

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 178

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 3 NOVEMBER 2011

1. Meeting of Assembly

The Assembly met at 9.00 a.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 Health on Health Workforce planning.

The Minister for Water on the release of the Lower Gascoyne Water Allocation Plan.

The Minister for Sport and Recreation on the Ocean Paddling – Be Safe Program.

3. Grievances

The Speaker called for grievances which were then made.

4. Paper

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

By the Clerk –

Treasury Corporation of Western Australia – Quarterly Report for the Quarter ended 30 September 2011 (4177)

5. Suspension of Standing Orders

Mr M. McGowan, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That the House notes speculation about an imminent Cabinet reshuffle and calls on the Premier to rule out the appointment of the Honourable Norman Moore to the position of Agent General to London.

Debate ensued.

The Leader of the House moved, That the question be now put.

The Assembly divided.

Ayes (29)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr J.J.M. Bowler
 Mr I.M. Britza
 Ms A.S. Carles
 Mr G.M. Castrilli
 Mr V.A. Catania
 Dr E. Constable

Mr J.M. Francis
 Mr B.J. Grylls
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 Mr A. Krsticevic
 Mr J.E. McGrath
 Mr W.R. Marmion

Mr P.T. Miles
 Ms A.R. Mitchell
 Dr M.D. Nahan
 Mr C.C. Porter
 Mr D.T. Redman
 Mr M.W. Sutherland
 Mr T.K. Waldron
 Dr J.M. Woollard
 Mr A.J. Simpson (*Teller*)

Noes (23)

Ms L.L. Baker
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr J.N. Hyde
 Mr W.J. Johnston
 Mr J.C. Kobelke
 Mr F.M. Logan
 Mr M. McGowan

Mrs C.A. Martin
 Mr M.P. Murray
 Mr A.P. O’Gorman
 Mr P. Papalia
 Ms M.M. Quirk
 Mr E.S. Ripper
 Mrs M.H. Roberts
 Mr T.G. Stephens

Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr A.J. Waddell
 Mr P.B. Watson
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That so much of Standing Orders be suspended,

Question put.

The Assembly divided.

Ayes (23)

Ms L.L. Baker
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr J.N. Hyde
 Mr W.J. Johnston
 Mr J.C. Kobelke
 Mr F.M. Logan
 Mr M. McGowan

Mrs C.A. Martin
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Mr P.T. Miles
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 Dr M.D. Nahan
 Mr C.C. Porter
 Mr D.T. Redman
 Mr M.W. Sutherland
 Mr T.K. Waldron
 Dr J.M. Woollard
 Mr A.J. Simpson (*Teller*)

Question thus negated.

6. Joint Standing Committee on Delegated Legislation

Mr J.M. Francis, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – Shire of Kellerberrin Dogs Local Law – Report No. 45 (4178).

Mr J.M. Francis spoke on the report.

7. Community Development and Justice Standing Committee

Mr A.P. O’Gorman, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Community Development and Justice Standing Committee – A Fading Dream – Affordable Housing in Western Australia – Report No. 8 (4179).

Community Development and Justice Standing Committee – A Fading Dream – Affordable Housing in Western Australia – Submissions (4180).

Mr A.P. O’Gorman, Mr A.P. Jacob, Mr T.G. Stephens, Mr I.M. Britza and Ms M.M. Quirk spoke on the report.

8. Education and Health Standing Committee

Dr J.M. Woollard, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Education and Health Standing Committee – Inquiry into Improving Educational Outcomes for Western Australians of all Ages – Report No. 12 (4181).

Dr J.M. Woollard, Ms L.L. Baker, Mr P. Abetz, Mr P.B. Watson, Dr G.G. Jacobs and Mr D.A. Templeman, by leave, spoke on the report.

9. Prostitution Bill 2011

The Attorney General, pursuant to notice, moved,

That a bill for “An Act –

- to make provisions about prostitution and for related purposes; and
- to repeal the *Prostitution Act 2000*, the *Prostitution Amendment Act 2008* and the *Prostitution (Restraining Orders) Regulations 2000*; and
- to amend certain other Acts as a consequence of the enactment of this Act.”

be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and bill read a first time.

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

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

10. Litter Amendment Bill 2011

The Minister for Environment, pursuant to notice, moved,

That a bill for “An Act to amend the *Litter Act 1979*.” be introduced and read a first time.

Question put and passed.

The Minister for Environment presented an explanatory memorandum and bill read a first time.

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

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

11. Manslaughter Legislation Amendment Bill 2011

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

Urgent Bill

The Attorney General moved, That the Manslaughter Legislation Amendment Bill 2011 be considered an urgent bill.

Question put and passed.

Debate resumed.

Debate interrupted by the Chair (Ms M.M. Quirk speaking) and adjourned until a later stage of the sitting.

12. Members' Statements

The Acting Speaker called for members' statements which were then made.

13. Questions

Questions without Notice were taken.

Question on Notice No. 6795 was asked.

Questions on Notice Nos 6126, 6203, 6204, 6237, 6247, 6251, 6257, 6259, 6270 and 6275 were answered.

Papers tabled by the Minister for Regional Development –

Question on Notice No. 6203 – In relation to the production and distribution of Royalties for Regions promotional paraphernalia, apparel or items (4182).

Question on Notice No. 6204 – In reference to Question on Notice No. 5846 regarding promotional paraphernalia, apparel or items (4183).

Question on Notice No. 6251 – Summary of the number of officers who are employed in each of the public service levels within the Department of Regional Development (4184).

Paper tabled by the Minister for Lands –

Question on Notice No. 6247 – Regarding the proposed development by Cedar Woods and the St Ives Group in Carine (4185).

14. Unanswered Questions on Notice

The following members asked why no answer had been received in respect of their Questions on Notice –

Mr B.S. Wyatt – Question on Notice No. 6131.

Mr M. McGowan – Questions on Notice Nos 6250, 6219, 6235 and 6205.

Ms J.M. Freeman – Questions on Notice Nos 6210 and 6211.

Mr E.S. Ripper – Question on Notice No. 6288.

15. Matter of Public Interest – Affordable Housing in Western Australia

The Speaker informed the Assembly that he was in receipt of a notice from Mr M. McGowan that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr M. McGowan moved,

That this House condemns the Barnett Government for its failures in the Housing and Planning portfolios as detailed in the recent report, 'A Fading Dream – Affordable Housing in

Western Australia' and especially its lack of planning for the future, blowout in waitlists and red tape problems.

Debate ensued.

Paper

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

By the Minister for Regional Development –

Lands, Minister for – Pilbara Cities Housing Development – Pictures (4186).

Question put.

The Assembly divided.

Ayes (22)

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 B.S. Wyatt
Mr W.J. Johnston	Ms M.M. Quirk	Mr D.A. Templeman (<i>Teller</i>)
Mr J.C. Kobelke	Mr E.S. Ripper	
Mr F.M. Logan	Mrs M.H. Roberts	

Noes (26)

Mr P. Abetz	Mr J.M. Francis	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 J.J.M. Bowler	Mr A.P. Jacob	Mr M.W. Sutherland
Mr I.M. Britza	Dr G.G. Jacobs	Mr T.K. Waldron
Mr V.A. Catania	Mr R.F. Johnson	Dr J.M. Woollard
Dr E. Constable	Mr A. Krsticevic	Mr A.J. Simpson (<i>Teller</i>)
Mr J.H.D. Day	Mr W.R. Marmion	

Question thus negatived.

16. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper tabled on 27 September 2011 –

Corrective Services, Department of – Annual Report 2010–2011 – Correction (3918A).

17. Procedure and Privileges Committee

Mr M.W. Sutherland, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House –

Procedure and Privileges Committee – Report on Persons Adversely Referred to in the Legislative Assembly – Officers from the Office of the Registrar of Indigenous Corporations, Report No. 13 (4187).

Mr M.W. Sutherland spoke on the report.

Mr M.W. Sutherland moved, That the report be adopted.

Question put and passed.

18. Variation to the Order of Business

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

19. Manslaughter Legislation Amendment Bill 2011

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.

20. Public Accounts Committee – Extension of Reporting Date

The Acting Speaker advised members that the Speaker had received a letter dated 2 November 2011 from the Chair of the Public Accounts Committee advising that the Committee had resolved to amend the tabling date of its report into the Inquiry into the Decision to Award to Serco Australia the Contract for the Provision of Non-Clinical Services at Fiona Stanley Hospital from 1 December 2011 to 29 March 2012.

21. Misuse of Drugs Amendment Bill 2011

Message No. 190 dated 3 November 2011 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Misuse of Drugs Amendment Bill 2011* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendment made by the Legislative Council in the Misuse of Drugs Amendment Bill 2011

No. 1

Page 8, after line 25 — To insert —

- (7) The Minister is to lay (or cause to be laid) a report of the review under this section before both Houses of Parliament as soon as practicable after the review is completed.

Ordered, That consideration in detail of Legislative Council Message No. 190 be made an Order of the Day for the next sitting of the Assembly.

22. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 4.35 p.m. until Tuesday, 8 November at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr T.R. Buswell, Dr A.D. Buti, Mr J.R. Quigley and Ms R. Saffioti.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly