

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS**No. 8****FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT**

WEDNESDAY, 27 APRIL 2005**1. Meeting of Assembly**

The Assembly met at 12 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Safety of Road Users on the South West Highway - Mr P.D. Omodei presented a petition from 41 persons requesting that the Government address safety issues arising from the dramatic increase in heavy haulage trucks on the South West Highway (P. 12).

Osprey Nest in Walpole Way, Mandurah Quay - Dr K.D. Hames presented a petition from 734 persons requesting that the Osprey nest in Walpole Way, Mandurah Quay not be moved (P. 13).

3. Papers

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

Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 - Regulations (Courts and Legal Practice (Consequential Amendments) Regulations 2005 G.G. 19/04/2005) (328).

Armadale Redevelopment Act 2001 - Regulations (Armadale Redevelopment Amendment Regulations 2005 G.G. 12/04/2005) (329).

East Perth Redevelopment Act 1991 - Ministerial approval under Section 19(2)(a) of the Act for the Authority to enter into the sale of Lot 328 Errichetti Place, Northbridge (330).

Electricity Industry Act 2004 - Regulations (Electricity Industry (Caravan Park Fees and Charges) Repeal Regulations 2005 G.G. 22/04/2005) (331).

Environmental Protection Act 1986 - Notices (Environmental Protection (Environmentally Sensitive Areas) Notice 2005 G.G. 08/04/2005) (332).

Hospitals and Health Services Act 1927 - Regulations (Hospitals (Services Charges) Amendment Regulations (No. 2) 2005 G.G. 19/04/2005) (333).

Industrial Relations Act 1979 - Regulations (Industrial Magistrates Courts (General Jurisdiction) Regulations 2005 G.G. 15/04/2005) (334).

Legal Practice Act 2003 - Regulations (Legal Practice Regulations 2005 G.G. 19/04/2005) (335).

Legal Practice Act 2003 - Rules (Legal Practice Board Amendment Rules (No. 2) 2005 G.G. 12/04/2005) (336).

Legal Practice Act 2003 - Rules (Printer's Correction - Legal Practice Board Amendment Rules (No. 2) 2005 G.G. 19/04/2005) (337).

Licensed Surveyors Act 1909 - Regulations (Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 2005 G.G. 22/04/2005) (338).

Local Government Act 1995 - Local Laws (City of Melville - Local Law relating to Firebreaks (2005) G.G. 22/04/2005) (339).

Local Government Act 1995 - Local Laws (City of Melville Dog Local Law (2005) G.G. 19/04/2005) (340).

Local Government Act 1995 - Local Laws (City of Perth - New Street Alignments Local Law 2005 G.G. 20/04/2005) (341).

Local Government Act 1995 - Local Laws (Town of Bassendean Responsible Cat Ownership Local Law (2005) G.G. 14/04/2005) (342).

Mines Safety and Inspection Act 1994 - Regulations (Mines Safety and Inspection Amendment Regulations 2005 G.G. 04/04/2005) (343).

Pay-roll Tax Assessment Act 2002 - Regulations (Pay-roll Tax Assessment Amendment Regulations 2005 G.G. 19/04/2005) (344).

Premier and Cabinet, Department of - Report entitled Community Attitude Monitor, Wave 6, December 2004 (345).

Road Traffic Act 1974 - Regulations (Road Traffic (Vehicle Standards) Amendment Regulations (No. 3) 2005 G.G. 19/04/2005) (346).

4. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Minister for Consumer and Employment Protection on the status of the Employers' Indemnity Supplementation Fund and the annual amount of the surcharge.

Paper

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

By the Minister for Consumer and Employment Protection -

Employers' Indemnity Supplementation Fund Levy - Progress Report for 2005-2006 (347).

The Minister for Community Development on the imminent cessation of existing vetoes concerning identifying adoption information.

The Minister for Justice on the contents of videotapes possessed by prisoner Robin McCartney.

The Minister for Planning and Infrastructure on the Metro Rail project timetable and budget.

5. Leave of Absence - Member for Nedlands

Dr G.G. Jacobs, pursuant to notice, moved,

That leave be given for the absence from the Legislative Assembly of the Member for Nedlands until 3 May 2005 on the grounds of urgent private business.

Question put and passed.

6. 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.

Mr D.F. Barron-Sullivan moved,

To add to the Address in Reply the following -

“

but regrets to inform Your Excellency that the Government's one vote one value legislation will decimate the level of country representation in the Parliament, especially in the South West and Goldfields region of Western Australia which have been abandoned by the Labor Party.

”.

Debate ensued.

Debate interrupted by the Chair (Mr G. Snook speaking) and adjourned until a later stage of the sitting.

7. Questions

Questions without notice were taken.

Papers

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

By the Minister for Police and Emergency Services -

Western Australia Police Service - Reported Offence and Clearance Statistics, December 2004 Quarter (348).

Western Australia Police Service - Reported Offence and Clearance Statistics, March 2005 Quarter (349).

8. Variation to the Order of Business

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

9. Address in Reply

The Order of the Day for the resumption of debate upon the amendment moved by Mr D.F. Barron-Sullivan to the Address in Reply to His Excellency the Governor's speech was read (see paragraph 6).

Debate resumed.

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

10. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 5 be next considered.

11. Suspension of Standing Orders

Mr J.H.D. Day, without notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith and considered under the time limits determined under Standing Order No. 101 for a Matter of Public Interest -

That the following terms of reference be referred to the Public Accounts Committee -

- (a) that the Committee investigate and report on all financial contractual aspects of the New Metro Rail Project; and
- (b) that the Committee report to the Assembly by 20 October 2005.

Debate ensued.

Question put.

The Acting Speaker having counted the House, and an absolute majority present and there being no dissentient voice, the motion was declared by the Acting Speaker to be carried with the concurrence of an absolute majority of the whole number of members of the House.

12. Metro Rail Project - Reference to the Public Accounts Committee

Mr J.H.D. Day, pursuant to the foregoing motion, moved,

That the following terms of reference be referred to the Public Accounts Committee -

- (a) that the Committee investigate and report on all financial contractual aspects of the New Metro Rail Project; and
- (b) that the Committee report to the Assembly by 20 October 2005.

Debate ensued.

Question put.

The Assembly divided.

Ayes (20)

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

Noes (27)

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

Question thus negated.

13. Violent Crime Management in Western Australia

Mr R.F. Johnson, pursuant to notice, moved,

That this House condemns the Minister for Police and Emergency Services for her failure to manage violent crime in Western Australia.

Debate ensued.

Mr A.J. Simpson moved,

To insert after "Western Australia" the following -

“

and calls on the Labor Government to immediately repeal the two plant policy on marijuana which is sending the wrong message to young Western Australians often leading them into a lifetime of drug addiction and crime

”.

Debate ensued.

Debate interrupted by the Chair (Dr G.G. Jacobs speaking) and adjourned until a later stage of the sitting.

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 7.00 p.m. until Thursday, 28 April 2005 at 9.00 a.m.

Members present during any part of the day's proceedings - All the members except Mr M.J. Birney, Dr G.I. Gallop, Mr M. McGowan and Ms S.E. Walker.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. FRED RIEBELING

Speaker of the Legislative Assembly