

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 231

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 17 OCTOBER 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

Belmont Ski Area – Ms L.L. Baker presented a petition from 1 person requesting that the Legislative Assembly ensure that the Barnett Government closes the Belmont Ski Area (P. 658).

Belmont Ski Area and Riverpark – Ms L.L. Baker presented a petition from 28 persons requesting that the Legislative Assembly ensures that the Barnett Government implements a new plan and management framework for the Riverpark for the 2012–2013 boating season and closes the Belmont Ski Area (P. 659).

Fire Fighters Compensation – Ms L.L. Baker presented a petition from 17 persons requesting that the Legislative Assembly acknowledges that under present law, the 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. 660).

Skilled Local Jobs – Ms L.L. Baker presented a petition from 25 persons requesting that the Legislative Assembly ensures that a greater share of skilled work for major resources projects is performed in Western Australia (P. 661).

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 – Major Capital Projects, Report 12 (5442).

By the Clerk –

Dog Act 1976 – Local Laws (City of Nedlands Dogs Local Law G.G. 11/10/2012) (5443).

Economic Regulation Authority Act 2003 – Regulations (Economic Regulation Authority (Electricity Networks Access Funding) Regulations 2012 G.G. 09/10/2012) (5444).

Environmental Protection Act 1986 – Regulations (Environmental Protection (Diesel and Petrol) Amendment Regulations 2012 G.G. 09/10/2012) (5445).

Fair Trading Act 2010 – Regulations (Fair Trading (Retirement Villages Interim Code) Regulations 2012 G.G. 26/09/2012) (5446).

Fish Resources Management Act 1994 – Management Plans (West Coast Demersal Scalefish (Interim) Management Plan Amendment (No. 2) 2012 [1113] G.G. 12/10/2012) (5447).

Fish Resources Management Act 1994 – Management Plans (West Coast Estuarine Fishery (Interim) Management Plan Amendment 2012 G.G. 12/10/2012) (5448).

Fish Resources Management Act 1994 – Management Plans (West Coast Rock Lobster Management Plan Amendment (No. 2) 2012 [1118] G.G. 12/10/2012) (5449).

Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Shoalwater Islands Marine Park) Amendment Order 2012 [1076] G.G. 09/10/2012) (5450).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 5) 2012 G.G. 25/09/2012) (5451).

Hospitals and Health Services Act 1927 – By-laws (Fremantle Hospital Amendment By-laws 2012 G.G. 28/09/2012) (5452).

Hospitals and Health Services Act 1927 – By-laws (Osborne Park Hospital Amendment By-laws 2012 G.G. 28/09/2012) (5453).

Local Government Act 1995 – Local Laws (City of Gosnells Parking Local Law 2012 G.G. 12/10/2012) (5454).

Local Government Act 1995 – Local Laws (City of Nedlands Parking and Parking Facilities Local Law 2012 G.G. 11/10/2012) (5455).

Local Government Act 1995 – Local Laws (City of South Perth Standing Orders Amendment Local Law 2012 G.G. 05/10/2012) (5456).

Local Government Act 1995 – Local Laws (Shire of East Pilbara Parking and Parking Facilities Local Law 2011 G.G. 09/10/2012) (5457).

Local Government Act 1995 – Local Laws (Shire of Kellerberrin Parking and Parking Facilities Local Law 2012 G.G. 03/10/2012) (5458).

Motor Vehicle Dealers Act 1973 – Regulations (Motor Vehicle Dealers (Prescribed Vehicles) Amendment Regulations 2012 G.G. 02/10/2012) (5459).

Occupational Therapists' Registration Board of Western Australia – Annual Report 2011–2012 (5460).

Petroleum and Geothermal Energy Safety Levies Act 2011 – Regulations (Petroleum and Geothermal Energy Safety Levies Amendment Regulations 2012 G.G. 28/09/2012) (5461).

Racing Bets Levy Act 2009 – Regulations (Racing Bets Levy Amendment Regulations 2012 G.G. 12/10/2012) (5462).

Vocational Education and Training Act 1996 – Regulations (Vocational Education and Training (Colleges) Amendment Regulations (No. 2) 2012 G.G. 12/10/2012) (5463).

Western Australian Marine Act 1982 – Regulations (Western Australian Marine (Infringements) Amendment Regulations 2012 G.G. 09/10/2012) (5464).

Workers' Compensation and Injury Management Act 1981 – Regulations (Workers' Compensation and Injury Management (Scales of Fees) Amendment Regulations 2012 G.G. 25/09/2012) (5465).

4. Notice of Motion

5. Notice of Motion Lapsed

The Speaker advised that Private Members' Business Notice of Motion Nos 2, 3 and 4 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

6. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Sport and Recreation on the Fitzroy Crossing Garnduwa Festival, which incorporated football, basketball, art and cultural performances.

The Minister for Environment on the Success of the 2012 Kings Park Festival.

The Minister for Regional Development on Gwoonwardu Mia, the Gascoyne Aboriginal Heritage and Cultural Centre, being named as the Overall National Winner at the 2012 Museums and Galleries National Awards.

7. Private Members' Business

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

That so much of Standing Orders be suspended as is necessary to enable Private Members' Business to have priority from 4.00 p.m. to 8.00 p.m. on Wednesday, 17 October 2012.

Question put and passed.

8. Suspension of Standing Orders

Mr R.H. Cook, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House:

- (a) notes the serious allegations of inappropriate admissions at the Peel Health Campus and inappropriate incentives for doctors to admit patients to the Peel Health Campus;
- (b) records the failure of the Government to respond meaningfully to these allegations; and
- (c) demands an immediate explanation from the Minister for Health on:
 - (i) the actions taken by the Government in response to these allegations; and
 - (ii) any further steps the Government intends to take.

Debate ensued.

The Leader of the House moved, That the following words be added:

“

subject to the debate being limited to 20 minutes for government members and 20 minutes for non-government members.

”.

Amendment put and passed.

On the question, That so much of the Standing Orders be suspended,

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

9. Inappropriate Admissions at the Peel Health Campus

Mr R.H. Cook, pursuant to the foregoing motion, moved,

That this House:

- (a) notes the serious allegations of inappropriate admissions at the Peel Health Campus and inappropriate incentives for doctors to admit patients to the Peel Health Campus;
- (b) records the failure of the Government to respond meaningfully to these allegations; and
- (c) demands an immediate explanation from the Minister for Health on:

- (i) the actions taken by the Government in response to these allegations;
and
- (ii) any further steps the Government intends to take.

Debate ensued.

Question put.

The Assembly divided.

Ayes (25)

Ms L.L. Baker	Mr M. McGowan	Mr T.G. Stephens
Dr A.D. Buti	Mr M.P. Murray	Mr C.J. Tallentire
Mr R.H. Cook	Mr A.P. O’Gorman	Mr P.C. Tinley
Ms J.M. Freeman	Mr P. Papalia	Mr A.J. Waddell
Mr J.N. Hyde	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	Mr D.A. Templeman (<i>Teller</i>)
Mr F.M. Logan	Mrs M.H. Roberts	
Mrs C.A. Martin	Ms R. Saffioti	

Noes (30)

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

Question thus negated.

10. Dangerous Sexual Offenders Amendment Bill 2012

The Minister for Corrective Services, pursuant to notice, moved,

That a bill for “An Act to amend the *Dangerous Sexual Offenders Act 2006* to provide for the imposition of curfew requirements on, and electronic monitoring of, certain dangerous sexual offenders, and for related purposes.” be introduced and read a first time.

Question put and passed.

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

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

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

11. Message from the Governor

Message No. 20 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Dangerous Sexual Offenders Amendment Bill 2012.

12. School Education Amendment Bill 2012

The Minister for Planning, pursuant to notice, moved,

That 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*.” 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.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

13. Aboriginal Affairs Planning Authority Amendment Bill 2012

The Minister for Training and Workforce Development, pursuant to notice, moved,

That a bill for “An Act to amend the *Aboriginal Affairs Planning Authority Act 1972* and to consequentially amend the *Unclaimed Money Act 1990*.” be introduced and read a first time.

Question put and passed.

The Minister for Training and Workforce Development presented an explanatory memorandum and bill read a first time.

The Minister for Training and Workforce Development moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

14. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 4 and 3 be next considered.

15. Trans-Tasman Mutual Recognition (Western Australia) Amendment Bill 2012

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 Premier moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

16. 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.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clause 1.

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

17. Questions

Questions without Notice were taken.

Question on Notice No. 8865 was asked.

Questions on Notice Nos 8532, 8535, 8560, 8565, 8582, 8595, 8600, 8612 to 8616, 8622, 8634, 8639, 8657, 8695, 8696, 8710, 8742 and 8748 were answered.

Paper tabled by the Minister representing the Minister for Finance –

Question on Notice No. 8612 – Details of artwork selected for Hale House as at 11 September 2012 (5466).

18. Additional Information

The Minister for Environment provided additional information relating to Question on Notice No. 8636 from Mr B.S. Wyatt.

Paper

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

By the Minister for Environment –

Environment, Minister for – Further information to the answer provided to Question on Notice No. 8636 (5467).

19. Personal Explanation

The Minister for Local Government made a personal explanation on the provision of an answer to Question on Notice No. 8651.

20. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 3 be resumed.

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

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

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.

22. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 19 and Private Members' Business Order of the Day No. 18 be next considered.

23. Privatisation of Public Hospitals

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

That this House expresses its concern over the impact of privatisation of public hospitals and calls on the Barnett Government to immediately abandon its privatisation policies.

Debate ensued.

Debate interrupted by the Chair (Dr G.G. Jacobs speaking) and adjourned until a later stage of the sitting.

24. Variation to the Order of Business

Ordered, That Government Business Order of the Day Nos 6 be next considered.

25. Western Australian Future Fund Bill 2012

The Order of the Day for the third reading of the bill having been read, the Treasurer moved, 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.

26. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.11 p.m. until Thursday, 18 October 2012 at 9.00 a.m.

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

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly