) (5516).

Fire Brigades Act 1942 – Regulations (Fire Brigades Amendment Regulations (No. 2) 2012 G.G. 31/10/2012) (5517).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 11) 2012 G.G. 02/11/2012) (5518).

Hospitals and Health Services Act 1927 – By-laws (Royal Perth Hospital Amendment By-laws 2012 G.G. 23/10/2012) (5519).

Hospitals and Health Services Act 1927 – Regulations (Hospitals (Services Charges) Amendment Regulations (No. 5) 2012 G.G. 02/11/2012) (5520).

Jetties Act 1926 – Regulations (Jetties Amendment Regulations (No. 2) 2012 G.G. 23/10/2012) (5521).

Local Government Act 1995 – Local Laws (City of Kalgoorlie-Boulder Dogs Local Law 2012 G.G. 24/10/2012) (5522).

Local Government Act 1995 – Local Laws (City of Vincent Parking and Parking Facilities Amendment Local Law No. 1 2012 G.G. 30/10/2012) (5523).

Local Government Act 1995 – Local Laws (Shire of Broome Local Government Property and Public Places Local Law 2012 G.G. 23/10/2012) (5524).

Local Government Act 1995 – Local Laws (Shire of Broome Repeal Local Law 2012 G.G. 23/10/2012) (5525).

Misuse of Drugs Act 1981 – Orders (Misuse of Drugs (Amounts of Prohibited Drugs) Order (No. 2) 2012 G.G. 30/10/2012) (5526).

Perth Parking Management Act 1999 – Regulations (Perth Parking Management Amendment Regulations (No. 3) 2012 G.G. 02/11/2012) (5527).

Planning and Development Act 2005 – Order to the Town of Claremont under section 76(1) of the Act in respect of Lots 4 and 22 Gugerri Street, Lot 26 Loch Street and Lot 20 College Road, Claremont (5528).

Planning and Development Act 2005 – Order to the Town of Port Hedland under section 76(1) of the Act in respect of Lot 226 Greenfield Street, Boodarie (5529).

Professional Standards Act 1997 – Schemes (Association of Taxation and Management Accountants Scheme G.G. 29/10/2012) (5530).

Real Estate and Business Agents Act 1978 – Regulations (Real Estate and Business Agents (General) Amendment Regulations (No. 2) 2012 G.G. 23/10/2012) (5531).

Road Traffic Act 1974 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations (No. 2) 2012 G.G. 02/11/2012) (5532).

Road Traffic Act 1974 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations (No. 4) 2012 G.G. 02/11/2012) (5533).

State Records Commission – Annual Report 2011 – 2012 (5534).

Young Offenders Act 1994 – Orders (Young Offenders (Detention Centre) Revocation Order 2012 G.G. 30/10/2012) (5535).

## **6. Notices of Motion**

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

The Speaker advised members that the Order of the Day that appeared on the last Notice Paper as No. 18 under Government Business, Prostitution 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.

#### **8. Notice of Motion after the Time Prescribed**

The Minister for Planning was granted leave to give a late notice of motion.

#### **9. Road Traffic (Miscellaneous Amendments) Bill 2012**

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

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##### *Urgent Bill*

The Minister for Police moved, That Road Traffic (Miscellaneous Amendments) Bill 2012 be considered an urgent bill.

Debate ensued.

Question put and passed.

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Debate resumed.

Question put and passed.

Bill read a second time.

#### *CONSIDERATION IN DETAIL*

Clauses 1 to 14 agreed to.

Title agreed to.

Consideration in detail concluded.

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

Question put and passed.

#### **10. Variation to the Order of Business**

Ordered, That Government Business Order of the Day No. 4 be next considered.

#### **11. 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 7.

Mr A.P. O'Gorman had moved,

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Joondalup Health Campus.

”.

Amendment put.

The Assembly divided.

## Ayes (19)

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 J.C. Kobelke

Mr F.M. Logan  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mrs M.H. Roberts  
 Mr T.G. Stephens

Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr B.S. Wyatt  
 Mr D.A. Templeman (*Teller*)

## Noes (25)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 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  
 Dr G.G. Jacobs  
 Mr A. Krsticevic  
 Mr W.R. Marmion

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*)

Amendment thus negatived.

Mr W.J. Johnston moved,

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Armadale-Kelmscott Hospital.

”

Mr P.T. Miles moved, That the question be now put.

Question put.

The Assembly divided.

## Ayes (20)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr I.C. Blayney  
 Mr I.M. Britza  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
 Mr M.J. Cowper

Mr J.H.D. Day  
 Dr K.D. Hames  
 Mrs L.M. Harvey  
 Dr G.G. Jacobs  
 Mr A. Krsticevic  
 Mr W.R. Marmion  
 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*)

## Noes (15)

Ms L.L. Baker  
 Dr A.D. Buti  
 Mr R.H. Cook  
 Mr J.N. Hyde  
 Mr W.J. Johnston

Mr J.C. Kobelke  
 Mr F.M. Logan  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Mrs M.H. Roberts

Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr B.S. Wyatt  
 Ms J.M. Freeman (*Teller*)

Question thus passed.

On the question, That the words be inserted,

Amendment put and negatived.

Mr P. Papalia moved,

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Rockingham General Hospital.

”.

Mr P.T. Miles moved, That the question be now put.

Question put and passed.

On the question, That the words be inserted,

Amendment put and negatived.

Mrs M.H. Roberts moved,

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the new Midland Health Campus.

”.

Amendment put and negatived.

Mr R.H. Cook, on behalf of Mr D.A. Templeman moved,

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Peel Health Campus.

”.

Amendment put and negatived.

Mr B.S. Wyatt, on behalf of Mr M.P. Murray moved,

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the South West Regional Health Campus and Associated South West Hospitals.

”.

Amendment put and negatived.

Mr R.H. Cook, on behalf of Mrs C.A. Martin moved,

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Broome Regional Health Campus.

”.

Mr P.T. Miles moved, That the question be now put.

Question put and passed.

On the question, That the words be inserted,

Amendment put and negatived.

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

Question put and passed.

**12. Message from the Governor**

Message No. 21 from His Excellency the Governor was reported assenting to the following bills –

Mining Rehabilitation Fund Bill 2012, Act No. 33 of 2012.

Mining Rehabilitation Fund Amendment Bill 2012, Act No. 34 of 2012.

Electoral Amendment Bill 2012, Act No. 35 of 2012.

Retirement Villages Amendment Bill 2012, Act No. 36 of 2012.

Building Amendment Bill 2012, Act No. 37 of 2012.

**13. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 12.01 a.m. on Wednesday, 7 November 2012 until 12.00 noon on the same day.

*Members present during any part of the day's proceedings* – All the members except Mr A.P. Jacob, Mrs C.A. Martin, Mr J.E. McGrath and Mr M.P. Murray.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**

Speaker of the Legislative Assembly