

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 21

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

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TUESDAY, 7 APRIL 2009

### 1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

### 2. Vacancy in the Electoral District of Fremantle

The Speaker advised members that he had received the resignation of the Honourable James Andrew McGinty MLA as member for the Electoral District of Fremantle on 3 April 2009 in the following terms –

Dear Mr Speaker

Please accept this as my resignation as the member for Fremantle in the Legislative Assembly.

I wish you and all members well in your future deliberations.

Yours sincerely

Jim McGinty

The Premier, without notice, moved,

That the seat for the electoral district of Fremantle be and is hereby declared vacant by reason of the resignation of James Andrew McGinty.

Debate ensued.

Question put and passed.

### 3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the 20<sup>th</sup> anniversary of exports from the North West Shelf Venture LNG Project.

The Treasurer on the commencement of a review of the Western Australian *Workers' Compensation and Injury Management Act 1981*.

The Minister for Planning on the appointment of Mr Gary Prattley as the new Chairperson of the Western Australian Planning Commission.

#### **4. Questions**

Questions without Notice were taken.

Question on Notice No 680 was asked.

Questions on Notice Nos 424, 426, 430, 432, 433, 436, 438 to 441, 444 to 449, 451, 452, 456, 458 to 461, 463, 467 to 470, 472 to 478, 484, 485, 487, 489, 493, 495 to 505, 507, 511 to 513, 516, 518, 519, 524 to 527, 533, 536 to 540, 543 to 546, 549, 555, 559, 565, 568, 574, 576, 583, 584, 586, 592, 596, 600, 603, 609, 614, 623, 631 and 665 were answered.

Paper tabled by the Premier; Minister for State Development –

Question on Notice No. 478 - Details for committees/boards under the Premier's portfolios (794).

Question on Notice No. 513 - Details of the number of operating mines approved and opened between 1 February 2001 and 23 September 2008 (795).

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

Question on Notice No. 485 - Details for committees/boards under the Minister for Police; Emergency Services; Road Safety's portfolios (796).

Question on Notice No. 584 - Details of assaults reported by staff from the Police (797).

Paper tabled by the Treasurer; Minister for Commerce; Science and Innovation; Housing and Works –

Question on Notice No. 484 - Details for committees/boards under the Treasurer; Minister for Commerce; Science and Innovation; Housing and Works' portfolios (798).

Paper tabled by the Minister for Planning; Culture and the Arts –

Question on Notice No. 487 - Details for committees/boards under the Minister for Planning; Culture and the Arts' portfolios (799).

Paper tabled by the Attorney General; Minister for Corrective Services –

Question on Notice No. 489 - Details for committees/boards under the Attorney General; Minister for Corrective Services' portfolios (800).

Paper tabled by the Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education –

Question on Notice No. 493 - Details for committees/boards under the Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education's portfolios (801).

#### **5. Additional Information under Standing Order No. 82A**

In accordance with Standing Order No. 82A, the Minister for Planning provided additional information relating to Question without Notice No. 304 and the number of planning approvals in the Murray district.

#### **6. Petitions**

Tobacco Products Control Amendment Bill 2008 - Dr J.M. Woollard presented a petition from 907 persons requesting that the Legislative Assembly support the Tobacco Products Control Amendment Bill 2008 (P. 56).

Gracetown Townsite Expansion Structure Plan - Mr T.R. Buswell presented a petition from 1,010 persons requesting that the Legislative Assembly initiate a consultation process with the Gracetown

and wider community regarding the Tourist Development Scheme Amendment for the Gracetown Townsite Expansion Structure Plan (P. 57).

## **7. Papers**

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

By the Clerk –

CBH Group - Annual Report 2008 (784).

Energy Operators (Powers) Act 1979 - By-laws (Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws 2009 G.G. 30/03/2009) (788).

Energy Operators (Powers) Act 1979 - By-laws (Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2009 G.G. 30/03/2009) (789).

Fire Brigades Act 1942 - Regulations (Fire Brigades Amendment Regulations 2009 G.G. 31/03/2009) (790).

Local Government Act 1995 - Local Laws (City of Joondalup Cats Local Law 2008 G.G. 02/04/2009) (791).

Local Government Act 1995 - Local Laws (Shire of Morawa Extractive Industries Amendment Local Law 2009 G.G. 03/04/2009) (792).

Motor Vehicle Repairers Act 2003 - Regulations (Motor Vehicle Repairers Amendment Regulations 2009 G.G. 31/03/2009) (793).

Land Administration Act 1997 - Proposal No. 03/2009 under Sections 42(4), 44(1) or 45(4) of the Act in relation to the Proposed Change of Purpose of Class 'A' Reserve 20253, dated 1 April 2009 (785).

Land Administration Act 1997 - Proposal No.04/2009 under Schedule 2 Sections 14(5) and (6) of the Act in relation to the Proposed Cancellation of Class 'B' Reserve 34944 'Conservation of Flora and Fauna', dated 1 April 2009 (786).

Land Administration Act 1997 - Proposal No. 06/2009 under Section 42(4) of the Act in relation to the Proposed Excision of Land from Class 'A' Reserve 12439, set apart for the purpose of 'Recreation', dated 1 April 2009 (787).

## **8. Notice of Motion**

## **9. Matter of Public Interest - Policing in Northbridge**

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 this House calls on the Barnett Government to act urgently to prevent escalating violence in Northbridge through:

1. effectively enforcing the curfew on children;
2. providing additional late night public transport options, including early morning trains;
3. committing to fully funding the Northbridge Police Complex; and
4. ensuring the Police Commissioner has sufficient resources to police Northbridge.

Debate ensued.

The Minister for Police moved, To delete all words after “House” and substitute –

“

supports the Liberal-National Government’s actions in addressing issues of anti-social behaviour throughout Western Australia, including initiatives such as Prohibited Behaviour Orders, increasing the number of police officers, building a new police complex in Northbridge and tougher anti-hoon legislation.

”.

Debate ensued.

On the question, That the words be deleted,

Question put.

The Assembly divided.

#### Ayes (29)

Mr P. Abetz	Mr J.M. Francis	Ms A.R. Mitchell
Mr F.A. Alban	Mr B.J. Grylls	Dr M.D. Nahan
Mr C.J. Barnett	Dr K.D. Hames	Mr C.C. Porter
Mr I.C. Blayney	Mrs L.M. Harvey	Mr D.T. Redman
Mr I.M. Britza	Mr A.P. Jacob	Mr A.J. Simpson
Mr T.R. Buswell	Dr G.G. Jacobs	Mr M.W. Sutherland
Mr G.M. Castrilli	Mr R.F. Johnson	Mr T.K. Waldron
Dr E. Constable	Mr A. Krsticevic	Dr J.M. Woollard
Mr M.J. Cowper	Mr W.R. Marmion	Mr J.E. McGrath ( <i>Teller</i> )
Mr J.H.D. Day	Mr P.T. Miles	

#### Noes (25)

Ms L.L. Baker	Mr M. McGowan	Mr T.G. Stephens
Mr A.J. Carpenter	Mr M.P. Murray	Mr C.J. Tallentire
Mr V.A. Catania	Mr A.P. O’Gorman	Mr A.J. Waddell
Mr R.H. Cook	Mr P. Papalia	Mr P.B. Watson
Ms J.M. Freeman	Mr J.R. Quigley	Mr M.P. Whitely
Mr W.J. Johnston	Ms M.M. Quirk	Mr B.S. Wyatt
Mr J.C. Kobelke	Mr E.S. Ripper	Mr D.A. Templeman ( <i>Teller</i> )
Mr F.M. Logan	Mrs M.H. Roberts	
Ms A.J.G. MacTiernan	Ms R. Saffioti	

Question thus passed.

On the question, That the words be inserted,

Question put and passed.

On the Question, That the motion, as amended, be agreed to.

Question put and passed.

### 10. First Home Owner Grant Amendment Bill 2009

The Order of the Day for the consideration in detail of the bill was read.

#### CONSIDERATION IN DETAIL

Clauses 1 to 9 agreed to.

Clause 10.

Mr M. McGowan moved,

Page 12, line 30 – To delete the line and substitute –

“

- (a) in relation to a home south of the 26<sup>th</sup> parallel of South Latitude, \$750 000;  
or
- (b) in relation to a home north of the 26<sup>th</sup> parallel of South Latitude,  
\$1 000 000; or

”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 11 to 19 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.

#### **11. Fines, Penalties and Infringement Notices Enforcement Amendment (Compensation) Bill 2008**

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 Attorney General 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.

#### **12. Royal Perth Hospital Protection Bill 2008**

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.

#### **13. Local Government Amendment Bill 2009**

Message No. 16 dated 7 April 2009 from the Legislative Council was reported forwarding for concurrence a bill entitled 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.

**14. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly, at 9.32 p.m. until Wednesday, 8 April 2009 at 12.00 noon.

*Members present during any part of the day's proceedings* - All the members except Mr J.J.M. Bowler, Mr J.N. Hyde and Mrs C.A. Martin.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**

Speaker of the Legislative Assembly