

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS**No. 109****FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT**

TUESDAY, 17 OCTOBER 2006**1. Meeting of Assembly**

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Minister for Water Resources on the Draft State Water Plan to cope with climate change and declining rainfall.

Paper

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

By the Minister for Water Resources -

State Water Plan - Draft State Water Plan, October 2006 (2111).

The Minister for Disability Services response on State Government assistance provided to Alex Duncanson (who appeared on the ABC program 'Stateline' on 29 September 2006).

The Minister for Indigenous Affairs on the progress of providing Government services in Halls Creek.

The Minister for Health on health services restructuring of Yarloop and Harvey Hospitals.

The Minister for Community Development on the joint Department for Community Development's Family and Domestic Violence Unit and Office for Children and Youth campaign, 'No more violence - We're breaking the silence'.

The Minister for Tourism on the allocation of funding to implement the recommendations outlined in the Taskforce Report on Adventure Tourism Visitor Safety in Western Australia.

The Minister for Planning and Infrastructure on the recognition of Public Transport Authority and Mr Jim Krynen at the 2006 National Bicycle Achievement Awards.

3. Questions

Questions without notice were taken.

Questions on notice Nos 1551 to 1562 were asked.

Questions on notice Nos 1310, 1328, 1339, 1345, 1356, 1458, 1463, 1474, 1481, 1483, 1486, 1492 to 1494, 1496, 1500, 1502, 1505, 1512, 1514 and 1515 were answered.

Paper tabled by the Attorney General -

Question on Notice No. 1492 - Director of Public Prosecutions Media Policy (2109).

Paper tabled by Minister for Health

Question on Notice No. 1496 - 2004 Report by Monash University Centre for Biomedical Engineering - 'Review of Capital Equipment Funding Strategy for WA Public Hospitals' (2110).

4. Messages from the Governor

Messages were received from His Excellency the Governor assenting to the following Bills –

Message No. 43 -

Perth International Centre for Application of Solar Energy Repeal Bill 2006, Act No. 43 of 2006.

Iron Ore (FMG Chichester Pty Ltd) Agreement Bill 2006, Act No. 44 of 2006

Message No. 44 -

Hospitals and Health Services Amendment Bill 2006, Act No. 45 of 2006.

Pawnbrokers and Second-hand Dealers Amendment Bill 2006, Act No. 46 of 2006.

Retail Shops and Fair Trading Legislation Amendment Bill 2005, Act No. 47 of 2006.

Commissioner for Children and Young People Bill 2006, Act No. 48 of 2006.

Message No. 45 -

Medical Amendment Bill 2006, Act No. 49 of 2006.

Nurses and Midwives Bill 2006, Act No. 50 of 2006.

Message No. 46 -

Swan and Canning Rivers Management Bill 2006, Act No. 51 of 2006.

Swan and Canning Rivers (Consequential and Transitional Provisions) Bill 2006, Act No. 52 of 2006.

5. Petition

Pinjarra Trotting Club - Mr M.J. Cowper presented a petition from 820 persons requesting that urgent additional funding is provided to upgrade the building infrastructure at Pinjarra Trotting Club (P. 155).

6. Additional Information under Standing Order No. 82A

In accordance with Standing Order No. 82A, the Premier provided additional information relating to Question without Notice no. 733 regarding drought assistance for Western Australian farmers.

7. 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 of an Announced Inspection of Bandyup Women's Prison, Report No. 36, June 2006 (Received by the Speaker of the Legislative Assembly on 31 August 2006 and held for a period of thirty days as directed by section 34(1)(a) of the Inspector of Custodial Services Act 2003) (2063).

Financial Interests of Members of Parliament - Annual Returns as at 30 June 2006 and Additional Information for Returns from the years 1992-1993 to 2004-2005 and Primary Return at 28 March 2006 of Members of the Legislative Assembly under the Members of Parliament (Financial Interests) Act 1992 (2098).

By the Clerk -

Animal Resources Authority - Annual Report 2005-2006 (2064).

Betting Control Act 1954 - Regulations (Betting Control Amendment Regulations (No. 3) 2006 G.G. 10/10/2006) (2065).

Broome Port Authority - Annual Report 2005-2006 (2106).

Bunbury Port Authority - Annual Report 2005-2006 (2066).

Coal Industry Superannuation Board [CISB] - Annual Report 2005-2006 (2067).

Coal Miners' Welfare Board of Western Australia, The - Annual Report 2005-2006 (2068).

Conservation and Land Management Act 1984 - Regulations (Conservation and Land Management Amendment Regulations 2006 G.G. 29/09/2006) (2069).

Corruption and Crime Commission of Western Australia - Sexual Contact with Children By Persons in Authority in the Department of Education and Training of Western Australia, 16 October 2006 (Received by the Clerk of the Legislative Assembly and deemed tabled 16 October 2006) (2062).

Country Health Service, WA - Annual Report 2005-2006 (2070).

Dog Act 1976 - Local Laws (Town of Bassendean Dogs Amendment Local Law 2006 G.G. 10/10/2006) (2071).

Electoral Commission, Western Australia - Political Finance Report for the period ending 30 June 2005 (2072).

Environment and Conservation, Department of - Lease No. 1490/97 between the Department of Environment and Conservation and the City of Wanneroo for a shooting and recreation facility situated in State Forest No. 65 (2073).

Environmental Protection Act 1986 - Regulations (Environmental Protection Amendment Regulations 2006 G.G. 29/09/2006) (2074).

Equal Opportunity in Public Employment, Director of - Annual Report 2005-2006 (2075).

Esperance Port Authority - Annual Report 2005-2006 (2107).

First Home Owner Grant Act 2000 - Review of the Act, Department of Treasury and Finance, June 2006 (2076).

Health Act 1911 - Local Laws (Shire of Nannup Health Amendment Local Laws 2006 G.G. 13/10/2006) (2077).

Industrial Training Act 1975 - Regulations (Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 2006 G.G. 29/09/2006) (2078).

Industrial Training Act 1975 - Regulations (Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 2006 G.G. 29/09/2006) (2079).

Industrial Training Act 1975 - Regulations (Industrial Training (Apprenticeship Training) Amendment Regulations (No. 5) 2006 G.G. 29/09/2006) (2080).

Information Commissioner, Office of - Annual Report 2005-2006 (2081).

Legislative Council, Department of - Annual Report 2005-2006 (2082).

Local Government Act 1995 - Local Laws (City of Subiaco Parking Facilities Amendment Local Law 2006 G.G. 03/10/2006) (2083).

Local Government Act 1995 - Local Laws (Shire of Gingin Amendment Local Law 2006 G.G. 10/10/2006) (2084).

Lotteries Commission Act 1990 - Rules (Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules (No. 2) 2006 G.G. 29/09/2006) (2085).

Lotteries Commission Act 1990 - Rules (Lotteries Commission (Oz Lotto) Amendment Rules 2006 G.G. 29/09/2006) (2086).

Lotteries Commission Act 1990 - Rules (Lotteries Commission (Powerball) Amendment Rules (No. 2) 2006 G.G. 13/10/2006) (2087).

Lotteries Commission Act 1990 - Rules (Lotteries Commission (Powerball) Amendment Rules 2006 G.G. 29/09/2006) (2088).

Lotteries Commission Act 1990 - Rules (Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 2006 G.G. 29/09/2006) (2089).

Lotteries Commission Act 1990 - Rules (Lotteries Commission (Soccer Pools) Amendment Rules 2006 G.G. 29/09/2006) (2090).

Lotteries Commission Act 1990 - Rules (Lotteries Commission (Super 66) Amendment Rules (No. 2) 2006 G.G. 29/09/2006) (2091).

Optometrists Registration Board of Western Australia, The - Annual Report 2005-2006 (2092).

Petroleum Products Pricing Act 1983 - Regulations (Petroleum Products Pricing Amendment Regulations (No. 2) 2006 G.G. 03/10/2006) (2093).

Police Service, Western Australia - Annual Report 2005-2006 under the *Surveillances Devices Act 1998* (2094).

Pollution of Waters By Oil and Noxious Substances Act 1987 - Regulations (Pollution of Waters by Oil and Noxious Substances Amendment Regulations 2006 G.G. 06/10/2006) (2095).

Port Hedland Port Authority - Annual Report 2005-2006 (2108).

Quadriplegic Centre Board of Management - Annual Report 2005-2006 (2096).

Queen Elizabeth II Medical Centre Trust, The - Annual Report 2005-2006 (2097).

Reproductive Technology Council, Western Australian - Annual Report 2005-2006 (2099).

Security and Related Activities (Control) Act 1996 - Regulations (Security and Related Activities (Control) Amendment Regulations (No. 3) 2006 G.G. 03/10/2006) (2100).

South West Area Health Service - Annual Report 2005-2006 (2101).

State Administrative Tribunal - Annual Report 2005-2006 (2102).

Transport Co-ordination Act 1966 - Regulations (Transport Co-ordination Amendment Regulations 2006 G.G. 06/10/2006) (2103).

Water Corporation - Statement of Corporate Intent 2006-2007 (2104).

Zoological Parks Authority - Annual Report 2005-2006 (2105).

8. Notices of Motion

9. Notice of Motion Lapsed - Removal from Notice Paper

The Acting Speaker advised that in accordance with Standing Order No. 74, Private Members' Notices of Motion Nos. 1 and 2, notice of which was given for each on 8 November 2005 and both renewed for a further 30 sitting days on 18 May 2006, would be removed and would not appear on the next Notice Paper.

10. Matter of Public Interest - Minister for Education and Training

The Acting Speaker informed the Assembly that the Speaker was in receipt of a notice from Mr P.D. Omodei that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr P.D. Omodei moved,

That this House calls on the Premier to immediately remove the Minister for Education and Training from her portfolio responsibilities.

Debate ensued.

Question put.

The Assembly divided.

Ayes (21)

Mr C.J. Barnett	Mr B.J. Grylls	Mr G. Snook
Mr D.F. Barron-Sullivan	Dr K.D. Hames	Dr S.C. Thomas
Mr T.R. Buswell	Ms K. Hodson-Thomas	Mr M.W. Trenorden
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr T.K. Waldron
Dr E. Constable	Mr J.E. McGrath	Ms S.E. Walker
Mr M.J. Cowper	Mr P.D. Omodei	Dr J.M. Woollard
Mr J.H.D. Day	Mr D.T. Redman	Mr T.R. Sprigg (<i>Teller</i>)

Noes (25)

Mr P.W. Andrews	Mr J.A. McGinty	Mrs M.H. Roberts
Mr A.J. Carpenter	Mr M. McGowan	Mr T.G. Stephens
Mr J.B. D'Orazio	Ms S.M. McHale	Mr D.A. Templeman
Mrs D.J. Guise	Mr A.D. McRae	Mr P.B. Watson
Mr J.N. Hyde	Mr M.P. Murray	Mr M.P. Whitely
Mr J.C. Kobelke	Mr A.P. O'Gorman	Mr B.S. Wyatt
Mr R.C. Kucera	Mr J.R. Quigley	Mr S.R. Hill (<i>Teller</i>)
Mr F.M. Logan	Ms M.M. Quirk	
Ms A.J.G. MacTiernan	Mr E.S. Ripper	

Question thus negatived.

11. Liquor and Gaming Legislation Amendment Bill 2006

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

Debate resumed.

The Minister for Racing and Gaming moved, That the debate be adjourned.

Question put and passed.

12. Notice of Motion after the Time Prescribed

The Minister representing the Minister for Education and Training was granted leave to give a late notice of motion.

13. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 13 be next considered.

14. Road Traffic Amendment (Drug Impaired Driving) Bill 2005

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

The Minister for Community Safety moved,

That, in accordance with Standing Order No. 144, the Order of the Day be discharged.

Question put and passed.

15. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 10.34 p.m. until Wednesday, 18 October at 12.00 p.m.

Members present during any part of the day's proceedings - All the members except Mr M.J. Birney, Dr J.M. Edwards, Mr R.F. Johnson, Mr N.R. Marlborough, Mrs C.A. Martin, Ms J.A. Radisich, Mr A.J. Simpson and Mr G.A. Woodhams.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. FRED RIEBELING
Speaker of the Legislative Assembly