

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 186

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 30 NOVEMBER 2011

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Container Deposit Scheme – Mr J.C. Kobelke presented a petition from 52 persons requesting that the Legislative Assembly call upon the Barnett Government to immediately introduce a Western Australian Container Deposit Scheme, similar to the system that operates in South Australia (P. 525).

Skilled Local Jobs – Mr J.C. Kobelke presented a petition from 15 persons requesting that the Western Australian Parliament pass laws that would ensure a greater share of skilled work for major resources projects be performed in Western Australia (P. 526).

Canning Bridge Precinct Vision – Dr J.M. Woollard presented a petition from 58 persons requesting that aspects of the Canning Bridge Precinct Vision be restricted (P. 527).

Canning Bridge Precinct Neighbouring Areas – Dr J.M. Woollard presented a petition from 1 person requesting that aspects of the Canning Bridge Precinct Vision be restricted (P. 528).

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Canning Bridge Precinct Neighbouring Areas – Dr J.M. Woollard presented a petition from 1 person requesting that aspects of the Canning Bridge Precinct Vision be restricted (P. 532).

3. Paper

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

By the Clerk –

Council of Official Visitors – Annual Report 2010–2011 (4301).

4. Notices of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the application of Gross Rental Valuation for Mining, Petroleum and Resources Interests.

The Minister for Health on the Fiona Stanley Hospital Facilities Management Contract Key Performance Indicators.

Paper

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

By the Minister for Health –

Health, Minister for – Key Performance Indicators for the Fiona Stanley Hospital Facilities Management Services Contract, 30 July 2011 (4315).

The Minister for Education on the Premier's Summer Reading Challenge.

The Minister for Housing on the Independent Review by the Department of Housing following Mr Robert Roll's death.

Paper

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

By the Minister for Housing –

Housing, Department of – Report Arising from a Review: Tenancy Management of 38/601 Wellington Street, Perth, October 2011 (4316).

6. Variation to the Order of Business

Ordered, That Government Business Notice of Motion No. 1 be next considered.

7. Suspension of Standing Orders

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

That so much of the Standing Orders be suspended as is necessary to enable –

- (a) Private Members' Business Notice of Motion No. 9 Taxi Amendment Regulations (No. 3) 2011; and
- (b) the Member for Perth's Notice of Motion in relation to the Metropolitan Region Scheme Amendment 1203/41 (Perth Waterfront Project)

to be considered during time otherwise allocated for Government Business.

Debate ensued.

Question put and passed.

8. Western Australia Day (Renaming) Bill 2011

The Premier, pursuant to notice, moved,

That a Bill for "An Act to rename Foundation Day to Western Australia Day and accordingly to amend the *Public and Bank Holidays Act 1972* and the *Minimum Conditions of Employment Act 1993* and for related purposes." be introduced and read a first time.

Question put and passed.

The Premier presented an explanatory memorandum and bill read a first time.

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

Ms J.M. Freeman moved, That the debate be adjourned.

Question put and passed.

9. Community Protection (Offender Reporting) Amendment Bill 2011

The Minister for Police, pursuant to notice, moved,

That a bill for “An Act to amend the *Community Protection (Offender Reporting) Act 2004* and to make consequential amendments to the *Freedom of Information Act 1992*.” be introduced and read a first time.

Question put and passed.

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

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

Ms J.M. Freeman moved, That the debate be adjourned.

Question put and passed.

10. Education and Care Services National Law (WA) Bill 2011

The Minister for Planning, pursuant to notice, moved,

That a bill for “An Act to –

- provide for a national scheme regarding the regulation of education and care services for children; and
- make consequential and other amendments to various other Acts, and for related purposes.” 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.

Ms J.M. Freeman moved, That the debate be adjourned.

Question put and passed.

11. Road Traffic (Vehicles) Bill 2011

The Minister for Transport, pursuant to notice, moved,

That a bill for “An Act to provide for the licensing and standards of vehicles and for mass, dimension and loading requirements for vehicles used for transporting goods and passengers by road and for related matters.” be introduced and read a first time.

Question put and passed.

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

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

Ms J.M. Freeman moved, That the debate be adjourned.

Question put and passed.

12. Road Traffic Legislation Amendment Bill 2011

The Minister for Transport, pursuant to notice, moved,

That a bill for “An Act –

- to repeal the *Road Traffic (Vehicle Licensing) (Taxing) Act 2001*; and
- to amend the *Road Traffic Act 1974* and various other Acts as a consequence of the enactment of the *Road Traffic (Administration) Act 2008*, the *Road Traffic (Authorisation to Drive) Act 2008*, the *Road Traffic (Vehicles) Act 2011* and the *Road Traffic (Vehicles) (Taxing) Act 2008*; and

- to amend the *Road Traffic (Administration) Act 2008*, the *Road Traffic (Authorisation to Drive) Act 2008* and the *Road Traffic (Vehicles) (Taxing) Act 2008*,

and for related purposes.” be introduced and read a first time.

Question put and passed.

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

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

Ms J.M. Freeman moved, That the debate be adjourned.

Question put and passed.

13. Speaker's Statement – Petition Sheets Out of Order

The Speaker advised members that one of the petitions presented by Dr J.M. Woollard today contained pages that did not comply with the Standing Orders. The number of signatories has thus been amended from 89 to 58.

14. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 9 be next considered.

15. Taxi Amendment Regulations (No. 3) 2011

Mrs M.H. Roberts, pursuant to notice, moved,

That the *Taxi Amendment Regulations (No. 3) 2011* under the *Taxi Act 1994*, a copy of which was laid upon the Table of the Legislative Assembly on 10 August 2011, are hereby disallowed.

Debate ensued.

Debate interrupted by the Chair (Minister for Transport speaking) and adjourned until a later stage of the sitting.

16. Questions

Questions without Notice were taken.

Papers

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

By the Treasurer –

Treasurer – Letter from Prime Minister John Howard to Premier Richard Court, 22 August 1998 (4317).

Treasurer – Letter from Prime Minister Paul Keating to Premier Richard Court, 3 February 1994 (4318).

Treasurer – Letter from Prime Minister Julia Gillard to Premier Colin Barnett, 23 May 2011 (4319).

Treasurer – Letter from Prime Minister Julia Gillard to Premier Colin Barnett, 18 March 2011 (4320).

Treasurer – Letter from Premier Colin Barnett to Prime Minister Julia Gillard, 4 January 2011 (4321).

Questions on Notice Nos 7012 to 7053 were asked.

Questions on Notice Nos 6303, 6346, 6439, 6449, 6453, 6454, 6460, 6466 to 6468, 6481, 6483, 6491, 6519, 6520, 6553, 6555, 6562, 6567, 6572, 6586, 6596, 6598, 6601, 6614, 6616, 6631, 6633, 6648, 6650, 6665, 6667, 6674, 6679, 6682, 6684, 6699, 6701, 6713, 6716, 6718, 6733, 6735, 6750, 6752, 6767, 6769, 6784, 6786 and 6792 were answered.

Papers tabled by the Minister for Education –

Question on Notice No. 6346 – Summary of agencies within the Minister's portfolio of responsibilities with any officer above level 3.1 accepting a hospitality invitation to an event, free accommodation or free travel from a private company or individual since 1 July 2011 (4302).

Question on Notice No. 6572 – Summary details of the number of Education Support Schools in Western Australia including the number of FTE teachers, teachers' assistants and staff, the level of the Principal and how many students are currently enrolled in the Education Support School (4303).

Papers tabled by the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering; Women's Interests; Youth –

Question on Notice No. 6449 – Question in relation to the number of people who have applied for the Hardship Utilities Grant Scheme (HUGS) from May 2011 to September 2011 for the following suburbs: Alexander Heights; Koondoola; Mirrabooka; Nollamara; and Westminster (4304).

Question on Notice No. 6614 – Question in relation to the number of Director General and Chief Executive Officer (CEO) positions under the control of the Minister, and for which departments and agencies (4305).

Question on Notice No. 6648 – Question in relation to the number of staff under the Minister's portfolio who have reported incidents of assault including details of the department and dates of assaults and information on the victim and perpetrator (4306).

Question on Notice No. 6733 – Summary of all departments and agencies under the Minister's control including the ministerial office, the names of people (i.e. staff and consultants) and their salary level, who have been paid an attraction and/or retention allowance including the total amount paid to each person (4308).

Papers tabled by the Minister for Agriculture and Food; Forestry; Corrective Services –

Question on Notice No. 6483 – Summary of agencies which require policies for funding and delivering translating and interpreting services that take account of relevant Government policy, legal circumstances and the needs of potential and current clients under the Western Australian Languages Services Policy launched by Premier Colin Barnett in 2008 (4309).

Question on Notice No. 6616 – Question in relation to the number of Director General and Chief Executive Officer (CEO) positions under the control of the Minister, and for which departments and agencies (4310).

Question on Notice No. 6701 – Summary of the total number of employees engaged in the media, communications, or speechwriting under the Minister's portfolio (4311).

Question on Notice No. 6752 – Question in relation to vehicles used and the costs involved including cleaning and detailing cars in each department or agency within the Minister's portfolio (4312).

Papers tabled by the Minister for Health –

Question on Notice No. 6596 – Details of salary packages for each senior executive officers in the Department of Health including their names, and any change in their remuneration from 2009–2010, 2010–2011 and 2011–2012 (4313).

Question on Notice No. 6598 – Details on the number of reported outbreaks of vancomycin-resistant enterococcus (VRE) or other bacterial contamination that led to the closure of any beds or wards in each of the metropolitan hospitals in each of the following years: 2008–2009, 2009–2010, 2010–2011, 2011–2012 (4314).

17. Local Government Amendment (Regional Subsidiaries) Bill 2010

Message No. 194 dated 29 November 2011 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the *Local Government Act 1995*.”

Ordered, That the first reading of the bill be made an Order of the Day for the next sitting of the Assembly.

18. Variation to the Order of Business

Ordered, That consideration of Private Members’ Business Order of the Day on the Taxi Amendment Regulations (No. 3) 2011 be resumed.

19. Taxi Amendment Regulations (No. 3) 2011

The Order of the Day for the resumption of the debate upon the motion moved by Mrs M.H. Roberts was read.

Debate resumed.

Question put and negatived.

20. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 3 be next considered.

21. Premier’s Statement

The Order of the Day for the resumption of the debate upon the question, That the Premier’s Statement be noted, was read.

Debate resumed.

Question put and passed.

22. Variation to the Order of Business

Ordered, That Private Members’ Business Notices of Motion Nos 3 and 15 be next considered.

23. Fiona Stanley Hospital – Facilities Management Contract

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

That this House condemns the Barnett Government on its failure to publish in full the details of the Facilities Management Services Contract between the Western Australian Government and Serco Pty Ltd for services provided at Fiona Stanley Hospital and calls on the Government to table the full contract without exemptions.

Debate ensued.

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

Question put and passed.

24. Minister for Health and Minister for Police – Illegal Doctor and Pharmacy Shopping

Mr M.P. Whitely, pursuant to notice, moved,

That this House condemns the Minister for Health and the Minister for Police and Emergency Services for failing to take action to prevent illegal doctor and pharmacy shopping for the abuse of prescription drugs and notes with deep regret the death of 52 Western Australians in 2011 from suspected prescription drug overdoses.

Debate ensued.

Debate interrupted by the Chair (Minister for Police speaking) and adjourned until a later stage of the sitting.

25. Residential Tenancies Amendment Bill 2011

Message No. 195 dated 30 November 2011 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Residential Tenancies Amendment Bill 2011* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

No. 1

Page 17, line 26 — To insert after “practicable” —

, and in any event within 14 days,

No. 2

Page 19, line 1 — To insert after “refused,” —

and within seven days of the decision to refuse the option,

No. 3

Page 63, lines 1 to 4 — To delete the lines and insert —

(7) In section 79(5):

(a) delete “an owner” and insert:

a lessor

(b) delete “he” (each occurrence) and insert:

the lessor

(c) delete “the owner” (second occurrence) and insert:

the lessor

No. 4

Page 95, before line 1, the Table the 8th row the first column — To delete “s. 79(5)”.

No. 5

Page 120, after line 10 — To insert —

(c) if the person —

(i) was a minor as defined in section 59A(1) when the information was listed in the database; and

- (ii) reaches 18 years of age before the end of the 3 year period mentioned in paragraph (a),

the period ending when the person reaches 18 years of age.

Ordered, That consideration in detail of Legislative Council Message No. 195 be made an Order of the Day for the next sitting of the Assembly.

26. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 7.01 p.m. until Thursday, 1 December 2011 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Ms R. Saffioti, Mr P.C. Tinley and Mr P.B. Watson.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly