

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 155

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

TUESDAY, 4 SEPTEMBER 2007

1. Meeting of Assembly

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

The Deputy Speaker took the Chair.

Prayers were read.

2. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Premier on the arrival of the President of the People's Republic of China, His Excellency Mr Hu Jintao, in Perth on Monday, 3 September 2007.

The Deputy Premier on the State Government handing back Yardungarri, freehold, to the Miriuwung-Gajerrong people on Friday, 31 August 2007.

The Leader of the House on the 2008 Legislative Assembly sitting dates.

Paper

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

By the Leader of the House -

Legislative Assembly Sitting Dates - 2008 Legislative Assembly Sitting Dates (3077).

The Minister for Tourism on the agreement for the retention of the Hopman Cup in Perth from 2008 to 2013.

The Minister for the Environment on the launch of the 43rd Kings Park Wildflower Festival on Saturday, 1 September 2007.

The Minister for Small Business on the completion of the third stage of the Government's "Go West Now" campaign in Auckland, New Zealand.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 2492, 2494, 2498, 2499, 2566, 2567, 2569, 2570, 2574, 2578, 2583 and 2585 to 2589, were answered.

4. Election of Senators Amendment Bill 2007

Message No. 165 dated 30 August 2007 from the Legislative Council was reported agreeing to the bill without amendment.

5. Petitions

Decriminalisation of Prostitution - Dr G.G. Jacobs presented a petition from 104 persons requesting that the Legislative Assembly vote against any Bill implementing the recommendations of the Prostitution Law Reform Working Group as articulated in their report of January 2007 (P. 239).

Royal Perth Hospital - Dr K.D. Hames presented a petition from 2756 persons requesting that the Legislative Assembly strongly oppose the closure of Royal Perth Hospital and ensure the retention of the name 'Royal Perth Hospital' (P. 240).

Dumbleyung Police Station - Mr T.K. Waldron presented a petition from 454 persons requesting that the Legislative Assembly reverse the decision to close the Dumbleyung Police Station and allow the station to remain open (P. 241).

6. Papers

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

By the Clerk –

Armadale Redevelopment Act 2001 - Regulations (Armadale Redevelopment Amendment Regulations 2007 G.G. 31/08/2007) (3071).

Electricity Industry Act 2004 - Codes (Electricity Networks Access Code Amendments (No.2) 2007 G.G. 29/08/2007) (3072).

Fish Resources Management Act 1994 - Management Plans (Broome Prawn Fishery Management Plan Amendment 2007 G.G. 31/08/2007) (3073).

Local Government Act 1995 - Local Laws (Parking and Parking Facilities Amendment Local Law 2007 G.G. 31/08/2007) (3074).

Local Government Act 1995 - Local Laws (Shire of Esperance Private Property Amendment Local Law 2007 G.G. 31/08/2007) (3075).

Terrorism (Preventative Detention) Act 2006 - Quarterly Report 30 June 2007 (3076).

7. Matter of Public Interest - Crime and Anti-Social Behaviour

The Deputy Speaker informed the Assembly that she was in receipt of a notice from Mr R.F. Johnson that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr R.F. Johnson moved,

That this House condemns the State Government for failing to fulfil its promise to “improve the safety and security of all Western Australians by preventing and reducing crime and anti-social behaviour”.

Debate ensued.

Paper

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

By the Minister for Police and Emergency Services -

Police Offence Statistics - Offences Reported and Detected by WA Police (rate per 100,000 persons) (3078).

Question put.

The Assembly divided.

Ayes (23)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper
Mr J.H.D. Day

Mr B.J. Grylls
Dr K.D. Hames
Ms K. Hodson-Thomas
Dr G.G. Jacobs
Mr R.F. Johnson
Mr J.E. McGrath
Mr P.D. Omodei
Mr D.T. Redman

Mr A.J. Simpson
Mr G. Snook
Dr S.C. Thomas
Mr T.K. Waldron
Ms S.E. Walker
Dr J.M. Woollard
Mr T.R. Sprigg (*Teller*)

Noes (27)

Mr P.W. Andrews
Mr A.J. Carpenter
Mr J.B. D'Orazio
Dr J.M. Edwards
Mrs D.J. Guise
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Ms A.J.G. MacTiernan

Mr J.A. McGinty
Mr M. McGowan
Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O'Gorman
Mr P. Papalia
Ms M.M. Quirk

Ms J.A. Radisich
Mr E.S. Ripper
Mrs M.H. Roberts
Mr T.G. Stephens
Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Mr S.R. Hill (*Teller*)

Question thus negatived.

8. Variation to the Order of Business

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

9. National Environment Protection Council (Western Australia) Amendment Bill 2007

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

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for the Environment moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

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

10. Terrorism (Preventative Detention) Amendment Bill 2007

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

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for Police and Emergency Services moved, That the bill be now read a third time.

Question put and passed.

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

11. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 6 be next considered.

12. Rottneest Island Authority Amendment Bill 2007

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

Debate ensued.

Question put.

The Assembly divided.

Ayes (43)

Mr P.W. Andrews
Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper
Mr J.H.D. Day
Dr J.M. Edwards
Mr B.J. Grylls
Mrs D.J. Guise
Ms K. Hodson-Thomas
Mrs J. Hughes
Mr J.N. Hyde

Dr G.G. Jacobs
Mr R.F. Johnson
Mr J.C. Kobelke
Mr R.C. Kucera
Ms A.J.G. MacTiernan
Mr J.A. McGinty
Mr M. McGowan
Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk
Ms J.A. Radisich

Mr D.T. Redman
Mr E.S. Ripper
Mrs M.H. Roberts
Mr A.J. Simpson
Mr G. Snook
Mr T.R. Sprigg
Mr T.G. Stephens
Mr D.A. Templeman
Dr S.C. Thomas
Mr T.K. Waldron
Mr M.P. Whitely
Mr B.S. Wyatt
Mr S.R. Hill (*Teller*)

Noes (1)

Dr J.M. Woollard (*Teller*)

Question thus passed.

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

13. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 1 be next considered.

14. Child Support (Adoption of Laws) Amendment Bill 2007

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

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the bill.

The Attorney General moved, That the bill be now read a third time.

Question put and passed.

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

15. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 4 be next considered.

16. Surrogacy Bill 2007

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

CONSIDERATION IN DETAIL

Clause 13.

Mr M.J. Birney had moved,

Page 5, after line 12 – To insert –

“

- (2) For the purposes of this Act it is deemed to be in the best interests of the child for the arranged parents to be responsible for the care of the child, unless the contrary can be proved.

”.

Amendment by leave withdrawn.

Mr M.J. Birney moved,

Page 5, after line 12 – To insert –

“

- (3) For the purposes of this Act it is presumed to be in the best interests of the child for the arranged parents to be the parents of the child, unless there is evidence to the contrary.

”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 14 and 15 agreed to.

The Minister for Health moved, That the debate be adjourned.

Question put and passed.

17. Adjournment

Mr R.F. Johnson moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 10.41 p.m. until Wednesday, 5 September 2007 at 12 noon.

Members present during any part of the day's proceedings - All the members except Mr J.J.M. Bowler, Mr F.M. Logan, Mr F. Riebeling, Mr M.W. Trenorden and Mr G.A. Woodhams.

PETER J. McHUGH

Clerk of the Legislative Assembly

MS D. GUISE

Deputy Speaker of the Legislative Assembly