

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 64

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 19 NOVEMBER 2009

1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Shack Site Communities - Petitions requesting that Shack Site communities be preserved so Western Australians have affordable coastal holiday destinations for future generations were presented by –

Ms M.M. Quirk from 155 persons (P. 184); and

Mr B.J. Grylls from 117 persons (P. 185).

Voluntary Euthanasia - Mr M.P. Whitely presented a petition from 98 persons requesting that the Legislative Assembly support measures which would afford terminally ill persons the right to request euthanasia (P. 186).

Urban Development South of Moore River - Mr T.K. Waldron presented a petition from 12 persons requesting that the Legislative Assembly support the recommendation that the land adjoining the proposed Wilbinga Conservation Park be protected from future development (P. 187).

Redress WA - Ms L.L. Baker presented a petition from 378 persons requesting that the decision to reduce the maximum payment available under the Redress WA scheme be reversed (P. 188).

3. Paper

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

By the Clerk –

Professional Standards Council of Western Australia - Annual Report 2008–2009 (1646).

4. Notices of Motion Lapsed

The Speaker advised that Private Members' Notices of Motion Nos 12, 13 and 14 had lapsed and, unless the members indicated otherwise, would be removed from the Notice Paper.

5. Notice of Motion Removal

The Speaker advised that Private Members' Notice of Motion No. 1, notice of which was given on 11 November 2008 and renewed for a further 30 sitting days on 9 June 2009, would be removed from the Notice Paper.

6. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Agriculture and Food on Jasper, Australia's first 'passive response' quarantine Labrador to join the current contingent of detector dogs based at the Perth Domestic Airport.

The Minister for Local Government on the Corruption and Crime Commission's Report on the investigation into allegations of misconduct by Councillors and employees of the City of Bayswater.

The Attorney General on the appointment of Justice Carmel Joy McLure as President of the Court of Appeal of Western Australia effective from 17 November 2009.

7. Grievances

The Acting Speaker called for grievances which were then made.

8. 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 - Disallowance Provisions for Subsidiary Legislation, Report No. 6, 2009 (1647).

Mr M.W. Sutherland spoke on the report.

9. 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 - Children Missing Out: Education Support for Students on 457 Visas - Students with a Disability, Report No. 4 (1648).

Dr J.M. Woollard, Mr I.C. Blayney and Mr P. Abetz spoke on the report and, Mr W.J. Johnston, Dr M.D. Nahan, Mr J.E. McGrath and Mr M.J. Cowper by leave, also spoke on the report.

10. Delegated Legislation Joint Standing Committee

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 - Fish Resources Management Amendment Regulations (No. 3) 2009, Report 35 (1649).

Mr J.M. Francis spoke on the report.

11. Delegated Legislation Joint Standing Committee

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 - Tabling of Subsidiary Legislation in the Legislative Council, Report 36 (1650).

Mr J.M. Francis spoke on the report.

12. Message from the Governor

Message No. 77 from His Excellency the Governor was reported assenting to the following bills –

Bush Fires Amendment Bill 2009, Act No. 25 of 2009.

Criminal Code Amendment (Graffiti) Bill 2009, Act No. 26 of 2009.

First Home Owner Grant Amendment Bill 2009, Act No. 27 of 2009.

13. Leave of Absence

Mr M. McGowan, pursuant to notice, moved,

That leave be given for the absence from the Legislative Assembly of the member for Mandurah until 30 November 2009 on the grounds of urgent private business.

Debate ensued.

Question put and passed.

14. Criminal Code Amendment (Identity Crime) Bill 2009

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 *Criminal Code Amendment (Identity Crime) Bill 2009* be considered an urgent bill.

Debate ensued.

Question put and passed.

Debate resumed.

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

15. Members' Statements

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

16. Questions

Questions without Notice were taken.

Questions on Notice Nos 1931 to 1937 were asked.

Questions on Notice Nos 1702 to 1704, 1708, to 1775 and 1777 to 1810 were answered.

Paper tabled by the Treasurer; Minister for Commerce; Science and Innovation; Housing and Works –

Question on Notice No. 1765 - Details of Government-Owned Assets sold since 30 June 2008 with a sale value of \$500,000 or more for the Treasurer's Portfolios (1651).

Paper tabled by the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development; Minister Assisting the Minister for Transport –

Question on Notice No. 1762 - Details of Government-Owned Assets sold since 30 June 2008 with a sale value of \$500,000 or more for the Minister for Lands' Portfolios (1652).

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

Question on Notice No. 1768 - Details of Government-Owned Assets sold since 30 June 2008 with a sale value of \$500,000 or more for the Minister for Planning's Portfolios (1653).

17. Variation to the Order of Business

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

18. Criminal Code Amendment (Identity Crime) 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 Attorney General 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.

19. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 3 be next considered.

20. Rail Safety 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 Parliamentary Secretary representing the Minister for Transport 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.

21. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 4.56 p.m. until Tuesday, 24 November 2009 at 2.00 p.m.

Members present during any part of the day's proceedings - All the members except Dr E. Constable, Mr D.A. Templeman and Mr B.S. Wyatt.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly