

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY**VOTES AND PROCEEDINGS****No. 83****FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT****TUESDAY, 18 MAY 2010****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

Brief Ministerial Statements were made by –

The Minister for Police on the proposed changes to child safety restraint requirements.

Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of a delegation from the Jinhua Municipal People's Congress within Western Australia's sister state of Zhejiang, led by the Chairman of the Standing Committee of the Jinhua Municipal People's Congress, Mr Yan Shougen.

The Minister for Culture and the Arts on the Peggy Guggenheim Collection from Venice, Italy to be displayed at the Art Gallery of Western Australia.

3. Ministerial Statement

The Minister for Local Government was granted leave to make a Ministerial Statement on the former Mayor of the Town of Victoria Park, John Albin Mick Lee OAM JP, who passed away on Tuesday, 4 May 2010.

Mr B.S. Wyatt made a reply to the statement.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 2883 to 2924 were asked.

Questions on Notice Nos 2549, 2553 to 2564, 2569 to 2573, 2575, 2576, 2579, 2581 to 2586, 2625, 2627, 2630, 2632, 2633, 2635, 2636, 2677, 2679, 2681, 2683 to 2689, 2693 to 2696, 2699, 2702, 2704, 2706, 2708, 2710 to 2712, 2715 to 2718, 2724 to 2726, 2733, 2844, 2851 and 2852 were answered.

5. Speaker's Statement – Budget Day Arrangements

The Speaker advised members that, in accordance with standard practice, the Government had requested that the budget be presented at 2.00 p.m. on Thursday, 20 May 2010. Accordingly, Members' 90-second statements would be called upon at 12.20 p.m., Questions without Notice at 12.30 p.m., and the Speaker would leave the Chair at 1.00 p.m.

6. Personal Explanation

Dr J.M. Woollard made a personal explanation on the early release of details of the recent Education and Health Standing Committee report.

7. Petitions

In-fil Sewerage Program for Port Hedland – Mr T.G. Stephens presented a petition from 188 persons requesting that the in-fil sewerage program for Port Hedland be completed (P. 284).

Proposed Sand Mines on Banksia Road, Wellard – Mr R.H. Cook presented a petition from 23 persons requesting that the proposed sand mines on Banksia Road, Wellard be opposed (P. 285).

Specialist Psychologists Registration Board for Western Australia – Mr R.H. Cook presented a petition from 826 persons requesting that a Specialist Psychologists Registration Board be established for Western Australia (P. 286).

8. Papers

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

By the Clerk –

Agricultural Produce Commission Act 1988 – Section 26 Legislation Review (2063).

Conservation and Land Management Act 1984 – Lease No. 2307/100 between the Department of Environment and Conservation and Wellington Forest Cottages on a portion of Wellington National Park (2064).

Conservation and Land Management Act 1984 – Lease No. 2202/100 between the Department of Environment and Conservation and the National Trust of Australia (WA) for the Repair and Operation of a Hydro Electric Power Station on a portion of Wellington National Park (2065).

Dog Act 1976 – Local Laws (Shire of Capel Dogs Amendment Local Law 2009 G.G. 04/05/2010) (2066).

Fish Resources Management Act 1994 – Management Plans (West Coast Rock Lobster Management Plan Amendment (No. 6) 2010 [970] G.G. 05/05/2010) (2067).

Fish Resources Management Act 1994 – Management Plans (West Coast Rock Lobster Management Plan Amendment (No. 7) 2010 [971] G.G. 12/05/2010) (2068).

Gas Standards Act 1972 – Regulations (Gas Standards (Infringement Notices) Amendment Regulations 2010 G.G. 04/05/2010) (2069).

Local Government Act 1995 – Local Laws (Shire of Capel Keeping and Welfare of Cats Amendment Local Law 2009 G.G. 04/05/2010) (2070).

Local Government Act 1995 – Local Laws (Shire of Goomalling Health Amendment Local Law 2010 G.G. 11/05/2010) (2071).

Local Government Act 1995 – Local Laws (Shire of Nannup Standing Orders Local Law 2010 G.G. 04/05/2010) (2072).

Local Government Act 1995 – Local Laws (Shire of Serpentine-Jarrahdale Standing Orders Amendment Local Law 2010 G.G. 14/05/2010) (2073).

Petroleum (Submerged Lands) Act 1982 – Regulations (Petroleum (Submerged Lands) Amendment Regulations (No. 2) 2010 G.G. 11/05/2010) (2074).

Petroleum (Submerged Lands) Registration Fees Act 1982 – Regulations (Petroleum (Submerged Lands) Registration Fees Amendment Regulations 2010 G.G. 11/05/2010) (2075).

Petroleum and Geothermal Energy Resources (Registration Fees) Act 1967 – Regulations (Petroleum and Geothermal Energy Resources (Registration Fees) Amendment Regulations 2010 G.G. 11/05/2010) (2076).

Petroleum and Geothermal Energy Resources Act 1967 – Regulations (Petroleum and Geothermal Energy Resources (Management of Safety) Regulations 2010 G.G. 14/05/2010) (2077).

Petroleum and Geothermal Energy Resources Act 1967 – Regulations (Petroleum and Geothermal Energy Resources (Occupational Safety and Health) Regulations 2010 G.G. 14/05/2010) (2078).

Petroleum and Geothermal Energy Resources Act 1967 – Regulations (Petroleum and Geothermal Energy Resources Amendment Regulations (No. 2) 2010 G.G. 11/05/2010) (2079).

Petroleum Pipelines Act 1969 – Regulations (Petroleum Pipelines (Management of Safety of Pipeline Operations) Regulations 2010 G.G. 14/05/2010) (2080).

Petroleum Pipelines Act 1969 – Regulations (Petroleum Pipelines (Occupational Safety and Health) Regulations 2010 G.G. 14/05/2010) (2081).

Petroleum Pipelines Act 1969 – Regulations (Petroleum Pipelines Amendment Regulations (No. 2) 2010 G.G. 14/05/2010) (2082).

Petroleum Pipelines Act 1969 – Regulations (Petroleum Pipelines Amendment Regulations (No. 3) 2010 G.G. 11/05/2010) (2083).

Planning and Development Act 2005 – Regulations (Planning and Development Amendment Regulations 2010 G.G. 14/05/2010) (2084).

Road Traffic Act 1974 – Regulations (Road Traffic (Authorisation to Drive) Amendment Regulations 2010 G.G. 14/05/2010) (2085).

Road Traffic Act 1974 – Regulations (Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2010 G.G. 07/05/2010) (2086).

Shipping and Pilotage Act 1967 – Regulations (Ports and Harbours Amendment Regulations (No. 2) 2010 G.G. 14/05/2010) (2087).

Western Australian Treasury Corporation – Quarterly Report for the Quarter Ended 31 March 2010 (Received by the Clerk of the Legislative Assembly and deemed tabled 7 May 2010) (2062).

9. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper tabled on 6 May 2010 –

Education and Health Standing Committee – Destined to Fail: Western Australia’s Health System (Authorised correction 18 May 2010) (2057).

10. Notice of Motion

11. Notice of Motion Lapsed

The Speaker advised that Private Members’ Notice of Motion No. 10 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

12. Matter of Public Interest – Increases in Taxes, Fees and Charges

The Speaker informed the 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 this House expresses its grave concern at the Barnett Government continuing to break promises and increasing taxes, fees and charges on the people of Western Australia.

Debate ensued.

Question put.

The Assembly divided.

Ayes (25)

Ms L.L. Baker	Mr M. McGowan	Mr T.G. Stephens
Ms A.S. Carles	Mrs C.A. Martin	Mr C.J. Tallentire
Mr R.H. Cook	Mr M.P. Murray	Mr P.C. Tinley
Ms J.M. Freeman	Mr A.P. O'Gorman	Mr A.J. Waddell
Mr J.N. Hyde	Mr P. Papalia	Mr M.P. Whitely
Mr W.J. Johnston	Mr J.R. Quigley	Mr B.S. Wyatt
Mr J.C. Kobelke	Ms M.M. Quirk	Mr D.A. Templeman (<i>Teller</i>)
Mr F.M. Logan	Mr E.S. Ripper	
Ms A.J.G. MacTiernan	Mrs M.H. Roberts	

Noes (29)

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

Question thus negated.

13. Messages from the Governor

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

Railway (Tilley to Karara) Bill 2010 (Message No. 91).

Pharmacy Bill 2010 (Message No. 92).

Health Practitioner Regulation National Law (WA) Bill 2010 (Message No. 93).

14. Message from the Governor

Message No. 96 from His Excellency the Governor was reported assenting to the Pay-roll Tax Rebate Bill 2010, Act No. 5 of 2010.

15. Removal of Order of the Day

The Acting Speaker advised members that the Order of the Day that appeared on the last Notice Paper as No. 1 under Private Members' Business, the Weapons (Supply to Minors and Enhanced Police Powers) Amendment Bill 2008, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

The Speaker further advised, for members' information, that a bill removed under this Standing Order may be restored by motion to the point it had reached prior to its removal.

16. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 2, 1 and 3 be next considered.

17. Health Practitioner Regulation National Law (WA) Bill 2010

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

Urgent Bill

The Minister for Health moved, That the Health Practitioner Regulation National Law (WA) Bill 2010 be considered an urgent bill.

Debate ensued.

Question put and passed.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clause 1 agreed to.

Clause 2.

The Minister for Health moved,

Page 2, line 6 — To delete “The local application provisions of this Act come” and substitute:

“ This Act comes ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 3 to 6 agreed to.

Clause 7 postponed.

Clauses 8 to 11 agreed to.

Clause 12 negatived.

Clauses 13 to 39 agreed to.

Clause 40.

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

Question put and passed.

18. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 3 be next considered.

19. Approvals and Related Reforms (No. 4) (Planning) Bill 2009

The Order of the Day for the third reading of the bill having been read, the Minister for Planning moved, That the bill be now read a third time.

Debate ensued.

Question put.

The Assembly divided.

Ayes (46)

Mr P. Abetz	Dr G.G. Jacobs	Mr J.R. Quigley
Mr F.A. Alban	Mr R.F. Johnson	Mr D.T. Redman
Ms L.L. Baker	Mr W.J. Johnston	Mr E.S. Ripper
Mr C.J. Barnett	Mr A. Krsticevic	Mr A.J. Simpson
Mr I.C. Blayney	Mr F.M. Logan	Mr T.G. Stephens
Mr T.R. Buswell	Ms A.J.G. MacTiernan	Mr M.W. Sutherland
Mr G.M. Castrilli	Mr M. McGowan	Mr C.J. Tallentire
Dr E. Constable	Mr J.E. McGrath	Mr P.C. Tinley
Mr R.H. Cook	Mr W.R. Marmion	Mr A.J. Waddell
Mr M.J. Cowper	Mrs C.A. Martin	Mr T.K. Waldron
Mr J.H.D. Day	Mr P.T. Miles	Mr P.B. Watson
Mr B.J. Grylls	Ms A.R. Mitchell	Mr M.P. Whitely
Dr K.D. Hames	Mr M.P. Murray	Mr B.S. Wyatt
Mrs L.M. Harvey	Dr M.D. Nahan	Mr D.A. Templeman (<i>Teller</i>)
Mr J.N. Hyde	Mr P. Papalia	
Mr A.P. Jacob	Mr C.C. Porter	

Noes (2)

Dr J.M. Woollard Ms A.S. Carles (*Teller*)

Question thus passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

20. Aboriginal Housing Legislation Amendment Bill 2009

Message No. 78 dated 18 May 2010 from the Legislative Council was reported agreeing to the bill without amendment.

21. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 10.48 p.m. until Wednesday, 19 May 2010 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr J.J.M. Bowler and Mr J.M. Francis.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly