

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 174

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 19 OCTOBER 2011

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petition

Bickley Birthing Ward – Dr A.D. Buti presented a petition from 839 persons requesting that the Government commits to keep open the private Bickley Birthing Ward at Armadale-Kelmscott Hospital (P. 485).

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 – Use of CCTV Equipment and Information, Report 9: October 2011 (4117).

Register of Members' Financial Interests – Annual Returns as at 30 June 2011 and Additional Information for Returns from the year 2010–2011 and Primary Returns of Members of the Legislative Assembly under the Members of Parliament (Financial Interests) Act 1992 (4118).

By the Clerk –

Court Security and Custodial Services Contract – Annual Report 2010–2011 (4119).

Independent Market Operator – Annual Report 2010–2011 (4120).

Land Administration Act 1997 – Proposal No. 10/2011 under section 42(4) of the Act for excision from Class A Reserve 25141 for the purpose of recreation and managed by the Shire of Augusta-Margaret River (4121).

Western Australian Greyhound Racing Association – Annual Report 2010–2011 (4122).

4. Notice of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Planning on the Stirling Improvement Plan No. 36.

Paper

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

By the Minister for Planning –

Western Australian Planning Commission – Improvement Plan No. 36 – Stirling City Centre, August 2011 (4133).

The Minister for Environment on the unveiling of the Rio Tinto Naturescape in Kings Park.

The Premier on sustainable funding for the not-for-profit sector.

Paper

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

By the Premier –

Premier and Cabinet, Department of – List of Not-For-Profit Agencies Receiving Increased Funding (4134).

6. Local Government Amendment Bill 2011

The Minister for Local Government, pursuant to notice, moved,

That a bill for “An Act to amend –

- the *Local Government Act 1995*; and
- the *Rates and Charges (Rebates and Deferments) Act 1992*; and
- the *Salaries and Allowances Act 1975*.”

be introduced and read a first time.

Question put and passed.

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

The Minister for Local Government 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. Container Deposit and Recovery Scheme Bill 2011

Mr E.S. Ripper, pursuant to notice, moved,

That a bill for “An Act to establish a beverage container deposit and recovery scheme to be administered by the Waste Authority, to impose a levy as part of that scheme, and for related purposes.” be introduced and read a first time.

Question put and passed.

Mr E.S. Ripper presented an explanatory memorandum and bill read a first time.

Ordered, That the second reading of the bill be made an Order of the Day for a later stage of the day’s sitting.

8. Petroleum and Geothermal Energy Safety Levies Bill 2011

The Order of the Day for the third reading of the bill having been read, the Minister for Environment 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.

9. Criminal Investigation (Covert Powers) Bill 2011

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

Debate resumed.

The Minister for Police was granted leave to continue his remarks in reply at a later stage of the sitting.

10. Inspector of Custodial Services 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 (Minister for Corrective Services speaking in reply) and adjourned until a later stage of the sitting.

11. Questions

Questions without Notice were taken.

Questions on Notice Nos 6316 to 6360 were asked.

Questions on Notice Nos 5966, 6037, 6038, 6052, 6061, 6076, 6078, 6081, 6108, 6119, 6132, 6142, 6152, 6178, 6196, 6197, 6199, 6207, 6208, 6242, 6253 and 6282 to 6287 were answered.

Papers tabled by the Minister for Education –

Question on Notice No. 6038 – How many public schools provide non-Department of Education agencies (4123).

Question on Notice No. 6052 – How many times have Western Australian Public Schools been tested for the presence of asbestos fibres (4124).

Question on Notice No. 6078 – Question in relation to the service of school psychologists with reference to the Minister of Education's answer to Supplementary Question No. 85 for the 2011–12 Budget Estimates hearing (4125).

Papers tabled by the Minister for Health; Tourism –

Question on Notice No. 6199 – Question relating to the purchase of medical equipment, information technology equipment/services, or pharmaceuticals for various companies (4126).

Question on Notice No. 6283 – Summary of total hours ambulances were ramped each day in September 2011 (4127).

Question on Notice No. 6282 – Summary of total hours ambulances were ramped each day in August 2011 (4128).

Question on Notice No. 6284 – Summary of total hours ambulances were ramped each day for the months of January to June 2009 (4129).

Question on Notice No. 6285 – Summary of total hours ambulances were ramped each day for the months of January to July 2010 (4130).

Question on Notice No. 6286 – Summary of total hours ambulances were ramped each day for the months of July to December 2009 (4131).

Question on Notice No. 6287 – Summary of total hours ambulances were ramped each day for the months of September to December 2008 (4132).

12. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 3, 4 and 1 be next considered.

13. Inspector of Custodial Services 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.

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

The Minister for Corrective Services 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.

14. Electoral and Constitution 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 (Mr P. Papalia speaking) and adjourned until a later stage of the sitting.

15. Variation to the Order of Business

Ordered, That Private Members' Business Order of the Day for the second reading of the Container Deposit and Recovery Scheme Bill 2011 and Private Members' Business Notices of Motion Nos 10 and 14 be next considered.

16. Container Deposit and Recovery Scheme Bill 2011

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

Mr E.S. Ripper moved, That the bill be now read a second time.

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

Question put and passed.

17. Amendments to the Retirement Villages Act 1992

Mr A.P. O'Gorman, pursuant to notice, moved,

That this House again condemns the Barnett Liberal-National Government for its failure to present to the Parliament amendments to the *Retirement Villages Act 1992* and calls on it to immediately address this issue of importance to so many across Western Australia.

Debate ensued.

Question put.

The Assembly divided.

Ayes (22)

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

Mr M. McGowan

Mrs C.A. Martin

Mr M.P. Murray

Mr A.P. O'Gorman

Mr P. Papalia

Mr J.R. Quigley

Ms M.M. Quirk

Mr E.S. Ripper

Mr T.G. Stephens

Mr C.J. Tallentire

Mr P.B. Watson

Mr M.P. Whitely

Mr B.S. Wyatt

Mr D.A. Templeman (*Teller*)

Noes (26)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr J.J.M. Bowler
 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
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson

Mr A. Krsticevic
 Mr J.E. McGrath
 Mr P.T. Miles
 Ms A.R. Mitchell
 Mr D.T. Redman
 Mr M.W. Sutherland
 Dr J.M. Woollard
 Mr A.J. Simpson (*Teller*)

Question thus negatived.

18. Bickley Birthing Ward – Armadale-Kelmscott

Dr A.D. Buti, pursuant to notice, moved,

That this House:

- (a) condemns the Minister for Health and the Barnett Government for their decision to close the Bickley Birthing Ward at the Armadale-Kelmscott Hospital; and
- (b) calls on the Minister for Health and the Premier to immediately reverse this retrograde and harsh decision and ensure the long-term future of the Bickley Birthing Ward at the Armadale-Kelmscott Hospital.

Debate ensued.

Question put.

The Assembly divided.

Ayes (21)

Ms L.L. Baker
 Dr A.D. Buti
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr W.J. Johnston
 Mr J.C. Kobelke
 Mr F.M. Logan

Mr M. McGowan
 Mrs C.A. Martin
 Mr M.P. Murray
 Mr A.P. O’Gorman
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk

Mr E.S. Ripper
 Mr T.G. Stephens
 Mr C.J. Tallentire
 Mr P.B. Watson
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 Mr J.M. Francis
 Mr B.J. Grylls
 Dr K.D. Hames
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson

Mr A. Krsticevic
 Mr J.E. McGrath
 Mr P.T. Miles
 Ms A.R. Mitchell
 Mr D.T. Redman
 Mr M.W. Sutherland
 Dr J.M. Woollard
 Mr A.J. Simpson (*Teller*)

Question thus negatived.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 7.03 p.m. until Thursday, 20 October 2011 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mrs L.M. Harvey.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly