WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 86

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

WEDNESDAY, 21 JUNE 2006

1. Meeting of Assembly

The Assembly met at 12 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Paper

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

By the Speaker –

> Auditor General, Office of the [OAG] – Help Wanted: Public Service Workforce Management, Performance Examination, Report 6, June 2006 (1611).

3. Notices of Motion

4. Notice of Motion Lapsed – Removal from Notice Paper

The Speaker advised that in accordance with Standing Order No. 74, Private Members' Notice of Motion No. 1, notice of which was given on 29 June 2005 and renewed for a further 30 sitting days on 23 November 2005, would be removed and would not appear on the next Notice Paper.

5. Brief Ministerial Statements

The following Brief Ministerial Statements were made by –

The Minister for Tourism on the five new members of the Tourism Western Australia Board.

The Minister for Youth on the winner of the Youth Arts category of the Western Australia Citizen of the Year Award, Ms Jaime Phillips, Community Capacity Builder at the Department for Community Development's Katanning Office.

6. Acts Amendment (Advance Health Care Planning) Bill 2006

The Minister for Health, pursuant to notice, moved,

That a bill for "An Act to amend the following –

- the *Guardianship and Administration Act 1990*;
- the *Civil Liability Act 2002*;
- *The Criminal Code*." be introduced and read a first time.

Question put and passed.

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

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

Mr G. Snook moved, That the debate be adjourned.

Question put and passed.

7. Betting and Racing Legislation Control Amendment Bill 2006

The Minister for Racing and Gaming, pursuant to notice, moved,

That a bill for "An Act to amend –

- the *Betting Control Act 1954*; and
- the *Racing and Wagering Western Australia Act 2003*,

and for related purposes." be introduced and read a first time.

Question put and passed.

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

The Minister for Racing and Gaming moved, That the bill be now read a second time.

Dr S.C. Thomas moved, That the debate be adjourned.

Question put and passed.

8. Fish Resources Management Amendment Bill 2006

The Minister representing the Minister for Fisheries, pursuant to notice, moved,

That a bill for "An Act to amend the *Fish Resources Management Act 1994*." be introduced and read a first time.

Question put and passed.

The Minister representing the Minister for Fisheries presented an explanatory memorandum and bill read a first time.

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

Mr J.E. McGrath moved, That the debate be adjourned.

Question put and passed.

9. Message from the Legislative Council

Message No. 89 dated 15 June 2006 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that in response to Legislative Assembly Message No. 137 in relation to the *Energy Safety Bill 2005* it does not insist on its amendment No. 3 and has agreed to the substituted amendment proposed by the Legislative Assembly.

10. Water Resources Legislation Amendment Bill 2006

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 (Mr C.J. Barnett speaking) and adjourned until a later stage of the sitting.

11. Questions

Questions without notice were taken.

Questions on notice Nos 1243 to 1253 were asked.

Questions on notice Nos 1197 and 1204 were answered.

12. Messages from the Governor

Messages from His Excellency the Governor were reported recommending the purpose of the appropriations for the following bills –

> Land Information Authority Bill 2006 (Message No. 24).
>
> Gas and Electricity Safety Legislation Amendment Bill 2006 (Message No. 25).

13. Standing Order 82 A

Under Standing Order 82 A, the Leader of the House responded to Mrs K. Hodson-Thomas' query as to why no answer had been received in respect of her Question on Notice No. 1158.

14. Suspension of Standing Orders

The Minister for Planning and Infrastructure, 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 times as set out for a Matter of Public Interest under Standing Order 101 be applied to the debate –

> That this House calls on the Howard Federal Government to accept responsibility for funding the clearance of World War II bombs and other munitions dumped in Albany Harbour and end the protracted legal proceedings currently underway.

Debate ensued.

Question put.

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

15. Federal Government Responsibility for World War II Munitions in Albany Harbour

The Minister for Planning and Infrastructure, pursuant to the foregoing motion, moved,

> That this House calls on the Howard Federal Government to accept responsibility for funding the clearance of World War 2 bombs and other munitions dumped in Albany Harbour and end the protracted legal proceedings currently underway.

Debate ensued.

Question put and passed.

16. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 5 and 6 be next considered.

17. Food Bill 2005

The Order of the Day for the third reading of the bill having been read, the Leader of the House, on behalf of the Minister for Health, 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.

18. Nurses and Midwives Bill 2005

The Order of the Day for the third reading of the bill having been read, the Leader of the House, on behalf of the Minister for Health, 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.

19. Variation to the Order of Business

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

20. Water Resources Legislation Amendment Bill 2006

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.

CONSIDERATION IN DETAIL

Clauses 1 to 24 agreed to.

Clause 25.

The Minister for Water Resources moved,

Page 10, line 14 to line 16 – To delete the lines.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 26 to 72 agreed to.

Clause 73.

The Minister for Water Resources moved,

Page 26, line 14 – To delete "third" and substitute –

" second ".

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 74 to 92 agreed to.

Clause 93.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

21. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 18 and Private Members' Business Order of the Day No. 4 be next considered.

22. Compensation for People Impacted by Government Rail and Road Projects

Mr T.R. Sprigg, pursuant to notice, moved,

> That this House condemns the Minister for Planning and Infrastructure for her lack of consideration to people requesting compensation and/or mitigation when they have been severely impacted by Government rail and road projects.

Debate ensued.

Question put.

The Assembly divided.

Ayes (19)

Mr C.J. Barnett	Mr B.J. Grylls	Mr T.K. Waldron
Mr D.F. Barron-Sullivan	Ms K. Hodson-Thomas	Ms S.E. Walker
Mr M.J. Birney	Mr J.E. McGrath	Mr G.A. Woodhams
Mr T.R. Buswell	Mr P.D. Omodei	Dr J.M. Woollard
Mr G.M. Castrilli	Mr D.T. Redman	Dr S.C. Thomas *(Teller)*
Dr E. Constable	Mr G. Snook	
Mr J.H.D. Day	Mr T.R. Sprigg	

Noes (27)

Mr J.J.M. Bowler	Mr F.M. Logan	Ms J.A. Radisich
Mr A.J. Carpenter	Ms A.J.G. MacTiernan	Mr E.S. Ripper
Mr J.B. D'Orazio	Mr J.A. McGinty	Mrs M.H. Roberts
Dr J.M. Edwards	Mr M. McGowan	Mr T.G. Stephens
Mrs D.J. Guise	Mr A.D. McRae	Mr D.A. Templeman
Mrs J. Hughes	Mr N.R. Marlborough	Mr P.B. Watson
Mr J.N. Hyde	Mrs C.A. Martin	Mr M.P. Whitely
Mr J.C. Kobelke	Mr M.P. Murray	Mr B.S. Wyatt
Mr R.C. Kucera	Ms M.M. Quirk	Mr S.R. Hill *(Teller)*

Question thus negatived.

23. Salinity in the Agricultural Region of Western Australia

The Order of the Day having been read for the resumption of debate on the motion moved by Dr G.G. Jacobs,

> That this Government be condemned for its lack of action in addressing the serious environmental damage caused by dry land salinity in this State's Agricultural Region.

Debate resumed.

Question put and negatived.

24. Adjournment

The Minister for the Environment moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 6.52 p.m. until Thursday, 22 June 2006 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr A.J. Simpson.

PETER J. McHUGH	**HON. FRED RIEBELING**
Clerk of the Legislative Assembly	Speaker of the Legislative Assembly