

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 36

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

TUESDAY, 16 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. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on Federal funding to assist with the *Taking pressure of public hospitals and Subacute care implementation* plans.

The Minister for Racing and Gaming on Racing and Wagering Western Australia's new fixed odds betting business, PLAYER, which commenced on 27 May 2009.

The Attorney General on the coronial inquest findings into the death of Mr Ward, who died while being transported between Laverton and Kalgoorlie on 27 January 2008.

The Minister for Agriculture and Food on Wellard Rural Exports new livestock carriers, the MV Ocean Drover and the MV Ocean Shearer.

3. Speaker's Statement – Chamber Seating

The Speaker advised members that he had approved an amended seating arrangement for Opposition members.

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 1052 to 1056 were asked.

Questions on Notice Nos 860, 861, 865 to 867, 882, 910, 918, 919, 924, 925, 933, 943 and 982 were answered.

Paper tabled by the Premier –

Question on Notice No. 865 - Details of flights the Premier or any Ministers have undertaken with Maroomba Airlines between 22 September 2008 and 12 May 2009 (965).

Question on Notice No. 866 - Details of air charters for the Premier or any Ministers provided by carriers other than Maroomba Airlines between 22 September 2008 and 12 May 2009 (966).

Paper tabled by the Deputy Premier; Minister for Health; Indigenous Affairs –

Question on Notice No. 918 - Details of staff working in the Ministerial Office of the Deputy Premier; Minister for Health; Indigenous Affairs, details of vehicles allocated to the office and details of Government credit cards allocated to the office (967).

Paper tabled by the Minister representing the Minister for Mines and Petroleum; Fisheries; Electoral Affairs –

Question on Notice No. 919 - Details of staff working in the Ministerial Office of the Minister for Mines and Petroleum; Fisheries; Electoral Affairs, details of vehicles allocated to the office and details of Government credit cards allocated to the office (968).

Paper tabled by the Minister representing the Minister for Environment; Youth –

Question on Notice No. 933 - Details of staff working in the Ministerial Office of the Minister for Environment; Youth, details of vehicles allocated to the office and details of Government credit cards allocated to the office (969).

5. Petitions

In-fill Sewerage Program - Mr F.M. Logan presented a petition from 106 persons requesting that the Government honour previous commitments made to complete the Spearwood in-fill sewerage program by 2010 (P. 73).

Belmont Small Business Centre - Mr E.S. Ripper presented a petition from 318 persons requesting that the reinstatement of full funding to the Belmont Small Business Centre be supported (P. 74).

East Rockingham Pioneers Cemetery - Mr M. McGowan presented a petition from 261 persons requesting that the Government take immediate steps to reverse the decision to impose fees at the East Rockingham Pioneers Cemetery (P. 75).

Secret Harbour Police Station - Mr P. Papalia presented a petition from 587 persons requesting that the Government take immediate steps to progress the construction of the Secret Harbour Police Station, and not remove officers from the Rockingham Police Station to staff it (P. 76).

Carnarvon Boat Ramp - Mr V.A. Catania presented a petition from 658 persons requesting that the Government honour the previous Government's commitment of \$3 million to construct a boat ramp in Carnarvon (P. 77).

Uranium Mining in Western Australia - Ms A.S. Carles presented a petition from 2,855 persons requesting that the unacceptable risk to the community and environment posed by uranium mining be recognised and that the ban on uranium mining in Western Australia be immediately reinstated (P. 78).

Firearms Act Reform - Mr V.A. Catania presented a petition from 27 persons requesting that any review of the Firearms Act and Regulations should show an exemption for pastoralists and graziers in the use of handguns (P. 79).

6. Papers

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

By the Speaker –

Inspector of Custodial Services Western Australia, Office of the - Report of an Announced Inspection of Albany Regional Prison, Report 60, April 2009 (Received by the Clerk of the Legislative Assembly on 13 May 2009 and deemed tabled in accordance with Section 34(1)(a) of the Inspector of Custodial Services Act 2003 on 12 June 2009) (970).

By the Clerk –

Births, Deaths and Marriages Registration Act 1998 - Regulations (Births, Deaths and Marriages Registration Amendment Regulations 2009 G.G. 12/06/2009) (971).

Charitable Collections Act 1946 - Regulations (Charitable Collections Amendment Regulations 2009 G.G. 12/06/2009) (972).

Children's Court of Western Australia Act 1988 - Regulations (Children's Court (Fees) Amendment Regulations 2009 G.G. 09/06/2009) (973).

District Court of Western Australia Act 1969 - Regulations (District Court (Fees) Amendment Regulations 2009 G.G. 09/06/2009) (974).

Fish Resources Management Act 1994 - Regulations (Fish Resources Management Amendment Regulations (No. 9) 2009 G.G. 09/06/2009) (975).

Health Act 1911 - Local Laws (Shire of Wickepin Health Local Laws 2008 G.G. 10/06/2009) (976).

Housing Act 1980 - Regulations (Housing Amendment Regulations 2009 G.G. 12/06/2009) (977).

Liquor Control Act 1988 - Regulations (Liquor Control Amendment Regulations (No. 6) 2009 G.G. 09/06/2009) (978).

Local Government Act 1995 - Local Laws (City of Albany Keeping and Welfare of Cats Local Law 2008 G.G. 09/06/2009) (979).

Magistrates Court Act 2004 - Regulations (Magistrates Court (Fees) Amendment Regulations 2009 G.G. 09/06/2009) (980).

Marine Navigational Aids Act 1973 - Regulations (Marine Navigational Aids Amendment Regulations 2009 G.G. 12/06/2009) (981).

Mining Act 1978 - Regulations (Mining Amendment Regulations (No. 2) 2009 G.G. 12/06/2009) (982).

Physiotherapists Act 2005 - Regulations (Physiotherapists Amendment Regulations (No. 2) 2009 G.G. 12/06/2009) (983).

Poisons Act 1964 - Regulations (Poisons Amendment Regulations (No. 4) 2009 G.G. 12/06/2009) (984).

Public Sector Management Act 1994 - Regulations (Public Sector Management (SES Organisations) Regulations 2009 G.G. 09/06/2009) (985).

Shipping and Pilotage Act 1967 - Regulations (Mooring Amendment Regulations 2009 G.G. 12/06/2009) (986).

Shipping and Pilotage Act 1967 - Regulations (Ports and Harbours Amendment Regulations 2009 G.G. 12/06/2009) (987).

Supreme Court Act 1935 - Regulations (Supreme Court (Fees) Amendment Regulations 2009 G.G. 09/06/2009) (988).

Western Australian Marine Act 1982 - Regulations (Navigable Waters Amendment Regulations (No. 2) 2009 G.G. 12/06/2009) (989).

Western Australian Marine Act 1982 - Regulations (W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2009 G.G. 12/06/2009) (990).

Western Australian Marine Act 1982 - Regulations (W.A. Marine (Radiotelephony) Amendment Regulations 2009 G.G. 12/06/2009) (991).

7. Notices of Motion

8. Matter of Public Interest – Chair of the Aboriginal Cultural Material Committee

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

At least five members having risen in support,

Mr R.H. Cook moved,

That this House condemns the Minister for Indigenous Affairs for rorting the process of appointing a new Chair of the Aboriginal Cultural Material Committee.

Debate ensued.

Paper

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

By the Minister for Indigenous Affairs –

Aboriginal Cultural Material Committee - Briefing Note: Ken Ninyette, Chairman of the Aboriginal Cultural Material Committee, 16 June 2009 (993).

Question put.

The Assembly divided.

Ayes (27)

Ms L.L. Baker
Ms A.S. Carles
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
Mr M.P. Murray
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 F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr J.J.M. Bowler
Mr I.M. Britza
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper

Mr J.H.D. Day
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 W.R. Marmion

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

Question thus negatived.

9. Personal Explanation

Mr J.N. Hyde made a personal explanation on comments made by the Attorney General during question time about the proceeds of the Crime Trust Fund program.

10. Criminal Code Amendment Bill 2008

The Order of the Day for the third reading of the bill having been read, 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.

11. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 9.24 p.m. until Wednesday, 17 June 2009 at 12.00 noon.

Members present during any part of the day's proceedings - All the members except Mrs C.A. Martin.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly