

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 213

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 20 JUNE 2012

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petition

Carpark Facilities Cockburn Central Railway Station – Mr F.M. Logan presented a petition from 216 persons requesting that the Legislative Assembly call upon the State Government to commit to building a new overpass road bridge joining an upgraded North Lake Road to Armadale Road and a new rail station with car parking at Russell Road (P. 614).

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 – New Recruits in the Western Australia Police: Report 8 – June 2012 (4952).

By the Clerk –

Disability Services Commission – Disability Access and Inclusion Plans (DAIPS) Progress Report 2010–2011 (4953).

4. Notice of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Education on the Western Australia Premier Early Childhood Teacher of the Year Education Award.

The Minister for Racing and Gaming on the Gaming Community Trust grants.

The Minister for Environment on the oxygenation program on the Canning River.

6. Suspension of Standing Orders – Private Members’ Business Precedence

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

That so much of the 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, 20 June 2012.

Question put and passed.

7. Mental Health Amendment Bill 2012

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

That a bill for “An Act to amend the *Mental Health Act 1996*.” be introduced and read a first time.

Question put and passed.

Mr M.P. Whitely 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 at a later stage of the sitting.

8. National Health Funding Pool Bill 2012

The Minister for Health, pursuant to notice, moved,

That a bill for “An Act to —

- provide for the appointment of the Administrator of the National Health Funding Pool; and
- provide for the establishment and management of a State Pool Account; and
- amend the *Hospitals and Health Services Act 1927*; and
- repeal the *Hospital Fund Act 1930* and make consequential amendments.” be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

9. Aboriginal Intestate Estates Legislation Amendment Bill 2012

Mr B.S. Wyatt, pursuant to notice, moved,

That a bill for “An Act to amend the *Aboriginal Affairs Planning Authority Act 1972*, the *Administration Act 1903*, the *Unclaimed Money Act 1990* and the *Aboriginal Affairs Planning Authority Act Regulations 1972*.” be introduced and read a first time.

Question put and passed.

Mr B.S. Wyatt 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 at a later stage of the sitting.

10. Industrial Relations Amendment Bill 2012

Mr M. McGowan, pursuant to notice, moved,

That a bill for “An Act to amend the *Industrial Relations Act 1979* by providing the Public Service Arbitrator jurisdiction to enquire into or deal with, or refer to the Commission in Court Session or the Full Bench, any matter in respect of which a procedure referred to in section 97(1)(a) of the *Public Sector Management Act 1994* is, or may be, prescribed under that Act.” be introduced and read a first time.

Question put and passed.

Mr M. McGowan 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 at a later stage of the sitting.

11. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 4, 5, 7 and 10 be next considered.

12. Petroleum and Geothermal Energy Safety Levies Amendment Bill 2012**Petroleum and Geothermal Energy Safety Levies Amendment Bill (No. 2) 2012**

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

Cognate Debate

Leave was granted to debate the Petroleum and Geothermal Energy Safety Levies Amendment Bill (No. 2) 2012 in conjunction with the Petroleum and Geothermal Energy Safety Levies Amendment Bill 2012.

Debate resumed.

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

13. Questions

Questions without Notice were taken.

Questions on Notice Nos 8236 to 8250 were asked.

Questions on Notice Nos 7797, 8013 and 8220 were answered.

14. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 4, 5, 7 and 10 be next considered.

15. Petroleum and Geothermal Energy Safety Levies Amendment Bill 2012**Petroleum and Geothermal Energy Safety Levies Amendment Bill (No. 2) 2012**

The Order of the Day for the resumption of the debate upon the second reading of the bills 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 Environment 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. Petroleum and Geothermal Energy Safety Levies Amendment Bill (No. 2) 2012

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

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 Environment 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.

17. Bank of 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.

Debate interrupted by the Chair (Ms J.M. Freeman speaking) and adjourned until a later stage of the sitting.

18. Variation to the Order of Business

Ordered, That Private Members' Business Orders of the Day for the second reading of the Industrial Relations Amendment Bill 2012, Aboriginal Intestate Estates Legislation Amendment Bill 2012 and Mental Health Amendment Bill 2012 and Private Members' Business Order of the Day No. 17 and Private Members' Business Notice of Motion No. 23 be next considered.

19. Industrial Relations Amendment Bill 2012

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

Mr M. McGowan moved, That the bill be now read a second time.

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

Question put and passed.

20. Aboriginal Intestate Estates Legislation Amendment Bill 2012

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

Mr B.S. Wyatt moved, That the bill be now read a second time.

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

Question put and passed.

21. Mental Health Amendment Bill 2012

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

Mr M.P. Whitely moved, That the bill be now read a second time.

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

Question put and passed.

22. Local Government Amendment (Regional Subsidiaries) Bill 2010

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

Mr J.N. Hyde moved, That the bill be now read a second time.

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

Question put and passed.

23. Internment Camps in Western Australia

Mr P. Papalia, pursuant to notice, moved,

That this House:

- (1) notes the presence of internment camps in the State of Western Australia during the Second World War for the purpose of detaining 'enemy aliens' and prisoners of war and that some 'enemy aliens' were transported from Western Australia to internment camps in other States of the Commonwealth of Australia;
- (2) acknowledges that amongst the 'enemy aliens' interned were people who were either permanent Australian residents, born in Australia or had become British subjects in accordance with Commonwealth of Australia Immigration and Citizenship Laws of the day;
- (3) accepts that the overwhelming majority of the people interned at the camps were law abiding, had made a valuable contribution to Australian society and posed no threat to the security of the Nation or its people;

- (4) believes that most people were primarily interned in the camps on the basis of their cultural heritage or the mistaken belief that it posed an unreasonable risk, and not for any demonstrated or validated criminal or security concerns;
- (5) is aware of research and personal histories that demonstrate that the internment experience had a long term detrimental impact on the health and welfare of many of the people interned;
- (6) recognises the pain, suffering, grief and hardship experienced by the people who were interned and their families and, in particular, the impact on mothers and wives who were left to care for children, homes, farms or businesses without government assistance;
- (7) congratulates those internees and their families who made the decision to remain in Australia and rebuild their lives following their internment;
- (8) celebrates the lives of those former internees and families who, despite their internment experiences, went on to make a significant contribution to the economic, social and cultural development of Australia;
- (9) asserts that, while the internment policy was implemented in the circumstances of a national emergency, it nevertheless acknowledges that the injustice experienced by some Australians was unnecessary and avoidable; and
- (10) hopes that as a maturing nation we have learnt from the World War II internment experience to ensure that future generations of migrants to this country are treated with justice and equality before the law and are not discriminated against on the sole basis of their cultural heritage.

Debate ensued.

Question put and passed.

24. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 10 and 7 be next considered.

25. Workers' Compensation and Injury Management 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 Minister for Transport moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

26. Bank of 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.

CONSIDERATION IN DETAIL

Clauses 1 to 6 agreed to.

Clause 7.

Mr B.S. Wyatt moved,

Page 9, line 12 – To delete “declaration.” and substitute:

“

- declaration; and
 - (c) laid before each House of Parliament by the Minister or dealt with in accordance with subsection (3) within 30 days after receipt of the certificate referred to in subsection (1).
 - (3) If –
 - (a) a House of Parliament is not sitting at the commencement of the period referred to in subsection 2(c) in respect of a certificate; and
 - (b) the Minister is of the opinion that that House will not sit during that period, the Minister is to transmit a copy of the certificate to the Clerk of that House.
 - (4) A copy of a certificate transmitted to the Clerk of a House is to be taken to have been laid before that House.
 - (5) The laying of a copy of a certificate that is regarded as having occurred under subsection (4) is to be recorded in the Votes and Proceedings, or Minutes, of the House on the first sitting day of the House after the Clerk received the copy.

”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 8 and 9 agreed to.

Title agreed to.

Consideration in detail concluded.

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

27. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 2 and 3 be next considered.

28. Water Services Bill 2011

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

The Minister for Water 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.

29. Water Services Legislation Amendment and Repeal Bill 2011

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

The Minister for Water 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.

30. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.59 p.m. until Thursday, 21 June 2012 at 9.00 a.m.

Members present during any part of the day's proceedings - All the members except Mr G.M. Castrilli and Mrs C.A. Martin.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly