

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 6

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 26 NOVEMBER 2008

1. Meeting of Assembly

The Assembly met at 12 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petition

Kyilla Primary School – Mr J.N. Hyde presented a petition from 114 persons requesting that the new Government commit to immediately providing the primary school with a \$40,000 upgrade to dilapidated playground equipment (P. 20).

3. Notices of Motion

4. Brief Ministerial Statements

The following Brief Ministerial Statements were made by –

The Minister for Tourism on the report on the global financial crisis and its impact on the tourism industry in Western Australia.

Paper

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

By the Minister for Tourism –

WA Tourism – Tourism Prospects as Wall St. Crunches Main St.: How will WA Tourism Fare as the Global Boom Goes Bust? Geoff Carmody and Associates, November 2008 (444).

The Minister for Agriculture and Food on the signing of an exemption order to the *GM Crops Free Areas Act 2003* to allow the production of genetically modified cotton crops in the East Kimberley's Ord River Irrigation Area.

The Attorney General on the retirement of Gregory Calcutt, AM, SC as the State's Parliamentary Counsel.

5. Personal Explanation

Mrs L.M. Harvey made a personal explanation on family property ownership within the Planning Amendment 458 zone in Scarborough.

6. National Gas Access (WA) Bill 2008

The Minister for State Development, pursuant to notice, moved,

That a bill for "An Act to establish a framework to enable third parties to gain access to certain gas pipeline services, to amend the *Gas Pipelines Access (Western Australia) Act 1998* and various other Acts, and for other purposes." be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

7. Sentencing Legislation (Transitional Provisions) Amendment Bill 2008

The Attorney General, pursuant to notice, moved,

That a bill for "An Act to amend the *Sentencing Legislation Amendment and Repeal Act 2003*." be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

8. Tobacco Products Control Amendment Bill 2008

Dr J.M. Woollard, pursuant to notice, moved,

That a bill for "An Act to amend the *Tobacco Products Control Act 2006*." be introduced and read a first time.

Question put and passed.

Dr J.M. Woollard presented an explanatory memorandum and bill read a first time.

Dr J.M. Woollard moved, That the bill be now read a second time.

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

9. Questions

Questions without Notice were taken.

Questions on Notice Nos 222 to 257 were asked.

Questions on Notice Nos 81 and 87 were answered.

Paper tabled by the Minister for Education; Tourism; Women's Interests –

Question on Notice No. 81 – The Minister for Education; Tourism; Women's Interest ministerial office staffing as at 30 October 2008 (442).

Paper tabled by Minister representing the Minister for Energy; Training –

Question on Notice No. 87 – The Minister for Energy; Training ministerial office staffing as at 30 October 2008 (443).

10. Variation to the Order of Business

Ordered, That consideration of the second reading of the Tobacco Products Control Amendment Bill 2008 be resumed.

11. Tobacco Products Control Amendment Bill 2008

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

Debate resumed.

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

Question put and passed.

12. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

13. Mineral Sands (Eneabba) Agreement Amendment Bill 2008

The Minister for State Development, pursuant to notice, moved,

That a bill for “An Act to amend the *Mineral Sands (Eneabba) Agreement Act 1975*.” be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

14. Address in Reply

The Order of the Day for the resumption of debate upon the Address in Reply to His Excellency the Governor's speech was read.

Debate resumed.

Mr M. McGowan moved, To add to the Address in Reply the following –

“But regrets to inform His Excellency that the Government has failed to provide the standards in Government that it promised the people of Western Australia”.

Amendment put.

The Assembly divided.

Ayes (28)

Ms L.L. Baker
 Mr A.J. Carpenter
 Mr V.A. Catania
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr J.N. Hyde
 Mr W.J. Johnston
 Mr J.C. Kobelke
 Mr F.M. Logan
 Ms A.J.G. MacTiernan

Mr J.A. McGinty
 Mr M. McGowan
 Mrs C.A. Martin
 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 A.J. Waddell
 Mr P.B. Watson
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Noes (30)

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
 Dr E. Constable
 Mr M.J. Cowper

Mr J.H.D. Day
 Mr J.M. Francis
 Mr B.J. Grylls
 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 A.J. Simpson
 Mr M.W. Sutherland
 Mr T.K. Waldron
 Dr J.M. Woollard
 Mr J.E. McGrath (*Teller*)

Amendment thus negatived.

On the question, That the Address in Reply be agreed to,

Debate resumed.

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

Question put and passed.

15. Joint Standing Committee on the Corruption and Crime Commission

Message No. 4 dated 25 November 2008 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that in response to Legislative Assembly Message No. 2, the Legislative Council agrees to the Legislative Assembly’s resolution and appoints the following Members to the Joint Standing Committee on the Corruption and Crime Commission —

- Hon Ray Halligan; and
- Hon Ken Travers.

Leave given to consider Legislative Council message No. 4 forthwith.

The Leader of the House moved,

- (1) That the member for Swan Hills and the member for Perth be appointed to the Joint Standing Committee on the Corruption and Crime Commission; and
- (2) That the Legislative Council be acquainted accordingly.

Question put and passed and the Legislative Council acquainted accordingly.

16. Joint Standing Committee on the Commissioner for Children and Young People

Message No. 5 dated 25 November 2008 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that in response to Legislative Assembly Message No. 3, the Legislative Council agrees to the Legislative Assembly's resolution and appoints the following Members to the Joint Standing Committee on the Commissioner for Children and Young People —

- Hon Barbara Scott; and
- Hon Carolyn Burton.

Leave given to consider Legislative Council message No. 5 forthwith.

The Leader of the House moved,

- (1) That the member for Kingsley and the member for Bassendean be appointed to the Joint Standing Committee on the Commissioner for Children and Young People; and
- (2) That the Legislative Council be acquainted accordingly.

Question put and passed and the Legislative Council acquainted accordingly.

17. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 6.52 p.m. until Thursday, 27 November 2008 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members were present.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly