

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS**No. 2****FIRST SESSION OF THE THIRTY-SIXTH PARLIAMENT**

WEDNESDAY, 2 MAY 2001**1. Meeting of Assembly**

The Assembly met at 12 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Death of Hon. Raymond Laurence Young - a former Member of the Legislative Assembly and Minister of the Crown

The Premier, without notice, moved,

That the House records its sincere regret of the death of Hon. Raymond Laurence Young and tenders its deep sympathy to his family.

The motion having been supported by Mr Barnett, Dr Constable, Mr Pental, Mr Trenorden and Mr Omodei,

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 - Speaker's Attire

The Speaker made the following statement -

Traditions are important for every State of the Commonwealth. Many traditions lead to social development. Changes in society, too, lead to traditions and customs becoming outdated.

As Speaker, I will not wear the wig or gown, consigning those items to the past. Those items are not necessary to the effective performance of the function of Speaker, and it is my view that the office of Speaker is not diminished by this action but reflects a modern and more relevant approach. As we enter a new millennium and a new century it is important that Parliament remain as relevant as possible to the people of Western Australia. The Speaker before me, Hon. George Strickland, dispensed with the lace at the wrist and the throat. He also dispensed with the wig for all but one hour of each day. I am merely taking those reforms one step further. I will ensure that these items are retained as a museum piece, to be displayed from time to time.

4. Papers

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

By the Speaker -

Office of the Auditor General - Report No. 10 - Report on Ministerial Portfolios at 1 December 2000 (received 20 December 2000) (157)

Office of the Auditor General - Report No. 1 - Sale of the Gas Corporation's Businesses - February 2001 (received 14 February 2001) (158)

Office of the Parliamentary Commissioner for Administrative Investigations - Report on an Inquiry into Deaths in Prisons in Western Australia – December 2000 (Deemed tabled 18 December 2000) (156)

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

Annual Reports 1999 - 2000

Alcohol and Drug Authority (deemed tabled 20 December 2000) (12)

Coal Miners' Welfare Board (deemed tabled 22 December 2000) (13)

Country High School Hostels Authority (deemed tabled 21 December 2000) (14)

Dairy Industry Authority (deemed tabled 20 March 2001) (15)

Egg Marketing Board (deemed tabled 10 January 2001) (16)

Fire and Emergency Services Authority (17)

Fisheries Western Australia (18)

Forest Products Commission (19)

Gaming Commission (20)

Gas Corporation - Final Report (deemed tabled 21 December 2000) (21)

Gold Corporation (22)

Government Employees' Housing Authority (23)

Government Employees' Superannuation Board (deemed tabled 19 December 2000) (24)

Grain Pool (deemed tabled 2 January 2001) (25)

Great Southern Development Commission (26)

Greyhound Racing Authority (27)

Health Department (28 A and B)

Herd Improvement Service (29 A and B)

Heritage Council (30)

Horticultural Produce Commission (31)

Institute of Sport (deemed tabled 19 December 2000) (32)

Keep Australia Beautiful Council (33)

Kimberley Development Commission (34)

Landcare Trust (35)

Law Reform Commission (36)

Legal Costs Committee (37)

Legal Practice Board (38)

Legal Practitioners' Complaints Committee (39)

Legal Practitioners' Disciplinary Tribunal (40)

Marine Parks and Reserves Authority (41)

Marine Parks and Reserves Scientific Advisory Committee (42)

Meat Industry Authority (43)

Medical Board (44)

Mid West Development Commission (45)

Midland Redevelopment Authority (46)

Minerals and Energy Research Institute (47)

Ministers, Members of Parliament and Officers Interstate and Overseas Travel undertaken for three months ended 30 September 1999 and 31 December 1999 (48)

National Crime Authority (deemed tabled 22 January 2001) (50)

National Trust of Australia (WA) (51)

Nurses Board (deemed tabled 21 December 2000) (52)

Parliamentary Superannuation Board (53)

Peel Development Commission (54)

Perth International Centre for Application of Solar Energy (55)

Perth Market Authority (56)

Perth Theatre Trust (57)

Pilbara Development Commission (58)

Potato Marketing Corporation (deemed tabled 2 January 2001) (59)

Poultry Industry Trust Fund Committee (deemed tabled 22 December 2000) (60)

Public Trustee (61)

R & I Holdings (deemed tabled 22 December 2000) (62)

Racecourse Development Trust (63)

Racing Penalties Appeal Tribunal (64)

Real Estate and Business Agents Supervisory Board (65)

Rural Adjustment and Finance Corporation (66)

Screen West (Inc.) (67)

Settlement Agents Supervisory Board (68)

Sports Centre Trust (deemed tabled 22 December 2000) (69)

Subiaco Redevelopment Authority (70)

Swan River Trust (71)

Water and Rivers Commission (72)

Western Australia Museum (deemed tabled 19 December 2000) (49)

Western Australian Trotting Association plus Statement of TAB Distribution to Country Clubs by the WATA (73)

Western Australian Turf Club plus Certification for the use of Totalisator Agency Board Funds (74)

Ashburton Health Service (Incorporating Tom Price District Hospital, Paraburdoo District Hospital and Ashburton Community Health) (deemed tabled 21 December 2000) (75)

Beverley Health Service (76)

Boddington District Hospital Board (deemed tabled 2 January 2001) (77)

Brookton Health Service (deemed tabled 5 February 2001) (78)

Bruce Rock Memorial Hospital (79)

Bunbury Health Service (80)
Collie Health Service (deemed tabled 21 December 2000) (81)
Corrigin District Hospital Board (82)
Cunderdin District Hospital Board (83)
Donnybrook/Balingup Health Service (deemed tabled 21 December 2000) (84)
Dundas Health Service (deemed tabled 2 January 2001) (85)
East Pilbara Health Service (86)
Esperance Health Service (deemed tabled 8 January 2001) (87)
Gascoyne Health Service (deemed tabled 15 January 2001) (88)
Geraldton Health Service (deemed tabled 20 December 2000) (89)
Gnowangerup District Hospital (90)
Harvey Yarloop Health Service (deemed tabled 21 December 2000) (91)
Hawthorn Hospital (92)
Joondalup Health Campus (93)
Kalgoorlie-Boulder Health Service (deemed tabled 20 December 2000) (94)
Katanning Health Service (95)
Kimberley Health Service (deemed tabled 20 December 2000) (96)
Kojonup District Hospital (97)
Kununoppin & District Health Service (98)
Laverton & Leonora Health Service (deemed tabled 22 January 2001) (99)
Lower Great Southern Health Service (deemed tabled 20 December 2000) (100)
Metropolitan Health Service (deemed tabled 21 December 2000) (101)
Merredin Health Service (102)
Midwest Health Service (Incorporating Northampton Kalbarri Health Service, Mullewa Health Service, Morawa & Districts Health Service, North Midlands Health Service, Yalgoo Health Service and Dongara Health Service) (103)
Mukinbudin Health Service (104)
Northern Goldfields Health Service (deemed tabled 22 January 2001) (105)
Peel Health Service (106)
Quadriplegic Centre (107)
Quairading District Hospital (108)
Queen Elizabeth Medical Centre Trust (109)
Ravensthorpe Health Service (deemed tabled 8 January 2001) (110)
Southern Cross District Health Service Board (deemed tabled 20 December 2000) (111)
Tambellup Nursing Post (112)
Upper Great Southern Health Service (113)
Vasse Leeuwin Health Board (114)
Warren Blackwood Health Service (deemed tabled 2 January 2001) (115)
West Pilbara Health Service (Incorporating Nickol Bay Hospital, Wickham District Hospital, Roebourne District Hospital and Roebourne Community Health) (deemed tabled 20 December 2000) (116)
Western Health Service (deemed tabled 20 December 2000) (117)
Wyalkatchem-Koorda and Districts Hospital Board (118)

Codes -

WorkSafe Western Australia Commission - Code of Practice - Management of HIV/Aids and Hepatitis at Workplaces, September 2000 (119)

Financial Statements -

Government of Western Australia - Consolidated Financial Statements 1999-2000 (deemed tabled 20 December 2000) (120)

Government of Western Australia - Mid-Year Projections Statement 2000-01 (121)

Government of Western Australia - Pre-Election Financial Projections Statement 2000-01 (122)

Joint Standing Committee on Delegated Legislation -

City of Swan Local Law Relating to Prevention and Abatement of Sand Drift - Report No. 54 (123)

Lease

Conservation and Land Management - Lease No. 2112/97 Part of State Forest No. 56 between the Department of Conservation and Land Management and the Water Board (124)

Local Laws -

Local Government Act (125)

Ministerial Approvals -

Country Housing Authority Act - Ministerial Approval under section 42 of the Act for financial assistance to various local governments (126)

East Perth Redevelopment Authority Act - Ministerial approval for contracts under section 19(7) of the Act for Development Application 00/93 Aberdeen Street Upgrade, Northbridge - Stage 1A Works (127)

East Perth Redevelopment Authority Act - Ministerial approval for contracts under section 19(7) of the Act for Survey No. 24803 for Subdivision Application 99/02 - Sector 46 (Foundry Site) land bounded by Bennet, Royal and Wittenoom Streets, East Perth (128)

East Perth Redevelopment Authority Act - Ministerial approval for contracts under section 19(7) of the Act for Scheme Amendment No. 9 (129)

East Perth Redevelopment Authority Act - Ministerial approval for contracts under section 19(7) of the Act for Scheme Amendment No. 11 (130)

East Perth Redevelopment Authority Act - Ministerial approval for contracts under section 19(7) of the Act for Scheme Amendment No. 12 (131)

East Perth Redevelopment Authority Act - Ministerial approval for contracts under section 19(7) of the Act for approval for the Northbridge Project, Governor's Order - Acquisition of Land (132)

East Perth Redevelopment Authority Act - Ministerial approval for contracts under section 19(7) of the Act for sale of land to the Australian Broadcasting Commission (133)

Subiaco Redevelopment Authority Act - Ministerial approval for contracts under section 22(2) of the Act for the subdivision of SU11 - Commercial Lots: Portion Sector 14, Subiaco (134)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17D of the Industrial Lands Development Authority for the Swan Brewery Company Pty Ltd leasing a portion of their land at 15 Baile Road, Canning Vale to Spirit Holdings Pty Ltd (135)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17D of the Industrial Lands Development Authority for the Swan Brewery Company Pty Ltd leasing a portion of their land at 25 Baile Road, Canning Vale to Lucent Technologies Australia Pty Ltd Sprit (136)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act with TL & VJ Royce (137)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act for acquisition of Lots 3, 14 and part Lot 2 Callaway Street Wangara from Amatek Ltd (138)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17A of the Act for extension of option to Kingstream Steel Ltd over Part Lot 13, Lots 6 and 21 Goulds Road, Narngulu (139)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act for James Point Pty Ltd - Private Port Development Kwinana (140)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act for sale of Lot 71 Magnet Road, Canning Vale to Blue Bay Enterprisers Pty Ltd (trading as SDS Diggers) and BGC Australia Pty Ltd (141)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17A of the Act for offer to acquire Swan Location 3083 Breton Bay from the Gundimar Syndicate (142)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act for offer to acquire Melbourne Location 580, Swan Location 5277 and Swan Location 5706 Breton Bay from the Manakoora Syndicate (143)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act for offer to acquire Swan Location 5708 from THP Investments Syndicate Lots (144)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act for sale of Lots 51 & 52 Kavanagh Mews, Mosman Park (145)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act to enter into contract to sell Lot 167 Cockburn Road, Henderson to Austral Ships Pty Ltd (146)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17 of the Act to enter into contract to sell Lots 1 to 8 Merchant Drive and Lots 30 to 34 Enterprise Way (inclusive) East Rockingham to Tilley Properties (Qld) Pty Ltd and Gallway Investments Pty Ltd (147)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17A of the Act to enter into contract to design and construct floating marina pens at the Mandurah Ocean Marina to Sea Slips/Poralu Marine Australia Pty Ltd (148)

Western Australian Land Authority Act - Ministerial approval for contracts under section 17A of the Act to enter into contract to purchase Lot 503 Egmont Road, Henderson from Austral Ships Pty Ltd (149)

Reports -

Office of the Inspector of Custodial Services - Report of an Unannounced Inspection of the Induction and Orientation Unit and the Special Handling Unit at Casuarina Prison (150)

Treasury Corporation Quarterly Report 31 December 2000 (151)

Regulations -

Transport Coordination Act (152)

Rules -

Optometrists Act (153)

Statements of Corporate Intent -

Water Corporation - Statement of Corporate Intent (deemed tabled 22 December 2000) (154)

Statutes -

Edith Cowan University Act (155)

5. Notices of Motion**6. Brief Ministerial Statement - Bellevue Hazardous Waste Facility Fire**

The Minister for the Environment and Heritage made a brief Ministerial Statement.

7. Treasurer's Advance Authorisation Bill 2001

The Treasurer, pursuant to notice, moved,

That a Bill for "An Act to authorise the Treasurer to make certain payments and advances and to specify a limit for the payments and advances so authorised for the financial year commencing on 1 July 2001 and to amend the Treasurer's Advance Authorisation Act 2000." be introduced and read a first time.

Question put and passed.

The Treasurer presented an explanatory memorandum and Bill read a first time.

The Treasurer moved, That the Bill be now read a second time.

Mr Bradshaw moved, That the debate be adjourned.

Question put and passed.

8. Variation to the Order of Business

Ordered, That Government Business Notice of Motion No. 2 be postponed.

9. Petroleum Legislation Amendment Bill 2001

The Minister for Consumer Affairs, pursuant to notice, moved,

That a Bill for "An Act to amend the Petroleum Retailers Rights and Liabilities Act 1982 and the Petroleum Products Pricing Act 1983 and for related purposes." be introduced and read a first time.

Question put and passed.

The Minister for Consumer Affairs presented an explanatory memorandum and Bill read a first time.

The Minister for Consumer Affairs moved, That the Bill be now read a second time.

Mr Bradshaw moved, That the debate be adjourned.

Question put and passed.

10. Employers' Indemnity Supplementation Fund Amendment Bill 2001

The Minister for Labour Relations, pursuant to notice, moved,

That a Bill for "An Act to amend the Employers' Indemnity Supplementation Fund Act 1980." be introduced and read a first time.

Question put and passed.

The Minister for Labour Relations presented an explanatory memorandum and Bill read a first time.

The Minister for Labour Relations moved, That the Bill be now read a second time.

Mr Bradshaw moved, That the debate be adjourned.

Question put and passed.

11. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

12. Mutual Recognition (Western Australia) Bill 2001

The Order of the Day for the second reading of the Bill having been read, the Premier moved, That the Bill be now read a second time.

Mr Bradshaw moved, That the debate be adjourned.

Question put and passed.

13. 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 Edwards moved, To add to the Address in Reply the following -

“but regrets to inform His Excellency that the Premier has failed to act appropriately, openly or in the interests of good government following the Minister for Planning and Infrastructure's loss of her driver's licence for the third time for speeding, following two previous convictions for drink driving.”

Debate ensued.

Mr Barnett was granted leave to continue his remarks at a later stage of the sitting.

14. Questions

Questions without notice were taken.

Questions on Notice Nos 1 to 64 were asked.

15. Law Reform (Miscellaneous Provisions (Asbestos Diseases)) Bill 2001

Mr Graham, pursuant to notice, moved,

That a Bill for “An Act to amend the Law Reform (Miscellaneous Provisions) Act 1941 to provide for the survival of claims for damages in certain causes of action in relation to asbestos-related conditions and for other purposes.” be introduced and read a first time.

Question put and passed.

Mr Graham presented an explanatory memorandum and Bill read a first time.

Mr Graham moved, That the Bill be now read a second time.

Mr Kobelke moved, That the debate be adjourned.

Question put and passed.

16. Variation to the Order of Business

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

17. Address in Reply

The Order of the Day for the resumption of debate upon the amendment moved by Mr Edwards to the Address in Reply to His Excellency the Governor's speech was read (see paragraph 13).

Debate resumed.

Question put.

The Assembly divided.

Ayes (20)

Mr Ainsworth
Mr Barnett
Mr Birney
Mr Board
Dr Constable
Mr Cowan
Mr Day

Mrs Edwardes
Mr Edwards
Mr House
Mr Johnson
Mr Marshall
Mr Masters
Mr Omodei

Mr Pental
Mr Sullivan
Mr Sweetman
Mr Trenorden
Mr Waldron
Mr Bradshaw (*Teller*)

Noes (29)

Mr Andrews
Mr Bowler
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Gallop
Mrs Guise
Mr Hill
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Mr Marlborough
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Watson
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

On the question, That the Address in Reply be agreed to.

Debate resumed.

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

Question put and passed.

18. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 6.44 p.m. until Thursday, 3 May 2001 at 9.00 a.m.

Members present during any part of the day's proceedings -

All members except Mrs Martin.

PETER J McHUGH
Clerk of the Legislative Assembly

FRED RIEBELING
Speaker of the Legislative Assembly