

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

---

## VOTES AND PROCEEDINGS

**No. 90**

### FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

---

**WEDNESDAY, 16 JUNE 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**

Urban Development South of the Moore River – Ms L.L. Baker presented a petition from 48 persons requesting that the Legislative Assembly support the recommendation that the land adjoining the proposed Wilbinga Conservation Park be protected from future development (P. 296).

East-West Bus Services – Ms A.J.G. MacTiernan presented a petition from 1,406 persons requesting that East-West bus services to Cockburn and Mandurah Train Stations be committed to in the next six months (P. 297).

#### **3. Papers**

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

By the Clerk –

Land Administration Act 1997 – Proposal No. 8/2010 under section 45(4) of the Act in relation to the proposed excision of a portion of Class A Reserve 19673 containing the constructed portion of the Pass Road for dedication (2182).

Land Information Authority [Landgate] – Statement of Corporate Intent 2010–2011 (2183).

#### **4. Notices of Motion**

#### **5. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Police on the expansion of the Constable Care child safety program across Western Australia.

The Minister for Sport and Recreation on the recent Western Australian Hockey Champion inductees.

The Minister for Mental Health on the appointment of Centrecare to implement the Western Australian Suicide Prevention Strategy.

## **6. Messages from the Legislative Council**

Messages from the Legislative Council were reported returning the following bills without amendment –

15 June 2010

Credit (Commonwealth Powers) Bill 2010 (Message No. 87).

Credit (Commonwealth Powers) (Transitional and Consequential Provisions) Bill 2010 (Message No. 88).

Pay-roll Tax Assessment Amendment Bill 2010 (Message No. 89).

## **7. Health, Safety and Civil Liability (Children in Schools and Child Care Services) Bill 2010**

The Minister for Health, pursuant to notice, moved,

That a bill for “An Act to amend the *Civil Liability Act 2002* and the *School Education Act 1999*.” 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 D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

## **8. Trade Measurement Legislation (Amendment and Expiry) Bill 2010**

The Minister for Commerce, pursuant to notice, moved,

That a bill for “An Act to –

- amend the *Trade Measurement Act 2006* and *Trade Measurement Administration Act 2006* to effect the transition of the regulation of weights and measures from the State to the Commonwealth as a consequence of the enactment of the *National Measurement Amendment Act 2008* (Commonwealth); and
- make consequential amendments to various Acts, and for related purposes.” be introduced and read a first time.

Question put and passed.

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

The Minister for Commerce 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. Private Members Business Precedence**

The Leader of the House, pursuant to notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable Private Members’ Business to have priority from 4.00 p.m. to 8.00 p.m. on Wednesday, 16 June 2010.

Debate ensued.

Question put and passed.

## **10. Railway (Tilley to Karara) Bill 2010**

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 R.H. Cook speaking) and adjourned until a later stage of the sitting.

**11. Speaker's Statement – Education and Health Standing Committee Recommendations**

The Speaker reported that a response by the Minister for Health to the recommendations of the Education and Health Standing Committee's "Invest Now or Pay Later: Securing the Future of Western Australia's Children" had not been received by the required time.

**12. Questions**

Questions without Notice were taken.

*Paper*

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

By the Minister for Agriculture and Food –

Agriculture and Food, Minister for – Letter dated 10 March 2010 from the Minister to the Member for South Perth regarding the Member's concerns relating to the proposed growing of GM Canola in Western Australia, and outlining the relevant actions to be taken by the Minister (2184).

Questions on Notice Nos 3197 to 3224 were asked.

Questions on Notice Nos 2773, 2774, 2778, 2808, 2816, 2823, 2881, 2882, 2894, 2895, 3030 to 3032 and 3053 were answered.

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

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

**14. Railway (Tilley to Karara) Bill 2010**

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 7 agreed to.

Clause 8 negatived.

Schedule 1 agreed to.

Title agreed to.

Consideration in detail concluded.

Ordered, That the third reading of the bill be made an Order of the Day for the next sitting of the Assembly.

**15. Railway (Butler to Brighton) 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 R. Saffioti speaking) and adjourned until a later stage of the sitting.

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

Ordered, That consideration of Private Members' Business Notice of Motion No. 8 and Private Members' Business Order of the Day No. 24 be next considered.

**17. Justice Reinvestment Strategy**

Mr P. Papalia, pursuant to notice, moved,

That this House calls on the Barnett Government to implement a ‘justice reinvestment’ strategy to lower the rate of re-offending and make our communities safer.

Debate ensued.

Debate interrupted by the Chair (Mr P. Abetz speaking) and adjourned until a later stage of the sitting.

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

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

**19. Railway (Butler to Brighton) Bill 2009**

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

Debate resumed.

*Papers*

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

By the Parliamentary Secretary representing the Minister for Transport –

Railway (Butler to Brighton) Bill 2009 – Map of Proposed Northern Suburbs Extension, Railway Route, Clarkson to Butler (2185).

Railway (Butler to Brighton) Bill 2009 – Map of Proposed Joondalup Line Extension, Railway Route, Clarkson to Brighton (2186).

Question put and passed.

Bill read a second time.

*CONSIDERATION IN DETAIL*

Clause 1.

Mr B.S. Wyatt moved,

Page 2, line 2 – To insert after “the”:

“ Labor ”.

Amendment put.

The Assembly divided.

*Ayes (21)*

Ms L.L. Baker	Mr M.P. Murray	Ms R. Saffioti
Ms J.M. Freeman	Mr A.P. O’Gorman	Mr T.G. Stephens
Mr J.N. Hyde	Mr P. Papalia	Mr C.J. Tallentire
Mr W.J. Johnston	Mr J.R. Quigley	Mr A.J. Waddell
Mr J.C. Kobelke	Ms M.M. Quirk	Mr P.B. Watson
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> )

## Noes (26)

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

Amendment thus negated.

Clause agreed to.

Clauses 2 and 3 agreed to.

New Clause 4.

Mr J.R. Quigley moved,

Page 2, after line 9 – To insert:

“

#### 4. Construction of two stations

The Authority shall construct on the railway line described in Schedule 1, two stations. The Authority shall construct a station with full parking facilities in Butler on the land acquired for this purpose by the Public Transport Authority adjacent to Lukin Drive, Butler which will be known as the Butler Station. The Authority shall further construct a railway station with full parking facilities in the locality known as Brighton in the approximate vicinity 750 metres north of the Tredegar Street and Connolly Drive intersection, Butler which shall be known as the Brighton Station.

”

Amendment put.

The Assembly divided.

## Ayes (20)

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

## Noes (26)

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

Amendment thus negated.

Schedule 1 agreed to.

Title agreed to.

Consideration in detail concluded.

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.

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

Ordered, That Government Business Order of the Day No. 24 be next considered.

## **21. Criminal Code Amendment (Identity Crime) Bill 2009**

The Order of the Day for the consideration in detail of Legislative Council Message No. 86 was read.

The Message was as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Criminal Code Amendment (Identity Crime) Bill 2009* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

*Schedule indicating the amendment made by the Legislative Council in the Criminal Code Amendment (Identity Crime) Bill 2009*

### **No. 1**

Page 6, after line 32 — To insert —

- (6A) A court, for good reason and either on its own initiative or on an application made by the prosecutor, may cancel a certificate it has issued under this section.

### *CONSIDERATION IN DETAIL*

The Attorney General moved, That amendment No. 1 be agreed to.

Question put and passed.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

## **22. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 10.09 p.m. until Thursday, 17 June 2010 at 9.00 a.m.

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

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**

Speaker of the Legislative Assembly