

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

**No. 58**

**FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT**

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**WEDNESDAY, 21 OCTOBER 2009**

**1. Meeting of Assembly**

The Assembly met at 9.00 a.m. at the Bunbury Regional Entertainment Centre pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

**2. Petition**

Esperance Anglican Community School - Dr G.G. Jacobs presented a petition from 212 persons requesting that the granting of registration for years 11 and 12 to the Esperance Anglican Community School be recommended (P. 159).

**3. Paper**

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

By the Speaker -

Auditor General, Office of the - Third Public Sector Performance Report, No. 11, October 2009 (1556).

**4. Notices of Motion Lapsed**

The Speaker advised that Private Members' Notices of Motion Nos 10 and 11 had lapsed and, unless the members indicated otherwise, would be removed from the Notice Paper.

**5. Brief Ministerial Statements**

Brief Ministerial Statements were made by -

The Premier on the Bushfire Preparedness Report.

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*Paper*

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

By the Premier -

Premier and Cabinet, Department of the - Review of Western Australia's Bushfire Preparedness, April 2009 (1557).

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The Minister for Tourism on recent developments aimed at improving the City of Bunbury as a tourism destination.

The Minister for Agriculture and Food on the support given by officers of the Department of Agriculture and Food to grape growers in the South West and Great Southern, in particular by Ms Diana Fisher, a Department employee.

The Minister for Health on the findings of the Coroner's Report into the death of Keiran Watmore who died at Albany Regional Hospital on 28 August 2008.

## **6. Grievances**

The Speaker called for grievances which were then made.

## **7. 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 and that the debate times for a Matter of Public Interest apply -

That this House –

- (1.) Expresses its grave concern that the Treasurer has made personal claims for taxpayers funds to which he was not entitled.
- (2.) Notes that the Ministerial Code of Conduct states:  

“Being a Minister of the Crown demands the highest standards of probity, accountability, honesty, integrity and diligence in the exercise of their public duties and functions. They must ensure that their conduct does not bring discredit upon the Government or the State”.
- (3.) Requests that the Premier make a statement and determination as to whether there has been a breach of the Ministerial Code of Conduct by the Treasurer and what action the Premier intends to take in response to this apparent breach.
- (4.) Requests the Auditor General immediately investigate all travel claims made by the Member for Vasse.

Debate ensued.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion to be carried with the concurrence of an absolute majority of the whole number of members of the House.

## 8. Travel Claims by Minister

Mr M. McGowan, pursuant to the foregoing motion, moved,

That this House –

- (1.) Expresses its grave concern that the Treasurer has made personal claims for taxpayers funds to which he was not entitled.
- (2.) Notes that the Ministerial Code of Conduct states:
 

“Being a Minister of the Crown demands the highest standards of probity, accountability, honesty, integrity and diligence in the exercise of their public duties and functions. They must ensure that their conduct does not bring discredit upon the Government or the State”.
- (3.) Requests that the Premier make a statement and determination as to whether there has been a breach of the Ministerial Code of Conduct by the Treasurer and what action the Premier intends to take in response to this apparent breach.
- (4.) Requests the Auditor General immediately investigate all travel claims made by the Member for Vasse.

Debate ensued.

The Attorney General moved, “To delete all words after “House” and substitute -

- (1.) Notes that the Treasurer has made an incorrect claim to which he was not entitled.
- (2.) Notes that the Ministerial Code of Conduct states:
 

“Being a Minister of the Crown demands the highest standards of probity, accountability, honesty, integrity and diligence in the exercise of their public duties and functions. They must ensure that their conduct does not bring discredit upon the Government or the State”.
- (3.) Requests that the Premier make a statement and determination as to whether there has been a breach of the Ministerial Code of Conduct by the Treasurer and what action the Premier intends to take in response to this apparent breach.

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Debate ensued.

On the question, That the words be deleted,

Question put.

The Assembly divided.

### Ayes (28)

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

## 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  
 Ms A.J.G. MacTiernan

Mr M. McGowan  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 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*)

Question thus passed.

On the question, That the words be inserted,

Question put and passed.

On the question, That the motion, as amended, be agreed to,

Question put and passed.

**9. Racing and Wagering Legislation Amendment Bill 2009  
 Racing Bets Levy Bill 2009**

**Bookmakers Betting Levy Amendment Bill 2009**

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

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*Cognate Debate*

Leave was granted to debate the Racing Bets Levy Bill 2009 and the Bookmakers Betting Levy Amendment Bill 2009 in conjunction with this bill.

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Debate resumed.

Debate interrupted by the Chair (Dr J.M. Woollard speaking) and adjourned until a later stage of the sitting.

**10. Questions**

Questions without Notice were taken.

Questions on Notice Nos 1819 to 1822 were asked.

Questions on Notice Nos 1515, 1536 to 1540, 1542 to 1551, 1555 to 1557, 1559, 1561 to 1563, 1565, 1566, 1568 to 1574, 1576 to 1585, 1587 to 1591, 1593 to 1596, and 1598 to 1609 were answered.

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Paper tabled by the Minister for Planning; Culture and the Arts -

Question on Notice No. 1595 – Female Office Staffing for the Ministerial Office of the Minister for Planning; Culture and the Arts (1558).

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**11. Variation to the Order of Business**

Ordered, That Government Business Order of the Day Nos 1, 2 and 3 be resumed.

**12. Racing and Wagering Legislation Amendment Bill 2009**  
**Racing Bets Levy Bill 2009**  
**Bookmakers Betting Levy Amendment Bill 2009**

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 Racing and Gaming 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.

**13. Racing Bets Levy Bill 2009**

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

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 Racing and Gaming 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.

**14. Bookmakers Betting Levy Amendment Bill 2009**

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

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 Racing and Gaming 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. Arson Legislation Amendment Bill 2009**

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

Debate resumed.

Debate interrupted by the Chair (Ms A.S. Carles speaking) and adjourned until a later stage of the sitting.

**16. Variation to the Order of Business**

Ordered, That Private Members' Business Notices of Motion Nos 21 and 22 be next considered.

**17. South-West Infrastructure Projects**

Ms A.J.G. MacTiernan, pursuant to notice, moved,

That this House acknowledges the importance of infrastructure projects such as the Perth to Bunbury Highway for the development of the South-West and calls on the Barnett Government to continue work on Labor's initiatives for strategic infrastructure development in the South-West.

Debate ensued.

Debate interrupted by the Chair (Mr W.J. Johnston speaking) and adjourned until a later stage of the sitting.

**18. Members' Statements**

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

**19. Closing Statements - Bunbury Regional Parliament**

The Premier, Mr E.S. Ripper, Mr B.J. Grylls and the Speaker made statements.

**20. Special Adjournment**

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 10 November 2009 at Parliament House, Perth at 2.00 p.m.

Question put and passed.

**21. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly, at 5.13 p.m. until Tuesday, 10 November 2009 at 2.00 p.m.

*Members present during any part of the day's proceedings* - All the members except Mr V.A. Catania, Mrs C.A. Martin and Mr J.R. Quigley.

**PETER J. McHUGH**  
Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**  
Speaker of the Legislative Assembly