

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 146

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

TUESDAY, 19 JUNE 2007

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 - Joint Sitting to Fill a Vacancy in the Senate

The Speaker reported that a Joint Sitting of both Houses was held this day and that Mr Mathias Hubert Paul Cormann was duly elected as a senator of the Commonwealth Parliament.

3. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Minister for Police and Emergency Services on the Geraldton Police Open Day.

The Minister for Industry and Enterprise on a Western Australian biotechnology company, Agri-BIOTECH, securing a commercial partnership with a Chinese investment company to develop and market its 'healthy' milk products.

The Minister for Tourism on her official travel to the United Kingdom, Europe and Dubai between 9 and 20 April 2007 to meet key tourism wholesalers, airline and trade media partners and hold discussions with prospective hotel investors.

Paper

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

By the Minister for Tourism -

Official Travel - Minister for Disability Services; Tourism; Culture and the Arts; Consumer Protection: Report on Tourism in United Kingdom, Germany, Austria, Switzerland and United Arab Emirates, 9 to 20 April 2007 (2837).

The Minister for Planning and Infrastructure on the Metropolitan Region Scheme Amendment No. 1099/33, which will establish three changes to the Region Scheme along its south-western corridor.

Papers

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

By the Minister for Planning and Infrastructure -

Metropolitan Region Scheme Amendment No. 1099/33 - South West Districts Omnibus (No. 6), Cities of Fremantle, Cockburn and Rockingham and the Town of Kwinana, Submissions, April 2007 (2838).

Metropolitan Region Scheme Amendment No. 1099/33 - South West Districts Omnibus (Nos. 6 and 7), Cities of Fremantle, Cockburn and Rockingham and the Town of Kwinana, Transcripts of Hearings, April 2007 (2839).

Metropolitan Region Scheme Amendment No. 1099/33 - South West Districts Omnibus (No. 6), Cities of Fremantle, Cockburn and Rockingham and the Town of Kwinana, Report on Submissions, May 2007 (2840).

Metropolitan Region Scheme Amendment No. 1099/33 - South West Districts Omnibus (No. 6), Cities of Fremantle, Cockburn and Rockingham and the Town of Kwinana, Map (2841).

Metropolitan Region Scheme Amendment No. 1099/33 - South West Districts Omnibus (No. 6), Cities of Fremantle, Cockburn and Rockingham and the Town of Kwinana, Map (2842).

4. Personal Explanation

Mr M.P. Whitely made a personal explanation on comments made last week by Mr T.R. Buswell about a worker's compensation claim by a former electorate officer of Mr M.P. Whitely.

5. Questions

Questions without Notice were taken.

Question on Notice No. 2446 was asked.

Questions on Notice Nos 2059, 2249, 2293, 2301 and 2370 were answered.

Paper tabled by the Minister for Resources -

Question on Notice No. 2293 - Western Australian Mining Approvals - March 2007 (2836).

6. Message from the Lieutenant-Governor and Administrator

Message No. 18 from the Lieutenant-Governor and Administrator was reported recommending the purpose of the appropriation for the Western Australian College of Teaching Amendment Bill 2007.

7. 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 the following motion to be moved forthwith -

That leave be given to the Procedure and Privileges Committee to meet when the House is sitting on Tuesday, 19 June 2007.

Debate ensued.

Question put.

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

8. Procedure and Privileges Committee to Meet When House Sitting

The Leader of the House, pursuant to the foregoing motion, moved,

That leave be given to the Procedure and Privileges Committee to meet when the House is sitting on Tuesday, 19 June 2007.

Debate ensued.

Question put and passed.

9. Petitions

Royal Perth Hospital - Dr K.D. Hames presented a petition from 775 persons requesting that the Legislative Assembly strongly oppose the closure of Royal Perth Hospital and ensure the retention of the name 'Royal Perth Hospital' (P. 227).

Edgewater Train Station - Mr A.P. O'Gorman presented a petition from 112 persons requesting that the Legislative Assembly remedies the congestion at train stations along the northern railway line by providing extra car parking facilities at the Edgewater Train Station and additional Smart Rider machines to process public fares (P. 228).

Crackdown on Crime - Ms K. Hodson-Thomas presented a petition from 567 persons requesting that the Legislative Assembly introduce measures to ensure that police numbers and resources are increased, particularly in the City of Stirling local government area, to crack down on anti-social behaviour (P. 229).

Port of Esperance - Dr G.G. Jacobs presented a petition from 1,784 persons requesting that all future exports through Esperance port be subjected to a formal environmental assessment with proper public consultation, all export of lead be banned and all nickel exports be containerised (P. 230).

10. Papers

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

By the Acting Clerk -

Aerial Spraying Control Act 1966 - Regulations (Aerial Spraying Control Amendment Regulations 2007 G.G. 15/06/2007) (2794).

Agriculture and Related Resources Protection Act 1976 - Regulations (Agriculture and Related Resources Protection (Declared Animals) Amendment Regulations 2007 G.G. 15/06/2007) (2795).

Animal Welfare Act 2002 - Regulations (Animal Welfare (General) Amendment Regulations 2007 G.G. 12/06/2007) (2796).

Artificial Breeding of Stock Act 1965 - Regulations (Artificial Breeding (Cattle) Amendment Regulations 2007 G.G. 15/06/2007) (2797).

Associations Incorporation Act 1987 - Regulations (Associations Incorporation Amendment Regulations 2007 G.G. 15/06/2007) (2798).

Beekeepers Act 1963 - Regulations (Beekeepers Amendment Regulations 2007 G.G. 15/06/2007) (2799).

Births, Deaths and Marriages Registration Act 1998 - Regulations (Births, Deaths and Marriages Registration Amendment Regulations 2007 G.G. 15/06/2007) (2800).

Builders' Registration Act 1939 - Regulations (Builders' Registration Amendment Regulations (No. 2) 2007 G.G. 15/06/2007) (2801).

Builders' Registration Act 1939 - Regulations (Builders' Registration Amendment Regulations (No. 3) 2007 G.G. 15/06/2007) (2802).

Companies (Co-operative) Act 1943 - Regulations (Companies (Co-operative) (Fees) Regulations 2007 G.G. 15/06/2007) (2803).

Credit (Administration) Act 1984 - Regulations (Credit (Administration) Amendment Regulations 2007 G.G. 15/06/2007) (2804).

Debt Collectors Licensing Act 1964 - Regulations (Debt Collectors Licensing Amendment Regulations 2007 G.G. 15/06/2007) (2805).

Electricity Act 1945 - Regulations (Electricity (Licensing) Amendment Regulations (No. 2) 2007 G.G. 15/06/2007) (2806).

Employment Agents Act 1976 - Regulations (Employment Agents Amendment Regulations (No. 2) 2007 G.G. 15/06/2007) (2807).

Exotic Diseases of Animals Act 1993 - Regulations (Exotic Diseases (General) Amendment Regulations 2007 G.G. 15/06/2007) (2808).

Finance Brokers Control Act 1975 - Regulations (Finance Brokers Control (General) Amendment Regulations (No. 5) 2007 G.G. 15/06/2007) (2809).

Fish Resources Management Act 1994 - Regulations (Fish Resources Management Amendment Regulations (No. 5) 2007 G.G. 12/06/2007) (2810).

Gas Standards Act 1972 - Regulations (Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations 2007 G.G. 15/06/2007) (2811).

Health Act 1911 - Notices (City of Belmont - Fees and Charges for Health Services G.G. 15/06/2007) (2812).

Land Valuers Licensing Act 1978 - Regulations (Land Valuers Licensing Amendment Regulations 2007 G.G. 15/06/2007) (2813).

Limited Partnerships Act 1909 - Rules (Limited Partnerships Amendment Rules 2007 G.G. 15/06/2007) (2814).

Local Government Act 1995 - Local Laws (Shire of Nannup - Parking and Parking Facilities Local Law 2007 G.G. 12/06/2007) (2815).

Mines Safety and Inspection Act 1994 - Regulations (Mines Safety and Inspection Amendment Regulations (No. 2) 2007 G.G. 15/06/2007) (2816).

Motor Vehicle Dealers Act 1973 - Regulations (Motor Vehicle Dealers (Licensing) Amendment Regulations 2007 G.G. 15/06/2007) (2817).

Occupational Safety and Health Act 1984 - Regulations (Occupational Safety and Health Amendment Regulations (No. 5) 2007 G.G. 15/06/2007) (2818).

Painters' Registration Act 1961 - Rules (Painters' Registration Board Amendment Rules 2007 G.G. 15/06/2007) (2819).

Perth Parking Management Act 1999 - Regulations (Perth Parking Management Amendment Regulations (No. 2) 2007 G.G. 12/06/2007) (2820).

Plant Diseases Act 1914 - Regulations (Plant Diseases Amendment Regulations (No. 3) 2007 G.G. 15/06/2007) (2821).

Port Authorities Act 1999 - Regulations (Port Authorities Amendment Regulations 2007 G.G. 12/06/2007) (2822).

Rail Safety Act 1998 - Regulations (Rail Safety Amendment Regulations 2007 G.G. 12/06/2007) (2823).

Seeds Act 1981 - Regulations (Seeds Amendment Regulations 2007 G.G. 15/06/2007) (2824).

Shipping and Pilotage Act 1967 - Regulations (Mooring Amendment Regulations 2007 G.G. 12/06/2007) (2825).

Shipping and Pilotage Act 1967 - Regulations (Ports and Harbours Amendment Regulations (No. 2) 2007 G.G. 12/06/2007) (2826).

Shipping and Pilotage Act 1967 - Regulations (Ports and Harbours Amendment Regulations 2007 G.G. 12/06/2007) (2827).

Stock (Identification and Movement) Act 1970 - Regulations (Stock (Identification and Movement) Amendment Regulations 2007 G.G. 15/06/2007) (2828).

Stock Diseases (Regulations) Act 1968 - Regulations (Enzootic Diseases Amendment Regulations 2007 G.G. 15/06/2007) (2829).

Taxi Act 1994 - Regulations (Taxi Amendment Regulations 2007 G.G. 12/06/2007) (2830).

Travel Agents Act 1985 - Regulations (Travel Agents Amendment Regulations 2007 G.G. 15/06/2007) (2831).

Western Australian Marine Act 1982 - Regulations (Navigable Waters Amendment Regulations 2007 G.G. 12/06/2007) (2832).

Western Australian Marine Act 1982 - Regulations (W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2007 G.G. 12/06/2007) (2833).

Western Australian Marine Act 1982 - Regulations (W.A. Marine (Hire and Drive Vessels) Amendment Regulations 2007 G.G. 12/06/2007) (2834).

Western Australian Marine Act 1982 - Regulations (W.A. Marine (Radiotelephony) Amendment Regulations 2007 G.G. 12/06/2007) (2835).

11. Notices of Motion

12. Matter of Public Interest - Ord Stage II

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

At least five members having risen in support,

Mr D.T. Redman moved,

That this House calls on the Government to immediately review its decision to delay the expansion of Ord Stage II with a modified Expression of Interest process, and instead proceed with its stated commitment to the Kimberley community and those proponents who have provided submissions.

Debate ensued.

Question put.

The Assembly divided.

Ayes (21)

Mr D.F. Barron-Sullivan
 Mr M.J. Birney
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Mr M.J. Cowper
 Mr J.H.D. Day
 Mr B.J. Grylls

Dr K.D. Hames
 Ms K. Hodson-Thomas
 Dr G.G. Jacobs
 Mr J.E. McGrath
 Mr P.D. Omodei
 Mr D.T. Redman
 Mr A.J. Simpson

Mr G. Snook
 Dr S.C. Thomas
 Mr M.W. Trenorden
 Mr T.K. Waldron
 Ms S.E. Walker
 Dr J.M. Woollard
 Mr T.R. Sprigg (*Teller*)

Noes (28)

Mr P.W. Andrews
 Mr J.J.M. Bowler
 Mr A.J. Carpenter
 Mr J.B. D'Orazio
 Dr J.M. Edwards
 Mrs D.J. Guise
 Mr J.N. Hyde
 Mr J.C. Kobelke
 Mr R.C. Kucera
 Mr F.M. Logan

Ms A.J.G. MacTiernan
 Mr J.A. McGinty
 Mr M. McGowan
 Ms S.M. McHale
 Mr A.D. McRae
 Mrs C.A. Martin
 Mr M.P. Murray
 Mr P. Papalia
 Ms M.M. Quirk
 Ms J.A. Radisich

Mr E.S. Ripper
 Mrs M.H. Roberts
 Mr T.G. Stephens
 Mr D.A. Templeman
 Mr P.B. Watson
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mrs J. Hughes (*Teller*)

Question thus negatived.

13. Message from the Governor

Message No. 17 dated 13 June 2007 from His Excellency the Governor was reported assenting to the Racing, Wagering and Betting Legislation Amendment and Repeal Bill 2007, Act No. 8 of 2007.

14. Variation to the Order of Business

Ordered, That Government Business Notice of Motion No. 1 be postponed to a later stage of the sitting.

15. Local Government Amendment Bill (No. 2) 2006

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

Debate resumed.

On the question, That the bill be read a second time,

Question put.

The Assembly divided.

Ayes (26)

Mr P.W. Andrews
 Mr J.J.M. Bowler
 Mr A.J. Carpenter
 Mr J.B. D'Orazio
 Dr J.M. Edwards
 Mrs D.J. Guise
 Mr J.N. Hyde
 Mr J.C. Kobelke
 Mr R.C. Kucera

Mr F.M. Logan
 Ms A.J.G. MacTiernan
 Mr M. McGowan
 Ms S.M. McHale
 Mr A.D. McRae
 Mrs C.A. Martin
 Mr M.P. Murray
 Ms M.M. Quirk
 Ms J.A. Radisich

Mr E.S. Ripper
 Mrs M.H. Roberts
 Mr T.G. Stephens
 Mr D.A. Templeman
 Mr P.B. Watson
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mrs J. Hughes (*Teller*)

Noes (20)

Mr D.F. Barron-Sullivan
 Mr M.J. Birney
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Dr E. Constable
 Mr M.J. Cowper
 Mr J.H.D. Day

Dr K.D. Hames
 Ms K. Hodson-Thomas
 Dr G.G. Jacobs
 Mr J.E. McGrath
 Mr P.D. Omodei
 Mr D.T. Redman
 Mr A.J. Simpson

Mr G. Snook
 Dr S.C. Thomas
 Mr M.W. Trenorden
 Mr T.K. Waldron
 Ms S.E. Walker
 Mr T.R. Sprigg (*Teller*)

Question thus passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clause 1.

Mr G. Snook moved,

Page 2, line 2 - To insert after “*Act*” the following -

“ (*Electoral Provisions*) ”.

Amendment put and negatived.

Clause agreed to.

Clauses 2 to 4 agreed to.

Clause 5.

Question put.

The Assembly divided.

Ayes (25)

Mr J.J.M. Bowler
 Mr J.B. D’Orazio
 Dr J.M. Edwards
 Mrs D.J. Guise
 Mr J.N. Hyde
 Mr J.C. Kobelke
 Mr R.C. Kucera
 Mr F.M. Logan
 Mr J.A. McGinty

Mr M. McGowan
 Ms S.M. McHale
 Mr A.D. McRae
 Mrs C.A. Martin
 Mr M.P. Murray
 Mr P. Papalia
 Ms M.M. Quirk
 Ms J.A. Radisich
 Mr E.S. Ripper

Mrs M.H. Roberts
 Mr T.G. Stephens
 Mr D.A. Templeman
 Mr P.B. Watson
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mrs J. Hughes (*Teller*)

Noes (18)

Mr D.F. Barron-Sullivan
 Mr M.J. Birney
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Dr E. Constable
 Mr J.H.D. Day

Dr K.D. Hames
 Dr G.G. Jacobs
 Mr J.E. McGrath
 Mr P.D. Omodei
 Mr D.T. Redman
 Mr A.J. Simpson

Mr G. Snook
 Dr S.C. Thomas
 Mr M.W. Trenorden
 Mr T.K. Waldron
 Ms S.E. Walker
 Mr T.R. Sprigg (*Teller*)

Clause agreed to.

Clause 6 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Minister representing the Minister for Local Government moved, That the bill be now read a third time.

Debate ensued.

Question put.

The Assembly divided.

Ayes (23)

Dr J.M. Edwards
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Mr F.M. Logan
Ms A.J.G. MacTiernan
Mr J.A. McGinty
Mr M. McGowan

Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr P. Papalia
Ms M.M. Quirk
Ms J.A. Radisich
Mr E.S. Ripper

Mrs M.H. Roberts
Mr T.G. Stephens
Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Mrs J. Hughes (*Teller*)

Noes (18)

Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper

Mr J.H.D. Day
Dr K.D. Hames
Dr G.G. Jacobs
Mr J.E. McGrath
Mr P.D. Omodei
Mr D.T. Redman

Mr A.J. Simpson
Mr G. Snook
Dr S.C. Thomas
Mr T.K. Waldron
Ms S.E. Walker
Mr T.R. Sprigg (*Teller*)

Question thus passed.

Bill read a third time and passed.

16. Variation to the Order of Business

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

17. Western Australian College of Teaching Amendment Bill 2007

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

Urgent Bill

The Minister for Education and Training moved, That the Western Australian College of Teaching Amendment Bill 2007 be considered an urgent bill.

Question put and passed.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 6 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Minister for Education and Training 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.

18. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 10.28 p.m. until Wednesday, 20 June 2007 at 12 noon.

Members present during any part of the day's proceedings - All the members except Mr C.J. Barnett, Mr S.R. Hill, Mr R.F. Johnson and Mr G.A. Woodhams.

JOHN D. MANDY

Acting Clerk of the Legislative Assembly

HON. FRED RIEBELING

Speaker of the Legislative Assembly