

WESTERN AUSTRALIA

## **LEGISLATIVE ASSEMBLY**

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### **VOTES AND PROCEEDINGS**

**No. 78**

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

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**WEDNESDAY, 21 APRIL 2010**

##### **1. Meeting of Assembly**

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

##### **2. Petitions**

Funding Cuts to Public Libraries – Mr D.A. Templeman presented a petition from 422 persons requesting that Western Australian public libraries not be subject to any funding cuts (P. 267).

Sand Mines on Banksia Road, Wellard – Mr R.H. Cook presented a petition from 113 persons requesting that the proposed sand mines on Banksia Road, Wellard be opposed (P. 268).

Shack Site Communities – Mr A.P. Jacob presented a petition from 290 persons requesting that Shack Site communities be preserved so Western Australians have affordable coastal holiday destinations for future generations (P. 269).

##### **3. Paper**

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

By the Clerk –

State Coroner, Office of the – Annual Report 2007–2008 (2017).

##### **4. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Regional Development on high-rise residential and commercial development in Karratha.

The Minister for Education on the status of Western Australian students stranded in Europe due to the eruption of a volcano in Iceland.

The Minister for Agriculture and Food on his recent official visit to Singapore, Malaysia and Indonesia to promote trade opportunities for Western Australia.

##### **5. No Privatisation of Hospitals and Schools Bill 2010**

Mr R.H. Cook, pursuant to notice, moved,

That a bill for “An Act to implement a policy that public hospitals and public schools in Western Australia be owned and operated publicly and not by private entities.” be introduced and read a first time.

Question put and passed.

Mr R.H. Cook presented an explanatory memorandum and bill read a first time.

Ordered, That the second reading of the bill be made an Order of the Day for a later stage of the sitting.

## **6. Pharmacy Bill 2010**

The Minister for Health, pursuant to notice, moved,

That a bill for “An Act to provide for the registration of premises as pharmacies, to control such premises and pharmacy businesses, make consequential amendments to various Acts and for related purposes.” 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 M. McGowan moved, That the debate be adjourned.

Question put and passed.

## **7. Equal Opportunity (Members of Parliament) Amendment Bill 2010**

Mr M.P. Whitely, pursuant to notice, moved,

That a bill for “An Act to amend the *Equal Opportunity Act 1984*.” be introduced and read a first time.

Question put and passed.

Mr M.P. Whitely presented an explanatory memorandum and bill read a first time.

Ordered, That the second reading of the bill be made an Order of the Day for a later stage of the sitting.

## **8. Standardisation of Formatting Bill 2009**

The Attorney General, pursuant to notice, moved,

That a bill for “An Act to amend various written laws to standardise the formatting of certain aspects of those laws.” 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.

## **9. Approvals and Related Reforms (No. 2) (Mining) Bill 2009**

The Parliamentary Secretary to the Premier, pursuant to notice, moved,

That a bill for “An Act to amend the Mining Act 1978 and for related purposes.” be introduced and read a first time.

Question put and passed.

The Parliamentary Secretary to the Premier presented an explanatory memorandum and bill read a first time.

The Parliamentary Secretary to the Premier 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. Child Pornography and Exploitation Material and Classification Legislation Amendment Bill 2009**

The Attorney General, pursuant to notice, moved,

That a bill for “An Act to amend The Criminal Code in relation to child exploitation material offences, to make consequential and other amendments to the Classification (Publications, Films and Computer Games) Enforcement Act 1996 and for related purposes.” 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.

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

Ordered, That Government Business Order of the Day No 9 be next considered.

**12. Cannabis Law Reform 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 (Mr A.P. Jacob speaking) and adjourned until a later stage of the sitting.

**13. Questions**

Questions without Notice were taken.

Questions on Notice Nos 2704 to 2726 were asked.

Questions on Notice Nos 2133, 2137, 2163, 2172, 2175, 2189, 2192, 2206, 2223, 2237, 2239, 2271, 2280, 2336, 2348, 2354, 2363, 2373, 2379, 2382, 2407, 2409, 2432, 2437, 2448, 2450, 2467, 2472, 2481, 2483, 2485, 2499, 2517, 2519, 2545, 2548 and 2676 were answered.

*Papers*

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

By the Minister for Education; Tourism –

Question on Notice No. 2409 – Public Sector Commission Briefing Note on a Conflict of Interest Matter relating to the One Movement Festival funding (2018).

Question on Notice No. 2519 – Numbers of Students Enrolled in Vocational Educational Training at each year level at each District High School in 2009 (2019).

Question on Notice No. 2519 – Numbers of Students Enrolled in Vocational Educational Training at each year level at each District High School in 2008 (2020).

By the Minister representing the Minister for Environment –

Question on Notice No. 2271 – Table showing names of caterers and amounts paid to them by the Department of Environment for catering purposes between 1 October 2008 and 30 December 2009 (2021).

By the Minister for Sport and Recreation; Racing and Gaming; Minister Assisting the Minister for Health –

Question on Notice No. 2437 – Summary of Car Wash and Detail purchases for vehicles allocated in each Department and Agency under the Sport and Recreation; Racing and Gaming portfolio (2022).

By the Minister for Water; Mental Health –

Question on Notice No. 2239 – Tables displaying details relating to the discharge of treated wastewater from Albany Tree Farm No. 1 into Seven Mile Creek (2023).

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#### **14. Message from the Legislative Council**

Message No. 71 dated 24 March 2010 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the following resolution–

That the proposal for the partial revocation of State Forest Nos 2, 12, 16, 38, 55 and 57 laid on the Table of the Legislative Council on Tuesday, 10 November 2009 be carried out, and invite the Legislative Assembly to agree to a similar resolution.

Ordered, That consideration in detail of Legislative Council Message No. 71 be made an Order of the Day for the next sitting of the Assembly.

#### **15. Message from the Legislative Council**

Message No. 72 dated 24 March 2010 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the following resolution–

That the proposal for the partial revocation of State Forest Nos 22, 23 and 25 laid on the Table of the Legislative Council on Tuesday, 10 November 2009 be carried out, and invite the Legislative Assembly to agree to a similar resolution.

Ordered, That consideration in detail of Legislative Council Message No. 72 be made an Order of the Day for the next sitting of the Assembly.

#### **16. Message from the Legislative Council**

Message No. 73 dated 24 March 2010 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the following resolution–

That the proposal for the partial revocation of State Forest Nos 22 and 38 laid on the Table of the Legislative Council on Tuesday, 10 November 2009 be carried out, and invite the Legislative Assembly to agree to a similar resolution.

Ordered, That consideration in detail of Legislative Council Message No. 73 be made an Order of the Day for the next sitting of the Assembly.

#### **17. Variation to the Order of Business**

Ordered, That Government Business Orders of the Day Nos 4 and 9 be next considered.

#### **18. Pay-roll Tax Rebate Bill 2010**

The Order of the Day for the third reading of the bill having been read, the Treasurer 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. Cannabis Law Reform 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 (Mrs L.M. Harvey was speaking) and adjourned until a later stage of the sitting.

## **20. Variation to the Order of Business**

Ordered, That Private Members' Business Orders of the Day for the second reading of the No Privatisation of Hospitals and Schools Bill 2010 and Equal Opportunity (Members of Parliament) Amendment Bill 2010 and Private Members' Business Notice of Motion No. 18 be next considered.

## **21. No Privatisation of Hospitals and Schools Bill 2010**

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

Mr R.H. Cook moved, That the bill be now read a second time.

Mr A.J. Simpson moved, That the debate be adjourned.

Question put and passed.

## **22. Equal Opportunity (Members of Parliament) Amendment Bill 2010**

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

Mr M.P. Whately moved, That the bill be now read a second time.

Mr A.J. Simpson moved, That the debate be adjourned.

Question put and passed.

## **23. Community Libraries**

Mr J.N. Hyde, pursuant to notice, moved,

That this House condemns the Barnett Government for its callous, unfair funding cuts and lack of commitment to community libraries, and failing to recognise the essential work that libraries carry out across Western Australia.

Debate ensued.

Question put.

The Assembly divided.

### Ayes (23)

Ms L.L. Baker	Mr M.P. Murray	Mr C.J. Tallentire
Mr R.H. Cook	Mr A.P. O'Gorman	Mr P.C. Tinley
Ms J.M. Freeman	Mr P. Papalia	Mr A.J. Waddell
Mr J.N. Hyde	Mr J.R. Quigley	Mr P.B. Watson
Mr J.C. Kobelke	Ms M.M. Quirk	Mr M.P. Whately
Mr F.M. Logan	Mr E.S. Ripper	Mr B.S. Wyatt
Mr M. McGowan	Mrs M.H. Roberts	Mr D.A. Templeman ( <i>Teller</i> )
Mrs C.A. Martin	Mr T.G. Stephens	

### Noes (27)

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

Question thus negated.

**24. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly, at 6.32 p.m. until Thursday, 22 April 2010 at 9.00 a.m.

*Members present during any part of the day's proceedings – All the members except Mr I.M. Britza.*

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**

Speaker of the Legislative Assembly