

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 18

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

TUESDAY, 31 MARCH 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. Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of the Spanish Ambassador, His Excellency Mr Carlos Sanchez de Boado y de la Valgoma.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the signing of the Oakajee Port and Rail State Development Agreement.

The Treasurer on the announcement of the Western Australian Government's new public sector wages policy.

The Minister for Culture and the Arts on the gifting of an historical collection of childhood artefacts from Edith Cowan University to the Western Australian Museum.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 633 to 639 were asked.

Questions on Notice Nos 427, 429, 431, 437, 442, 443, 453, 457, 462, 490, 532, 534, 548, 552 to 554, 556, 557, 566, 567, 589, 601, 606 and 628 were answered.

Paper tabled by the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering; Women's Interests –

Question on Notice No. 490 - Details for committees/boards under the Minister for Child Protection; Community Services; Seniors and Volunteering; Women's Interests' portfolios (763).

Question on Notice No. 589 - Details of assaults reported by staff from the Department of Child Protection (764).

5. Petition

Freestanding A-frame signs - Mr A.P. O'Gorman presented a petition from 254 persons requesting that the Legislative Assembly amend the local laws under which the City of Joondalup currently operates to allow the use and placement of A-frame signs, and to require local councils to adopt policies that include such amendments (P. 55).

6. Papers

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

By the Clerk –

Curtin University of Technology - Annual Report 2007–2008 (747).

Duties Act 2008 - Regulations (Duties Amendment Regulations 2009 G.G. 27/03/2009) (748).

Edith Cowan University - Annual Report 2007–2008 (749).

Energy Safety Act 2006 - Notices (Energy Safety Levy Notice 2009 G.G. 24/03/2009) (750).

Fish Resources Management Act 1994 - Regulations (Fish Resources Management Amendment Regulations (No. 5) 2009 G.G. 27/03/2009) (751).

Health Act 1911 - Local Laws (Shire of Broomehill-Tambellup Health Local Law 2008 G.G. 20/03/2009) (752).

Land Administration Act 1997 - Proposal No. 01/2009 under sections 42(4), 44(1) or 45(4) of the Act in relation to the Proposed Excision of Portion of Class 'A' Reserve 1821 for Road Widening, dated 18 March 2009 (738).

Land Administration Act 1997 - Proposal No. 13/2008 under sections 42(4), 44(1) or 45(4) of the Act in relation to the Proposed Excision of Portion of Lot 7168 from Class 'A' Reserve 42958 for Amalgamation with School Site Reserve 22809, dated 19 March 2009 (739).

Land Administration Act 1997 - Proposal No. 16/2008 under section 42(4) of the Act in relation to the Proposed Amendment of Class 'A' Reserve 46661, dated 25 March 2009 (746).

Local Government Act 1995 - Local Laws (City of Mandurah Standing Orders Local Law 2008 G.G. 19/03/2009) (753).

Local Government Act 1995 - Local Laws (City of Stirling Parking Local Law 2008 G.G. 20/03/2009) (754).

Murdoch University - Annual Report 2007–2008 (755).

National Occupational Health and Safety Commission - National Code of Practice for the Preparation of Material Safety Data Sheets, March 1994 (740).

National Occupational Health and Safety Commission - National Code of Practice for the Preparation of Material Safety Data Sheets, Second Edition, April 2003 (741).

Occupational Therapists' Registration Board of Western Australia - Annual Report for the Seven Months ended 31 July 2007 (742).

Occupational Therapists' Registration Board of Western Australia - Annual Report for the Eleven Months from 1 August 2007 to 30 June 2008 (743).

Osteopaths Registration Board of Western Australia - Annual Report 2006–2007 (756).

Osteopaths Registration Board of Western Australia - Annual Report 2007–2008 (757).

Parental Support and Responsibility Act 2008 - Notices (Parental Support and Responsibility (Disclosure of Information) Guidelines 2009 G.G. 27/03/2009) (758).

Parental Support and Responsibility Act 2008 - Regulations (Parental Support and Responsibility Regulations 2009 G.G. 27/03/2009) (759).

Physiotherapists' Registration Board of Western Australia - Annual Report for the Six Months ended 30 June 2007 (744).

Physiotherapists' Registration Board of Western Australia - Annual Report for the Year ended 30 June 2008 (745).

Public Transport Authority Act 2003 - Regulations (Public Transport Authority Amendment Regulations 2009 G.G. 27/03/2009) (760).

University of Western Australia - Annual Report 2007–2008 (761).

Valuation of Land Act 1978 - Regulations (Valuation of Land Amendment Regulations 2009 G.G. 27/03/2009) (762).

7. Correction to Tabled Paper

The Speaker announced that he had authorised corrections under Standing Order No. 156 to the following Tabled Paper tabled on 11 November 2008 –

Western Australian College of Teaching – Annual Report 2007–2008 (authorised correction 31 March 2009) (203).

8. Notices of Motion

9. Matter of Public Interest - Government Financial Management

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

At least five members having risen in support,

Mr B.S. Wyatt moved,

That this House condemns the Barnett Government for its financial mismanagement and lack of accountability on financial issues.

Debate ensued.

Question put.

The Assembly divided.

Ayes (27)

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

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 (29)

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
 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*)

Question thus negatived.

10. Economics and Industry Standing Committee – Co-option of Member

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

That in accordance with Standing Order 249(4), the Member for Mandurah be co-opted to participate in the Economics and Industry Standing Committee's inquiry into the Provision, Use and Regulation of Caravan Parks (and Camping Grounds) in Western Australia.

Question put and passed.

11. Prisoners (Interstate Transfer) Amendment Bill 2009

The Minister for Corrective Services, pursuant to notice, moved,

That a bill for "An Act to amend the *Prisoners (Interstate Transfer) Act 1983*." be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

12. Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2009

The Treasurer, pursuant to notice, moved,

That a bill for "An Act to amend the –

- *Building and Construction Industry Training Fund and Levy Collection Act 1990*; and
- *Building and Construction Industry Training Fund and Levy Collection Regulations 1991*." be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

13. Electoral Amendment (Miscellaneous) Bill 2008

The Deputy Premier, pursuant to notice, moved,

That a bill for “An Act to amend the *Electoral Act 1907*.” be introduced and read a first time.

Question put and passed.

The Deputy Premier presented an explanatory memorandum and bill read a first time.

The Deputy Premier 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. Treasurer's Advance Authorisation Bill 2009

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

CONSIDERATION IN DETAIL

Clauses 1 and 2 agreed to.

Clause 3.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (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
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
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*)

Noes (14)

Mr V.A. Catania
Mr R.H. Cook
Mr W.J. Johnston
Mr J.C. Kobelke
Mr F.M. Logan

Mr M. McGowan
Mr P. Papalia
Ms M.M. Quirk
Mr T.G. Stephens
Mr A.J. Waddell

Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Ms R. Saffioti (*Teller*)

Question thus passed.

Clause 3 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.

15. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 1.47 a.m. on Wednesday, 1 April 2009 until 12.00 noon on the same day.

Members present during any part of the day's proceedings - All the members except Mr B.J. Grylls and Ms A.J.G. MacTiernan.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly