

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS**No. 102****FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT**

WEDNESDAY, 8 SEPTEMBER 2010**1. Meeting of Assembly**

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petition

City of Albany – Mr P.B. Watson presented a petition from 114 persons requesting that an inquiry be conducted into the performance of the City of Albany (P. 316).

3. Papers

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

By the Speaker –

Inspector of Custodial Services, Office of the – Report No. 67: Report of an Announced Inspection of Karnet Prison Farm, July 2010 (Received by the Clerk of the Legislative Assembly and held for a period of thirty days in accordance with section 35 of the Inspector of Custodial Services Act 2003) (2453).

By the Clerk –

Animal Resources Authority – Annual Report 2009–2010 (2454).

Information Commissioner, Office of the – The Administration of Freedom of Information in Western Australia, Comprehensive Report, Review of the Commissioner, 31 August 2010 (2455).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the naming of 12 new roads and two conservation parks at the Fiona Stanley Hospital site.

The Premier on the donation of \$100,000, on behalf of the people of Western Australia, to support the Red Cross' Pakistan disaster relief.

The Premier on the allocation of resources to the Office of the Leader of the Opposition and minor parties in Opposition.

5. Messages from the Governor

Messages from His Excellency the Governor were reported assenting to the following bills –
No. 108 – 19 August 2010

Approvals and Related Reforms (No. 4) (Planning) Bill 2009, Act No. 28 of 2010.

No. 109 – 25 August 2010

Hairdressers Registration (Amendment and Expiry) Bill 2010, Act No. 29 of 2010.

Grain Marketing Repeal Bill 2010, Act No. 30 of 2010.

Interpretation and Reprints Amendment Bill 2008, Act No. 31 of 2010.

No. 110 – 26 August 2010

Pharmacy Bill 2010, Act No. 32 of 2010.

Iron Ore Agreements Legislation Amendment Bill 2010, Act No. 34 of 2010.

6. Criminal Code Amendment (Infringement Notices) Bill 2010

The Minister for Police, pursuant to notice, moved,

That a bill for “An Act to amend *The Criminal Code*.” be introduced and read a first time.

Question put and passed.

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

The Minister for Police 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. Perry Lakes Redevelopment Amendment Bill 2010

The Minister for Planning, pursuant to notice, moved,

That a bill for “An Act to amend the *Perry Lakes Redevelopment Act 2005*.” be introduced and read a first time.

Question put and passed.

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

The Minister for Planning 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. Prohibited Behaviour Orders Bill 2010

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

CONSIDERATION IN DETAIL

Clauses 4 to 6 agreed to.

Clause 7.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

9. Questions

Questions without Notice were taken.

Questions on Notice Nos 3961 to 3963 were asked.

Questions on Notice Nos 3337, 3654, 3684, 3729 to 3731 and 3795 were answered.

10. Additional Information

The Minister for Health provided additional information relating to Question on Notice No. 3437 from Mr M. McGowan.

Paper

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

By the Minister for Health –

Question on Notice No. 3437 – Department of Health – Child and Adolescent Health Services, Additional Information (2456).

11. Unanswered Question on Notice

Mr M. McGowan asked why no answer had been received in respect of his Question on Notice No. 3166.

12. Personal Explanation

Ms R. Saffioti made a personal explanation on the reference made earlier in the day by the Minister for Police to a letter sent to him by the member for West Swan regarding a small business in her electorate.

13. Variation to the Order of Business

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

14. Prohibited Behaviour Orders Bill 2010

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

CONSIDERATION IN DETAIL

Clauses 7 and 8 agreed to.

Clause 9.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

15. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 7 and Private Members' Business Order of the Day No. 21 be next considered.

16. Referral to Public Accounts Committee

Mr F.M. Logan, pursuant to notice, moved,

That the House express its concern with the issues relating to governance of the publicly funded Gascoyne Water Cooperative and the inheritor of government assets, Gascoyne Water Asset Cooperative Ltd and ask that the Public Accounts Committee investigate and report.

Debate ensued.

Question put.

The Assembly divided.

Ayes (21)

Ms L.L. Baker

Ms A.S. Carles

Mr R.H. Cook

Ms J.M. Freeman

Mr W.J. Johnston

Mr J.C. Kobelke

Mr F.M. Logan

Mr M. McGowan

Mrs C.A. Martin

Mr M.P. Murray

Mr A.P. O'Gorman

Mr P. Papalia

Ms M.M. Quirk

Mr E.S. Ripper

Mrs M.H. Roberts

Ms R. Saffioti

Mr T.G. Stephens

Mr C.J. Tallentire

Mr P.C. Tinley

Mr P.B. Watson

Mr D.A. Templeman (*Teller*)

Noes (24)

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

Question thus negated.

17. Years 11 and 12 at District High Schools

The Order of the Day having been read for the resumption of debate on the motion moved by Mrs M.H. Roberts,

That this House –

- (a) acknowledges that the Minister for Education's plan to cut year 11 and 12 from 21 district high schools will force students to travel long distances or study through the School of Isolated and Distance Education or attend boarding schools;
- (b) notes that this plan will particularly disadvantage country students and has the potential to cause them to completely abandon their education at just 16 years of age contrary to the requirement for them to remain in education or training until age 17; and
- (c) calls on the Minister for Education to immediately reverse her decision and to report to the House on how she can genuinely improve education opportunities for the students concerned.

Debate resumed.

Question put.

The Assembly divided.

Ayes (16)

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| Ms L.L. Baker | Mrs C.A. Martin | Mr T.G. Stephens |
| Mr R.H. Cook | Mr M.P. Murray | Mr C.J. Tallentire |
| Mr W.J. Johnston | Mr P. Papalia | Mr P.B. Watson |
| Mr J.C. Kobelke | Ms M.M. Quirk | Mr D.A. Templeman (<i>Teller</i>) |
| Mr F.M. Logan | Mr E.S. Ripper | |
| Mr M. McGowan | Mrs M.H. Roberts | |

Noes (22)

| | | |
|-----------------|------------------|-----------------------------------|
| Mr P. Abetz | Mrs L.M. Harvey | Dr M.D. Nahan |
| Mr F.A. Alban | Mr A.P. Jacob | Mr D.T. Redman |
| Mr T.R. Buswell | Dr G.G. Jacobs | Mr A.J. Simpson |
| Mr V.A. Catania | Mr R.F. Johnson | Mr M.W. Sutherland |
| Mr M.J. Cowper | Mr A. Krsticevic | Mr T.K. Waldron |
| Mr J.M. Francis | Mr W.R. Marmion | Mr J.E. McGrath (<i>Teller</i>) |
| Mr B.J. Grylls | Mr P.T. Miles | |
| Dr K.D. Hames | Ms A.R. Mitchell | |

Question thus negated.

18. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 7.02 p.m. until Thursday, 9 September 2010 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr J.J.M. Bowler, Mr I.M. Britza, Dr E. Constable, Dr J.M. Woollard and Mr B.S. Wyatt.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly