

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 11

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 11 DECEMBER 2008

1. Meeting of Assembly

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Speaker's Statement – Grievances and Members' Statements

The Speaker advised members that due to the change in commencement time for today he would call for Grievances and Members' Statements after the Matter of Public Interest.

3. Brief Ministerial Statement

The following Brief Ministerial Statement was made by –

The Minister for Culture and the Arts on the naming of the new performing arts venue *The State Theatre Centre of Western Australia* and its main 575 seat theatre to be known as *The Heath Ledger Theatre*.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 409 to 421 were asked.

Questions on Notice Nos 6 to 9, 11, 18, 28 to 38, 41, 42, 44 to 47, 56 to 65, 67 to 69, 71 to 76, 93 to 96, 98, 99, 116, 117, 119, 121 to 134, 136 to 138, 140, 141, 144, 149, 191, 196, 199, 206, 212, 213 and 216 were answered.

Paper tabled by the Minister representing the Minister for Environment; Youth –

Question on Notice No. 93 – Details of Ministerial Office staffing as at 30 October 2008 for the Minister for Environment; Youth (509).

Question on Notice No. 116 – Mobile phones allocated to Ministerial Office staff for the Minister for Environment; Youth (510).

Question on Notice No. 216 – Mobile phones and credit cards allocated to Ministerial Office staff for the Minister for Environment; Youth (511).

Paper tabled by the Minister for Health –

Question on Notice No. 61 – Average (Median) waiting time in minutes by hospital (512).

Question on Notice No. 63 – Bed occupancy rate (percentage) for specified metropolitan hospitals for each day in October 2008 (513).

Paper tabled by the Minister for Water; Mental Health –

Question on Notice No. 136 – Details of females ranked at Class 1 or above in Ministerial Departments or agencies and female Ministerial Office staff for the Minister for Water; Mental Health (514).

Question on Notice No. 213 – Mobile phones and credit cards allocated to Ministerial Office staff for the Minister for Water; Mental Health (515).

Paper tabled by the Deputy Premier; Minister for Health; Indigenous Affairs –

Question on Notice No. 124 – Females and males employed at Class 1 and above at the Department of Health (516).

Paper tabled by the Minister representing the Minister for Transport; Disability Services –

Question on Notice No. 128 – Details of female Ministerial Office staff for the Minister for Transport; Disability Services (517).

Paper tabled by the Minister for Police: Emergency Services; Road Safety –

Question on Notice No. 130 – Details of female Ministerial Office staff for the Minister for Police: Emergency Services; Road Safety (518).

Paper tabled by the Minister for Energy –

Question on Notice No. 133 – Details of female Ministerial Office staff for the Minister for Energy (519).

Paper tabled by the Minister representing the Minister for Training –

Question on Notice No. 141 – Details of female Ministerial Office staff for the Minister for Training (520).

Paper tabled by the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering –

Question on Notice No. 212 – Mobile phones and credit cards allocated to Ministerial Office staff for the Minister for Child Protection; Community Services; Seniors and Volunteering (521).

5. Public Accounts Committee - Terms of Reference

The Speaker advised members that he had received a letter dated 11 December 2008 from Mr J.C. Kobelke, MLA, Chairman of the Public Accounts Committee, advising that the Committee had determined for itself terms of reference in relation to an Inquiry into the Implications of the New Structure and Functions of the Department of the Premier and Cabinet and the Public Sector Commission.

The letter read as follows –

“

Dear Mr Speaker,

The Public Accounts Committee today resolved to initiate a new Inquiry into the Implications of the New Structure and Functions of the Department of the Premier and Cabinet and the Public Sector Commission. The terms of reference for the inquiry are:

That the Committee will examine and report on:

1. The implications of the new structure and functions of the Department of the Premier and Cabinet and the Public Sector Commission and the adequacy of the *Public Sector Management Act 1994* and other statutes to provide for these changes; and
2. The implications of a more timely and efficient government Chief Executive Officer appointment process.
3. The Committee will table the Inquiry's report on Thursday, 11 June 2009.

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6. Community Development and Justice Standing Committee – Terms of Reference

The Speaker advised members that he had received a letter dated 11 December 2008 from Ms A.J.G. MacTiernan, MLA, Chairman of the Community Development and Justice Standing Committee, advising that the Committee had determined for itself terms of reference in relation to an Inquiry into the Adequacy of Services to Meet the Developmental Needs of Western Australia's Children.

The letter read as follows –

“

Dear Mr Speaker,

The Community Development and Justice Standing Committee today resolved to initiate a new Inquiry into the Adequacy of Services to Meet the Developmental Needs of Western Australia's Children. The terms of reference for the inquiry are:

That the Committee will examine and report by 31 July 2009 on:

- (a) whether existing Government programs are adequately addressing the social and cognitive developmental needs of children, with particular reference to prenatal to 3 years;
- (b) how to appropriately identify developmentally vulnerable children;
- (c) which Government agency or agencies should have coordinating and resourcing responsibility for the identification and delivery of assistance to 0–3 year old children;
- (d) what is the best model to ensure interagency and intergovernmental integration of developmental programs delivered to 0–3 year old children;
- (e) how to best prioritise the resources available for meeting the needs identified;
- (f) what is the most appropriate measure of program outcomes; and
- (g) any other related matter deemed relevant by the Committee.

”

7. Unanswered Question on Notice

Under Standing Order 80(2), Mr R.H. Cook asked why no answer had been received in respect of his Questions on Notice Nos 66, 67, 68, 69 and 70.

8. Petitions

Police and Citizens' Youth Club – Mr V.A. Catania presented a petition from 77 persons requesting that the Legislative Assembly endorse the continued future of the Roebourne Police and Citizens' Youth Club and ensure that sufficient resources and funding are allocated to enable that to occur (P. 42).

Police and Citizens' Youth Club – Mr M. McGowan presented a petition from 64 persons requesting that the Legislative Assembly endorse the continued future of the Rockingham Police and Citizens' Youth Club and ensure that sufficient resources and funding are allocated to enable that to occur (P. 43).

Police and Citizens' Youth Club – Mr P.B. Watson presented a petition from 63 persons requesting that the Legislative Assembly endorse the continued future of the Albany Police and Citizens' Youth Club and ensure that sufficient resources and funding are allocated to enable that to occur (P. 44).

9. Matter of Public Interest - Government's Plans for the Health System

The Speaker informed the Assembly that he was in receipt of a notice from Mr E.S. Ripper that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr E.S. Ripper moved,

That the House call upon the Barnett Government to reveal its plans for the future of our health system and in particular:

- (a) Joondalup Health Campus;
- (b) Midland Hospital;
- (c) Albany Hospital;
- (d) Fiona Stanley Hospital; and
- (e) the new Children's Hospital.

Debate ensued.

Question put and passed.

10. Members' Statements

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

11. Procedure and Privileges Committee – Report

Mr M.W. Sutherland, as Deputy Speaker, presented the following report which was ordered to lie upon the Table of the House –

Procedure and Privileges Committee – Report on Persons Adversely Referred to in the Legislative Assembly, Mr Robert (Bob) Falconer, Report No. 2, 11 December 2008 (522).

Mr M.W. Sutherland spoke on the report.

Mr M.W. Sutherland moved, That the report be adopted.

Question put and passed.

12. Sentencing Legislation (Transitional Provisions) Amendment Bill 2008

Message No. 11 dated 9 December 2008 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Sentencing Legislation (Transitional Provisions) Amendment Bill 2008*, subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendment made by the Legislative Council in the Sentencing Legislation (Transitional Provisions) Amendment Bill 2008

No. 1

Clause 4, page 3, after line 9 — To insert —

- (4) A court sentencing an offender to a fixed term can impose a penalty up to the statutory penalty for the offence.

Ordered, Legislative Council message No. 11 be considered in detail forthwith.

CONSIDERATION IN DETAIL

The Attorney General moved, That amendment No. 1 be agreed to.

Paper

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

By the Attorney General —

Sentencing Legislation (Transitional Provisions) Amendment Bill 2008 – Emails concerning Draft No. 9 of the Sentencing Legislation (Transitional Provisions) Amendment Bill 2008 between Robert Cook, Director of Public Prosecutions and staff within the Department of the Attorney General (523).

Question put and passed.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

13. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until a date and time to be fixed by the Speaker.

Question put and passed.

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 5.03 p.m. until a date and time to be fixed by the Speaker.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Dr K.D. Hames, Mr T.G. Stephens, Mr A.J. Waddell and Dr J.M. Woollard.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly