

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 94

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 24 JUNE 2010

1. Meeting of Assembly

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

The Acting Speaker took the Chair.

Prayers were read.

2. Petitions

Uranium Mining in Western Australia – Mr C.J. Tallentire presented a petition from 785 persons requesting that the ban on uranium mining in Western Australia be immediately reinstated (P. 307).

Live Animal Trade – Mr J.M. Francis presented a petition from 422 persons requesting that the live animal trade be investigated with a view to it being permanently replaced with the export of chilled or frozen carcasses (P. 308).

3. Expiration of Notice of Motion

The Speaker advised members that Private Members' Business Notice of Motion No. 1, notice of which was given on 9 June 2009 and renewed for a further 30 sitting days on 19 November 2009, would be removed from the next Notice Paper.

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the new Ministerial Resourcing reporting system.

The Minister for Regional Development on recent developments in the provision of new Aboriginal housing in the Kimberley region.

The Minister for Commerce on the decision of the Western Australian Industrial Relations Commission regarding pay increases for School Support Workers.

5. Grievances

The Speaker called for grievances which were then made.

Paper

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

By the Minister for Education –

Education, Department of – History of District Education Offices in the Department of Education and Training (2245).

6. Suspension of Standing Orders

Mrs M.H. Roberts, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House censures the Minister for Education for deliberately misleading the House by repeatedly stating in an answer to a Question without Notice on 17 June 2010 that a school bus service exists between Jurien Bay District High School and Central Midlands Senior High School in Moora.

Debate ensued.

The Leader of the House moved, To add –

“

and that the debate be conducted on the basis that 15 minutes in total be allocated to Government members and 15 minutes in total for non-Government members.

”.

Amendment put and passed.

On the question, That the motion, as amended, be agreed to,

Question put.

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

7. Censure of the Minister for Education

Mrs M.H. Roberts, pursuant to the foregoing motion, moved,

That this House censures the Minister for Education for deliberately misleading the House by repeatedly stating in an answer to a Question without Notice on 17 June 2010 that a school bus service exists between Jurien Bay District High School and Central Midlands Senior High School in Moora.

Debate ensued.

Question put.

The Assembly divided.

Ayes (22)

| | | |
|----------------------|------------------|-------------------------------------|
| Ms L.L. Baker | 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 M.P. Whately |
| Mr F.M. Logan | Mr E.S. Ripper | Mr B.S. Wyatt |
| Ms A.J.G. MacTiernan | Mrs M.H. Roberts | Mr D.A. Templeman (<i>Teller</i>) |
| Mr M. McGowan | Ms R. Saffioti | |
| Mr M.P. Murray | Mr T.G. Stephens | |

Noes (27)

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

Question thus negatived.

8. Procedure and Privileges Committee

Mr M.W. Sutherland, as Deputy Speaker, presented the following report which was ordered to lie upon the Table of the House –

Procedure and Privileges Committee – Procedural Fairness and the Powers of the House, Report No. 8 (2246).

Mr M.W. Sutherland and Mr F.M. Logan spoke on the report.

9. Public Accounts Committee

Mr J.C. Kobelke, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Public Accounts Committee – Inquiry into Government Payments to Ms Tirzah Bell, Report No. 7 (2247).

Public Accounts Committee – Inquiry into Government Payments to Ms Tirzah Bell – Submissions (2248).

Mr J.C. Kobelke, Mr C.J. Tallentire and Mr A. Krsticevic spoke on the report.

10. Community Development and Justice Standing Committee

Ms A.J.G. MacTiernan, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Community Development and Justice Standing Committee – ‘Making our Prisons Work’ – An Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies, Interim Report, Report No. 4 (2249).

Ms A.J.G. MacTiernan, Mr A.P. Jacob, Mr A.P. O’Gorman and Mr T.G. Stephens spoke on the report.

11. Variation to the Order of Business

Ordered, That Bills – Notice of Motion No. 2 be next considered.

12. Railway (Roy Hill Infrastructure Pty Ltd) Agreement Bill 2010

The Minister for State Development, pursuant to notice, moved,

That a bill for “An Act –

- to ratify, and authorise the implementation of, an agreement between the State and Roy Hill Infrastructure Pty Ltd, Roy Hill Holdings Pty Ltd and Roy Hill Iron Ore Pty Ltd relating to the development of a railway in the Pilbara region of the State;
- to modify the operation of the *Railways (Access) Act 1998* and the *Railways (Access) Code 2000*,

and for incidental and other purposes.” be introduced and read a first time.

Question put and passed.

The Minister for State Development presented an explanatory memorandum and bill read a first time. The Minister for State Development moved, That the bill be now read a second time.

Papers

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

By the Minister for State Development –

Railway (Roy Hill Infrastructure Pty Ltd) Agreement Bill 2010 – Map “A” of Proposed Boodarie Multi-user Stockyard Area (2250).

Railway (Roy Hill Infrastructure Pty Ltd) Agreement Bill 2010 – Map “B” of Roy Hill Mining Area (2251).

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

13. Prohibited Behaviour Orders Bill 2010

The Attorney General, pursuant to notice, moved,

That a bill for “An Act to enable courts to make orders that constrain offenders who have a history of anti-social behaviour 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.

14. Public Sector Reform Bill 2009

The Order of the Day for the third reading of the bill having been read, the Leader of the House, on behalf of the Premier moved, That the bill be now read a third time.

Debate ensued.

Debate interrupted by the Chair (Mr D.A. Templeman 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 3345 to 3485 were asked.

Questions on Notice Nos 3005 and 3022 were answered.

17. Speaker's Statement – Legislative Assembly Bells Trial

The Speaker advised members that a new system for ringing the Legislative Assembly bells would be trialled in August and September.

18. Additional Information

The Minister for Regional Development provided additional information relating to Question on Notice No. 2623 from Mr M. McGowan.

Paper

The following paper was presented and ordered to lie upon the Table of the House –
By the Minister for Regional Development –

Question on Notice No. 2623 – Country Age Pension Fuel Card: List of Total Cards Issued per Suburb and Postcode for the period ending 30 April 2010 (2253).

19. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 7 be next considered.

20. Premier's Statement

The Order of the Day for the resumption of the debate upon the question, That the Premier's Statement be noted, was read.

Debate resumed.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

21. Paper

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

Midland Redevelopment Act 1999 – Ministerial Approval for Subdivision SU0012 (Deposited Plan 66298) for the Creation of 5 Lots under Subdivision Approval Lot 5003 Yelverton Drive, Midland (2252).

22. Petroleum and Energy Legislation Amendment Bill 2009

Message No. 90 dated 22 June 2010 from the Legislative Council was reported forwarding for concurrence a bill entitled a bill for “An Act to amend –

- the *Petroleum and Geothermal Energy Resources Act 1967*; and
- the *Petroleum (Submerged Lands) Act 1982*; and
- the *Petroleum Pipelines Act 1969*,

and other Acts to reflect relevant legislation of the Parliament of the Commonwealth and for other purposes.”

Ordered, That the first reading of the Bill contained in Legislative Council Message No. 90 be made an Order of the Day for the next sitting of the Assembly.

23. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 1, 3 and 2 be next considered.

24. Public Sector Reform Bill 2009

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

Debate resumed.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

25. Interpretation and Reprints Amendment Bill 2008

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, on behalf of the Premier 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.

26. Child Pornography and Exploitation Material and Classification Legislation Amendment 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.

Question put and passed.

Bill read a third time and passed.

27. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 10 August 2010 at 2.00 p.m.

Question put and passed.

28. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 4.57 p.m. until Tuesday, 10 August 2010 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr I.M. Britza, Mr R.H. Cook, Dr K.D. Hames, Mrs C.A. Martin and Dr J.M. Woollard.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly