

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 181

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

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THURSDAY, 28 FEBRUARY 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. Death of Mr Bob Bloffwitch – a former Member of the Legislative Assembly**

The Deputy Premier, on behalf of the Premier, without notice, moved,

That the House records its sincere regret of the death of Mr Bob Bloffwitch and tenders its deep sympathy to his family.

The motion was supported by Mr T.R. Buswell, Mr T.K. Waldron, Mr C.J. Barnett, Mr S.R. Hill, Dr K.D. Hames, Mr M. McGowan, Mr R.C. Kucera, Mr D.F. Barron-Sullivan and Mr F. Riebeling.

Question put and passed unanimously with members and officers of the Assembly standing in their places as a mark of respect.

**3. Speaker's Statement – Acting Speakers**

The Speaker advised members that the Member for Capel has been released from his duties as Acting Speaker and the Member for Carine had been reappointed in his place.

**4. Petitions**

Peat Dump and Soil Blending Facility, Nowergup – Mr J.R. Quigley presented a petition from 248 persons requesting that the Minister for the Environment, pursuant to section 38(4) of the *Environmental Protection Act 1986*, make reference of the proposal by Soiland Pty Ltd to establish a large peat dump and soil blending facility in Nowergup to the Environmental Protection Authority for a full environmental impact assessment (P. 280).

Peat Dump and Soil Blending Facility, Gnangara – Mrs D.J. Guise presented a petition from 49 persons requesting that the Minister for the Environment, pursuant to section 38(4) of the *Environmental Protection Act 1986*, refer the proposal by Soiland Pty Ltd to establish a large peat dump and soil blending facility in Gnangara to the Environmental Protection Authority for a full environmental impact assessment (P. 281).

Municipal Tax (Rates) – Mrs J. Hughes presented a petition from 16 persons requesting that the Legislative Assembly repeal section 6.35 of the *Local Government Act 1995* to ensure only proportional Municipal Tax rates would apply to small units and small homes (P. 282).

Ocean Forrest Lutheran College Bus Service – Dr S.C. Thomas presented a petition from 273 persons requesting that the Legislative Assembly request the Public Transport Authority to restructure the school bus service between Donnybrook and Bunbury to include one direct bus service to and from Donnybrook and Ocean Forrest Lutheran College commencing second term in 2008 (P. 283).

Coodanup Community College – Mr D.A. Templeman presented a petition from 613 persons requesting that the Legislative Assembly recommend and support the change of Coodanup Community College from a Middle School to a Senior High School (P. 284).

## **5. Paper**

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

Education and Health Standing Committee – Minister for Communities' Response to the Education and Health Standing Committee's Report on A Successful Initiative – Family Income Management, Report No.11, 27 February 2008 (3649).

## **6. Notice of Motion**

## **7. Orders of the Day Lapsed under Standing Order No. 144A**

The Speaker advised members that in accordance with Standing Order 144A, Private Members' Business Order of the Day, *Suspension of Standing Orders* which appeared in the last Notice Paper as Private Members' Business Orders of the Day No.1, has not been debated for more than twelve calendar months and has been removed from the Notice Paper.

## **8. Brief Ministerial Statements**

The following Brief Ministerial Statements were made by –

The Minister for Disability Services on the interim report on the implementation of the Disability Services Commission Sector Health Check Report Recommendations.

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### *Paper*

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

By the Minister for Disability Services –

Disability Services Sector Health Check – Interim Report on the Implementation of Sector Health Check Report Recommendations (3650).

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The Treasurer on the final settlement of the Matrix fleet leasing transaction.

The Minister for the Environment on the actions the community and the Department of Environment and Conservation are undertaking to combat the westward spread of cane toads.

The Minister for Culture and the Arts on the new Museum of Western Australia.

The Minister for Peel on the new Mandurah train line and the City of Mandurah's Foreshore Express Bus service to be located at the former East Perth Power Station site.

### **9. Speaker's Ruling – Condolence Motion**

The Speaker advised members that he had become aware that a number of members had missed out on speaking to the Condolence Motion for Mr Bob Bloffwitch [see paragraph No. 1]. He would therefore allow those members to speak to the motion but would not put the motion again.

Accordingly, Mr R.F. Johnson, Mr M.W. Trenorden and Mr G.A. Woodhams spoke on motion.

### **10. Economics and Industry Standing Committee**

Mr R.C. Kucera, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Economics and Industry Standing Committee – Water Licensing and Services, Report No. 9, 2008 (3651).

Mr R.C. Kucera, Mr A.J. Simpson, Dr J.M. Edwards and Mr G.A. Woodhams spoke on the report.

### **11. Joint Standing Committee on Delegated Legislation**

Mr P.W. Andrews, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Joint Standing Committee on Delegated Legislation – Town of Claremont Standing Orders Local Law 2007, Report No. 24 and Addendum (3652).

Mr P.W. Andrews, Mr A.J. Simpson spoke on the report.

### **12. Premier's Statement**

The Order of the Day for the resumption of the debate upon the question, That the Premier's Statement be noted, was read.

Debate resumed.

Mr C.J. Barnett moved, To add the following words –

“ and in light of the Government's decision to spend an additional \$243 million on the shared services experiment, that this House calls on the Treasurer to immediately table a complete and unedited copy of the business case that this decision was based upon ”.

Debate ensued.

Question put.

The Assembly divided.

#### **Ayes (16)**

Mr C.J. Barnett  
Mr D.F. Barron-Sullivan  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Mr M.J. Cowper  
Mr J.H.D. Day

Dr K.D. Hames  
Mr R.F. Johnson  
Mr J.E. McGrath  
Mr D.T. Redman  
Mr A.J. Simpson  
Dr S.C. Thomas

Mr M.W. Trenorden  
Mr T.K. Waldron  
Dr J.M. Woollard  
Dr G.G. Jacobs (*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  
 Mrs J. Hughes  
 Mr J.N. Hyde  
 Mr J.C. Kobelke  
 Mr R.C. Kucera

Mr F.M. Logan  
 Mr M. McGowan  
 Ms S.M. McHale  
 Mr A.D. McRae  
 Mrs C.A. Martin  
 Mr A.P. O'Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 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  
 Mr S.R. Hill (*Teller*)

Amendment thus negatived.

On the question, That the statement be noted,

Debate resumed.

Debate interrupted by the Chair (Mr J.E. McGrath speaking) and adjourned until a later stage of the sitting.

### 13. Questions

Questions without notice were taken.

Questions on notice Nos 3118 to 3122 were asked.

### 14. Additional Information under Standing Order No. 82A

In accordance with Standing Order No. 82A, the Minister for Water Resources provided additional information relating to a question without notice relating to the 44 kilometre pipeline from Geraldton to Northampton with a cost of just over \$20 million.

### 15. Acts Amendment (Justice) Bill 2007

Message No. 193 dated 27 February 2008 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Acts Amendment (Justice) Bill 2007* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

*Schedule indicating the amendments made by the Legislative Council in the Acts Amendment (Justice) Bill 2007*

#### No. 1

Clause 71, page 39, line 10 — To delete “If”.

#### No. 2

Clause 71, page 39, lines 10 and 11 — To delete “is satisfied there is a good reason to do so, it may” and insert instead —

“ , unless it has good reason not to do so, shall ”.

Ordered, That consideration in detail of Legislative Council message No. 193 be made an Order of the Day for the next sitting of the Assembly.

### 16. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

**17. Premier's Statement**

The Order of the Day for the resumption of the debate upon the question, That the Premier's Statement be noted, was read.

Debate resumed.

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

Question put and passed.

**18. Special Adjournment**

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 11 March 2008 at 2.00 p.m.

Question put and passed.

**19. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly, at 5.12 p.m. until Tuesday, 11 March 2008 at 2.00 p.m.

*Members present during any part of the day's proceedings* – All the members except Dr E. Constable, Mr B.J. Grylls, Ms A.J.G. MacTiernan and Mr M.P. Murray.

**PETER J. McHUGH**  
Clerk of the Legislative Assembly

**HON. FRED RIEBELING**  
Speaker of the Legislative Assembly