

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 7

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 27 NOVEMBER 2008

1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Truth in Sentencing – Mr A.J. Simpson presented a petition from 210 persons requesting that the Legislative Assembly repeal the ‘truth in sentencing’ laws which reduce all sentences by one-third (P. 21).

Police and Citizens’ Youth Club – Mr V.A. Catania presented a petition from 26 persons requesting that the Legislative Assembly endorse the continued future of the Roebourne Police and Citizens’ Youth Club and ensure that sufficient resources and funding are allocated to enable that to occur (P. 22).

Geraldton to Perth Passenger Train – Mr G.A. Woodhams presented a petition from 3,195 persons requesting that the Legislative Assembly initiate a passenger train from Geraldton to Perth (P. 23).

3. Papers

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

By the Clerk –

Child Death Review Committee – Annual Report 2007–2008 (445).

Child Death Review Committee – Report of Group Analysis of Aboriginal Child Death Review Cases in which Chronic Neglect is Present (446).

Government of Western Australia – Quarterly Financial Results Report 2008–2009, quarter ended September 2008 (447).

Subiaco Redevelopment Act 1994 – Ministerial Approval for the sale in excess of \$1 million of Lot 14698 Agnew Way, Subiaco pursuant to Section 21(2)(a) of the Act, dated 25 November 2008 (448).

4. Correction to Tabled Paper

The Speaker announced that he had authorised corrections under Standing Order No 156 to the following Tabled Paper tabled on 26 September 2008 –

Corruption and Crime Commission – Annual Report 2007–2008 (Authorised correction to tabled paper 27 November 2008) (20).

5. Joint Standing Committee on Delegated Legislation

Message No. 3 dated 26 November 2008 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that Hon. Kim Chance has been appointed as a Member of the Joint Standing Committee on Delegated Legislation.

Speaker's Statement – Legislative Council Message No. 3

The Speaker noted that the Legislative Council had only acquainted the Legislative Assembly of the appointment of one member, the Hon. Kim Chance, as a member of the Joint Standing Committee on Delegated Legislation. As members were aware, upon dissolution of the House in August this year all committees, including joint committees, ceased to exist. Although the standing committees appointed in this Parliament have the same terms of reference, powers and titles of those of the committees of the previous Parliament, they are entirely different committees, with different memberships.

It is the practice of each House to acquaint the other House of its membership on joint committees and the Speaker expected to receive advice of the other Council members appointed to the Committee in due course.

6. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Premier on the COAG meeting in Canberra on 29 November 2008.

The Minister for Regional Development on the State Government's contribution to the 'fifth element' of the HMAS Sydney memorial in Geraldton.

The Minister for Planning on the Kwinana freight terminal report released for public comment.

7. Standing Committee on Education and Health

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

- (1) That the Legislative Assembly directs the Standing Committee on Education and Health to undertake an inquiry into the general health screening of children at pre-primary and primary school level, and specifically to –
 - (a) appraise the adequacy and availability of screening processes for hearing, vision, speech, motor-skill difficulties and general health; and
 - (b) assess access to appropriate services that address issues identified by an appropriate screening process.
- (2) That the Member for Bassendean, the Member for Pilbara and the Member for Warnbro be co-opted to the Committee for the purposes of that inquiry.
- (3) That the Committee report to the Legislative Assembly by 18 June 2009.

Debate ensued.

Question put and passed.

8. Weapons (Supply to Minors and Enhanced Police Powers) Amendment Bill 2008

Ms M.M. Quirk, pursuant to notice, moved,

That a bill for “An Act to amend the *Weapons Act 1999* to prohibit the supply of controlled weapons to minors and to provide the Police Force with greater search powers in certain circumstances.” be introduced and read a first time.

Question put and passed.

Ms M.M. Quirk presented an explanatory memorandum and bill read a first time.

Ms M.M. Quirk moved, That the second reading of the bill be made an Order of the Day for the next sitting of the House.

Question put and passed.

9. Suspension of Standing Orders – Address in Reply

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

That so much of Standing Orders be suspended as is necessary to ensure the Address in Reply no longer has priority.

Debate ensued.

Question put and passed.

10. Suspension of Standing Orders – Passage of Bills

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

That, for the remainder of 2008, so much of Standing Orders be suspended as is necessary to enable Bills to proceed without delay between the stages and to enable messages from the Legislative Council to be taken into consideration on the day on which they are received.

Debate ensued.

Question put and passed.

11. Grievances

The Speaker called for grievances which were then made.

12. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 4 be next considered.

13. Police (Medical and Other Expenses for Former Officers) 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 Minister for Police 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.

14. Message from the Governor

Message No. 32 from His Excellency the Governor was reported recommending the purpose of the appropriation for the Royal Perth Hospital Protection Bill 2008.

15. 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.

The Leader of the House moved, That debate be adjourned until a later stage of the sitting.

Question put and passed.

16. Message from the Governor

Message No. 33 from His Excellency the Governor was reported recommending the purpose of the appropriation for the National Gas Access (WA) Bill 2008.

17. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 7 be next considered.

18. National Gas Access (WA) 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 Minister for State Development 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.

19. 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.

Debate interrupted by the Chair (Dr K.D. Hames speaking) and adjourned until a later stage of the sitting.

20. Members' Statements

The Acting Speaker called for members' statements which were then made.

21. Questions

Questions without Notice were taken.

Paper

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

By the Minister for Culture and the Arts –

Independent Theatre Initiative – Details of applications to the Independent Theatre Initiative assessed by members of the independent, community run theatre sector in Western Australia (450).

Questions on Notice Nos 258 to 298 were asked.

Questions on Notice Nos 12, 50 and 83 were answered.

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

Question on Notice No. 83 – The Treasurer; Minister for Commerce; Science and Innovation; Housing and Works ministerial office staffing as at 30 October 2008 (449).

22. Messages from the Governor

Messages from His Excellency the Governor were reported recommending the purpose of the appropriations for the following bills –

Sentencing Legislation (Transitional Provisions) Amendment Bill 2008 (Message No. 34).

Police (Medical and Other Expenses for Former Officers) Bill 2008 (Message No. 35).

23. Matter of Public Interest - Appointment of Director General of the Department of Premier and Cabinet

The Speaker informed the Legislative 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 the House condemns the Barnett Government for its blatant politicisation of the public service in its appointment of Mr Peter Conran to the position of Director General of the Department of Premier and Cabinet.

Debate ensued.

Question put.

The Assembly divided.

Ayes (25)

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
Ms A.J.G. MacTiernan

Mr J.A. McGinty
Mr M. McGowan
Mr M.P. Murray
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 (27)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr J.J.M. Bowler
 Mr I.M. Britza
 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
 Dr J.M. Woollard
 Mr J.E. McGrath (*Teller*)

Question thus negatived.

24. Training Legislation Amendment and Repeal Bill 2008

Message No. 6 dated 26 November 2008 from the Legislative Council was reported forwarding for concurrence a bill entitled a bill for “An Act –

- to amend the *Vocational Education and Training Act 1996*; and
 - to repeal the *Industrial Relations Training Act 1975*,
- and, as a consequence, to amend various Acts, and for related purposes.”.

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

25. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 5 be next considered.

26. 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.

27. Surrogacy Bill 2008

Message No. 7 dated 27 November 2008 from the Legislative Council was reported forwarding for concurrence a bill entitled a bill for “An Act about arrangements for surrogate births and children born under those arrangements and for related purposes, and to make related amendments to –

- the *Births, Deaths and Marriages Registration Act 1998*; and
- the *Children and Community Services Act 2004*; and
- the *Family Court Act 1997*; and
- the *Guardianship and Administration Act 1990*; and
- the *Human Reproductive Technology Act 1991*; and
- the *Interpretation Act 1984*.”.

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

28. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 4.59 p.m. until Tuesday, 2 December 2008 at 2.00 p.m.

Members present during any part of the day's proceedings - All the members except Mr T.R. Buswell, Mrs C.A. Martin and Mr T.K. Waldron.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly