

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

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No. 233

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

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TUESDAY, 23 OCTOBER 2012

### 1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

### 2. Distinguished Visitor

The Speaker welcomed the Hon. Niki Rattle, Speaker of the Cook Islands Parliament, onto the floor of the House.

### 3. Suspension of Standing Orders

The Leader of the House, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable, by this motion, the Hon. Niki Rattle, Speaker of the Cook Islands Parliament, to address this House.

Question put.

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

The Hon. Niki Rattle addressed the House.

### 4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Environment on the release of the Annual Healthy Rivers Action Plan Achievements Report for 2011–12.

The Minister for Road Safety on the appointment of former Deputy Police Commissioner, Adjunct Professor Murray Lampard, as the new Chairman of the Road Safety Council.

### 5. Questions

Questions without Notice were taken.

Questions on Notice Nos 8680, 8687, 8692 to 8694, 8698, 8699, 8702, 8704, 8706, 8708, 8712 to 8715, 8720, 8733, 8734, 8736, 8763 to 8767, 8801 and 8858 were answered.

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Papers tabled by the Minister for Health –

Question on Notice No. 8801 – Number of presentations and number of admissions for emergency departments of metropolitan hospitals for each financial year from 2008–2009 to 2011–2012 (5472).

Question on Notice No. 8858 – Information relating to response times to calls for emergency ambulance assistance for 2011 and 2012 (5473).

Paper tabled by the Minister for Culture and the Arts –

Question on Notice No. 8693 – Details of triennial and multi-year contract funding for organisations by the Department of Culture and the Arts for the 2012–2013 financial year (5474).

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## **6. Speaker's Statement – Speaker of the Cook Islands Parliament**

The Speaker acknowledged and thanked the Hon. Niki Rattle for her remarks and conveyed the best wishes of the Parliament of Western Australia to the Cook Islands Parliament.

## **7. Papers**

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

By the Clerk –

Director of Public Prosecutions, Office of the – Annual Report 2011–2012 (5475).

Mentally Impaired Accused Review Board – Annual Report 2011–2012 (5476).

Prisoners Review Board – Annual Report 2011–2012 (5477).

State Administrative Tribunal – Annual Report 2011–2012 (5478).

## **8. Notices of Motion**

## **9. Matter of Public Interest – Non-payment of Monies to Subcontractors**

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

At least five members having risen in support,

Mr M. McGowan moved,

That this House condemns the Barnett Government, and particularly the Minister for Finance, for its failures in relation to the non-payment of monies to subcontractors working on government-funded or government-managed construction projects.

Debate ensued.

Question put.

The Assembly divided.

Ayes (25)

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

Mr M.P. Murray

Mr A.P. O’Gorman

Mr P. Papalia

Mr J.R. Quigley

Ms M.M. Quirk

Mr E.S. Ripper

Mrs M.H. Roberts

Ms R. Saffioti

Mr T.G. Stephens

Mr C.J. Tallentire

Mr P.C. Tinley

Mr A.J. Waddell

Mr P.B. Watson

Mr M.P. Whitely

Mr B.S. Wyatt

Mr D.A. Templeman (*Teller*)

## Noes (28)

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  
 Dr K.D. Hames  
 Mrs L.M. Harvey  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr A. Krsticevic  
 Mr W.R. Marmion

Mr P.T. Miles  
 Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr C.C. Porter  
 Mr D.T. Redman  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Mr A.J. Simpson (*Teller*)

Question thus negatived.

#### 10. Public Accounts Committee

Mr J.C. Kobelke, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Public Accounts Committee – Key Performance Indicators, Report No. 17 (5479).

Mr J.C. Kobelke spoke on the report.

#### 11. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 3, 10 and 5 be next considered.

#### 12. Retirement Villages 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 16 agreed to.

Clause 17.

Ms M.M. Quirk moved,

Page 29, line 1 to page 30, line 3 – To delete the lines.

Amendment put.

The Assembly divided.

## Ayes (18)

Ms L.L. Baker  
 Ms J.M. Freeman  
 Mr W.J. Johnston  
 Mr F.M. Logan  
 Mrs C.A. Martin  
 Mr M.P. Murray

Mr A.P. O’Gorman  
 Mr P. Papalia  
 Ms M.M. Quirk  
 Mr E.S. Ripper  
 Mrs M.H. Roberts  
 Mr C.J. Tallentire

Mr P.C. Tinley  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Mr B.S. Wyatt  
 Mr D.A. Templeman (*Teller*)

## Noes (25)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr I.C. Blayney  
 Mr J.J.M. Bowler  
 Mr I.M. Britza  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
 Mr M.J. Cowper  
 Mr J.H.D. Day

Mr J.M. Francis  
 Dr K.D. Hames  
 Mrs L.M. Harvey  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr A. Krsticevic  
 Mr W.R. Marmion  
 Mr J.E. McGrath  
 Mr P.T. Miles

Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr C.C. Porter  
 Mr D.T. Redman  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Mr A.J. Simpson (*Teller*)

Amendment thus negatived.

Clause agreed to.

Clauses 18 to 21 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Parliamentary Secretary representing the Minister for Small Business 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.

### 13. Electoral Amendment Bill 2012

Message No. 250 dated 23 October 2012 from the Legislative Council was reported agreeing to the bill without amendment.

### 14. Child Support (Adoption of Laws) Amendment Bill 2012

Message No. 251 dated 23 October 2012 from the Legislative Council was reported forwarding for concurrence a bill for "An Act to amend the *Child Support (Adoption of Laws) Act 1990*."

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

### 15. Courts Legislation Amendment Bill 2012

Message No. 252 dated 23 October 2012 from the Legislative Council was reported forwarding for concurrence a bill for "An Act to amend:

- the *Criminal Procedure Act 2004*; and
- the *Magistrates Court (Civil Proceedings) Act 2004*."

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

### 16. Loan Bill 2012

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

Debate resumed.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

**17. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 10.20 p.m. until Wednesday, 24 October 2012 at 12.00 noon.

*Members present during any part of the day's proceedings* – All the members except Mr J.N. Hyde.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**

Speaker of the Legislative Assembly