

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 33

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

TUESDAY, 9 JUNE 2009

1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

2. Electoral District of Fremantle – Return of Writ and Member Sworn

The Clerk produced the certified copy of the returned writ for the Electoral District of Fremantle and reported that it certified that Adele Simone Carles had been duly elected to serve in the Legislative Assembly for that district.

Ms Carles took and subscribed the Oath of Office according to law.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on new legislation to be implemented which will give terminally ill patients the right to consent to, or refuse, medical treatment.

The Treasurer on the lodgement of the Western Australian Government's submission to the Commonwealth Government's Henry Tax Review.

The Minister for Planning on the Government's endorsement of a future development south of the Moore River near Guilderton.

4. Questions

Questions without notice were taken.

Questions on notice Nos 944 to 1028 were asked.

Questions on notice Nos 647, 747, 748 to 750, 752 to 758, 761 to 774, 776 to 778, 780 to 784, 786 to 788, 791, 792, 794, 796 to 825, 827 to 830, 832 to 837, 839, 840, 842, 845, 846, 851 to 853, 855 to 857, 862 to 864, 868, 869, 871, 872, 881, 884 to 887, 905, 906, 908, 911, 914, 915, 936 and 942 were answered.

Paper tabled by the Minister for Housing and Works –

Question on Notice No. 647 - Details of upgrades or “outfits” for individual public sector agencies or divisions within public sector agencies and the costs associated with the upgrade or “outfit” of the office of any departmental chief executive officer. (923).

Paper tabled by the Premier –

Question on Notice No. 816 - Details of reviews, inquiries, working parties or committees that have been formed or announced by the Government since 6 September 2008. (924).

Paper tabled by the Minister for Indigenous Affairs –

Question on Notice No. 942 - List of State Government Departments and Agencies that do and do not have Reconciliation Action Plans as at 19 May 2009 (925).

5. Additional Information under Standing Order No. 82A

In accordance with Standing Order No. 82A, the Minister for Education provided additional information relating to Question without Notice No. 481 from Mr R.H. Cook in relation to the provision of hand-washing products for students.

6. Personal Explanation

The Minister for Sport and Recreation made a personal explanation on an answer given to a question asked by Mr P.B. Watson during budget estimates regarding the way in which election commitments will be assessed by the Department of Sport and Recreation.

7. Petitions

Green’s Pool - Mr P.B. Watson presented a petition from 17 persons requesting that a ban on all types of fishing at Green’s Pool within a defined area of the headland and beach be supported (P. 64).

In-fill Sewerage Program - Mr F.M. Logan presented a petition from 131 persons requesting that the Government honour previous commitments made to complete the Spearwood in-fill sewerage program by 2010 (P. 65).

8. Papers

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

By the Clerk –

Bush Fires Act 1954 - Local Laws (Shire of Bridgetown-Greenbushes Bush Fire Brigades Amendment Local Law 2008 G.G. 05/06/2009) (926).

Fish Resources Management Act 1994 - Management Plans (West Coast Demersal Gillnet and Demersal Longline Interim Managed Fishery Management Plan Amendment 2009 [832] G.G. 22/05/2009) (927).

Genetically Modified Crops Free Areas Act 2003 - Orders (Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009 G.G. 22/05/2009) (928).

Government of Western Australia - Quarterly Financial Results Report 2008–2009, March 2009 (929).

Hospitals and Health Services Act 1927 - By-laws (Women's and Children's Hospitals Amendment By-laws 2009 G.G. 22/05/2009) (930).

Land Administration Act 1997 - Proposal No. 11/2009 under Sections 44(1) and 42(4) of the Act in relation to the proposed amendment of Class 'A' Reserve 2360, Shire of Mingenew, dated 19 May 2009 (931).

Land Administration Act 1997 - Proposal No. 7/2009 under Section 45(4) of the Act in relation to proposed excision of Lot 3000 on Deposited Plan 50942 from Class 'A' Reserve 45490 to Kooljaman Land Aboriginal Corporation, Shire of Broome, dated 21 May 2009 (932).

Local Government (Miscellaneous Provisions) Act 1960 - Regulations (Building Amendment Regulations (No. 2) 2009 G.G. 19/05/2009) (933).

Local Government Act 1995 - Local Laws (City of Gosnells Extractive Industries Amendment Local Law 2009 G.G. 05/06/2009) (934).

Local Government Act 1995 - Local Laws (City of Stirling Local Government Property Local Law 2009 G.G. 05/06/2009) (935).

Local Government Act 1995 - Local Laws (Shire of Bridgetown-Greenbushes Parking and Parking Facilities Amendment Local Law 2008 G.G. 05/06/2009) (936).

Local Government Act 1995 - Local Laws (Shire of Cunderdin Dogs (Amendment) Local Law 2009 G.G. 29/05/2009) (937).

Members of Parliament Interstate and Overseas Travel—Report of Interstate and Overseas Travel Undertaken by Members of Parliament on Official Business funded by the Imprest System - For the three months ended 30 September 2007 (938).

Members of Parliament Interstate and Overseas Travel—Report of Interstate and Overseas Travel Undertaken by Members of Parliament on Official Business funded by the Imprest System - For the three months ended 31 December 2007 (939).

Members of Parliament Interstate and Overseas Travel—Report of Interstate and Overseas Travel Undertaken by Members of Parliament on Official Business funded by the Imprest System - For the three months ended 31 March 2008 (940).

Members of Parliament Interstate and Overseas Travel—Report of Interstate and Overseas Travel Undertaken by Members of Parliament on Official Business funded by the Imprest System - For the three months ended 30 June 2008 (941).

Members of Parliament Interstate and Overseas Travel—Report of Interstate and Overseas Travel Undertaken by Members of Parliament on Official Business funded by the Imprest System - For the three months ended 30 September 2008 (942).

Members of Parliament Interstate and Overseas Travel—Report of Interstate and Overseas Travel Undertaken by Members of Parliament on Official Business funded by the Imprest System - For the three months ended 31 December 2008 (943).

Occupational Safety and Health Act 1984 - Regulations (Occupational Safety and Health Amendment Regulations 2009 G.G. 05/06/2009) (944).

Pawnbrokers and Second-hand Dealers Act 1994 - Regulations (Pawnbrokers and Second-hand Dealers Amendment Regulations 2009 G.G. 26/05/2009) (945).

Police Act 1892 - Regulations (Police (Fees) Amendment Regulations 2009 G.G. 26/05/2009) (946).

Professional Standards Act 1997 - Schemes (Correction - Engineers Australia Western Australia Scheme G.G. 02/06/2009) (947).

Road Traffic Act 1974 - Regulations (Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2009 G.G. 22/05/2009) (948).

Road Traffic Act 1974 - Regulations (Road Traffic (Charges and Fees) Amendment Regulations (No. 3) 2009 G.G. 22/05/2009) (949).

Security and Related Activities (Control) Act 1996 - Regulations (Security and Related Activities (Control) Amendment Regulations 2009 G.G. 26/05/2009) (950).

Stock (Identification and Movement) Act 1970 - Regulations (Stock (Identification and Movement) Amendment Regulations 2009 G.G. 29/05/2009) (951).

Transfer of Land Act 1893 - Regulations (Transfer of Land Amendment Regulations 2009 G.G. 22/05/2009) (952).

Vocational Education and Training Act 1996 - Regulations (Vocational Education and Training (General) Regulations 2009 G.G. 22/05/2009) (953).

Vocational Education and Training Act 1996 - Regulations (Vocational Education and Training Amendment Regulations (No. 2) 2009 G.G. 22/05/2009) (954).

9. Notices of Motion

10. Speaker's Statement - Expiration of Notice

The Speaker advised members that Private Members' Business Notice of Motion No. 1, notice of which was given on 11 November 2008, would be removed from the next Notice Paper unless written notification was provided to the Clerk requiring that the notice be continued.

11. Matter of Public Interest - No Confidence in the Minister for Police

The Speaker informed the Legislative 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 has no confidence in the Minister for Police, Emergency Services and Road Safety.

Debate ensued.

Question put.

The Assembly divided.

Ayes (26)

Ms L.L. Baker
Mr A.J. Carpenter
Mr V.A. Catania
Mr R.H. Cook
Ms J.M. Freeman
Mr J.N. Hyde
Mr W.J. Johnston
Mr J.C. Kobelke
Mr F.M. Logan

Ms A.J.G. MacTiernan
Mr M. McGowan
Mrs C.A. Martin
Mr A.P. O'Gorman
Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk
Mr E.S. Ripper
Mrs M.H. Roberts

Ms R. Saffioti
Mr T.G. Stephens
Mr C.J. Tallentire
Mr A.J. Waddell
Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Mr D.A. Templeman (*Teller*)

Noes (30)

Mr P. Abetz	Mr J.H.D. Day	Mr P.T. Miles
Mr F.A. Alban	Mr J.M. Francis	Ms A.R. Mitchell
Mr C.J. Barnett	Mr B.J. Grylls	Dr M.D. Nahan
Mr I.C. Blayney	Dr K.D. Hames	Mr C.C. Porter
Mr J.J.M. Bowler	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
Dr E. Constable	Mr A. Krsticevic	Dr J.M. Woollard
Mr M.J. Cowper	Mr W.R. Marmion	Mr J.E. McGrath (<i>Teller</i>)

Question thus negatived.

12. Message from the Governor

Message No. 53 from His Excellency the Governor was reported assenting to the following bills –

Electoral Amendment (Miscellaneous) Bill 2008, Act No. 7 of 2009.

Statutes (Repeals and Miscellaneous Amendments) Bill 2008, Act No. 8 of 2009.

Veterinary Surgeons Amendment Bill 2009, Act No. 9 of 2009.

13. Message from the Legislative Council - Committee Membership

Message No. 24 dated 5 June 2009 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that following Standing Committees have been appointed for the term of the Parliament –

- (1) The Standing Committee on Environment and Public Affairs shall consist of Hon Brian Ellis, Hon Kate Doust, Hon Phil Edman, Hon Colin Holt and Hon Lynn MacLaren.
- (2) The Standing Committee on Legislation shall consist of Hon Michael Mischin, Hon Sally Talbot, Hon Helen Morton, Hon Mia Davies and Hon Alison Xamon.
- (3) The Standing Committee on Public Administration shall consist of Hon Max Trenorden, Hon Jon Ford, Hon Ken Baston, Hon Jim Chown and Hon Ed Dermer.
- (4) The Standing Committee on Estimates and Financial Operations shall consist of Hon Giz Watson, Hon Philip Gardiner, Hon Liz Behjat, Hon Ken Travers and Hon Ljiljanna Ravlich.
- (5) The Standing Committee on Uniform Legislation and Statutes Review shall consist of Hon Adele Farina, Hon Nigel Hallett, Hon Helen Bullock and Hon Liz Behjat.
- (6) The Standing Committee on Procedure and Privileges shall consist of Hon Barry House, Hon Matt Benson-Lidholm, Hon Ken Travers, Hon Jon Ford, Hon Michael Mischin, Hon Helen Morton and Hon Max Trenorden.
- (7) The Joint Standing Committee on Delegated Legislation shall consist of Hon Robin Chapple, Hon Alyssa Hayden, Hon Jim Chown and Hon Jock Ferguson.
- (8) The Joint Standing Committee on the Commissioner for Children and Young People shall consist of Hon Helen Bullock and Hon Nick Goiran.
- (9) The Joint Standing Committee on the Corruption and Crime Commission shall consist of Hon Nick Goiran and Hon Matt Benson-Lidholm.
- (10) The Parliamentary Services Committee shall consist of Hon Barry House, Hon Matt Benson-Lidholm, Hon Nigel Hallett, Hon Sally Talbot, Hon Ken Baston and Hon Wendy Duncan.

14. Loan Bill 2009

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

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

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 11.26 p.m. until Wednesday, 10 June 2009 at 12 noon.

Members present during any part of the day's proceedings - All members were present.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly