

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 120

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 17 NOVEMBER 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

No Privatisation of Hospitals and Schools Bill 2010 – Mr M.P. Murray presented a petition from 8,580 persons requesting that the No Privatisation of Hospitals and Schools Bill 2010 be passed (P. 342).

Draft Canning Bridge Precinct Vision – Dr J.M. Woppard presented a petition from 20 persons requesting that the Canning Bridge Precinct Vision be referred for further investigation (P. 343).

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. 11/2010 under section 42(4) of the Act in relation to Amendment to Class A Reserve 46 to change the purpose to ‘Landscape Protection and Recreation’ (2859).

Official Travel – Report of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business for the Three Months ended 31 March 2010 (2860).

Western Australian Electoral Commission – Local Government Postal Elections, Election Report 2009 (2861).

4. Notices of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the resolution of the payment of iron ore royalties from the Robe River Mesa J mine.

The Minister for Planning on the Perth Waterfront development.

The Minister for Local Government on the Regional Transition Group formed by the Town and Shire of Narrogin and the Shires of Wickepin and Cuballing.

6. Heritage and Planning Legislation Amendment Bill 2010

The Minister for Heritage, pursuant to notice, moved,

That a bill for “An Act to amend the *Heritage of Western Australia Act 1990* and the *Planning and Development Act 2005*.” be introduced and read a first time.

Question put and passed.

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

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

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

Question put and passed.

7. Occupational Licensing National Law (WA) Bill 2010

The Minister for Commerce, pursuant to notice, moved,

That a bill for “An Act to provide for a national law to regulate the licensing of certain occupations 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.

8. Road Safety Council Amendment (Functions) Bill 2010

Ms M.M. Quirk, pursuant to notice, moved,

That a bill for “An Act to amend the *Road Safety Council Act 2002*.” be introduced and read a first time.

Question put and passed.

Ms M.M. Quirk 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 day’s sitting.

9. Health, Safety and Civil Liability (Children in Schools and Child Care Services) 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.

Leave was granted to proceed forthwith to the third reading of the bill.

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.

10. Message from the Governor

Message No. 119 from His Excellency the Governor was reported recommending the purpose of the appropriation for the Occupational Licensing National Law (WA) Bill 2010.

11. Questions

Questions without Notice were taken.

Papers

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

By the Attorney General –

Attorney General, Department of – Western Australia Forecast Prisoner Population with Actual Prisoner Population: 2009–2014 (2862).

Attorney General, Department of – Weekly Prisoner Snapshot 20010705_20100930 (2863).

By the Minister for Education –

Education, Department of – Table of errors made in Western Australian Certificate of Education exams, with details of the impact and action taken (2864).

Questions on Notice Nos 4321 to 4336 were asked.

Questions on Notice Nos 4141, 4145, 4147, 4149, 4150, 4164, 4175, 4177, 4179, 4180, 4201, 4206 and 4224 were answered.

12. Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010

Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010

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 Treasurer –

Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010 – Details of Capital Expenditure Excesses and New Items for the 2009–10 Financial Year (2865).

Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010 – Details of Recurrent Expenditure Excesses and New Items for the 2009–10 Financial Year (2866).

Debate interrupted by the Chair (Ms R. Saffioti speaking) and adjourned until a later stage of the sitting.

13. Variation to the Order of Business

Ordered, That the Private Members' Business Order of the Day for the second reading of the Road Safety Council Amendment (Functions) Bill 2010, Private Members' Business Order of the Day No. 21 and Private Members' Business Notice of Motion No. 7 be next considered.

14. Road Safety Council Amendment (Functions) Bill 2010

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

Ms M.M. Quirk moved, That the bill be now read a second time.

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

Question put and passed.

15. No Privatisation of Hospitals and Schools 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.

The Assembly divided.

Ayes (26)

Mr J.J.M. Bowler	Mr F.M. Logan	Ms R. Saffioti
Dr A.D. Buti	Mr M. McGowan	Mr T.G. Stephens
Ms A.S. Carles	Mr M.P. Murray	Mr C.J. Tallentire
Mr V.A. Catania	Mr A.P. O'Gorman	Mr P.C. Tinley
Mr R.H. Cook	Mr P. Papalia	Mr A.J. Waddell
Ms J.M. Freeman	Mr J.R. Quigley	Mr M.P. Whitely
Mr J.N. Hyde	Ms M.M. Quirk	Mr B.S. Wyatt
Mr W.J. Johnston	Mr E.S. Ripper	Mr D.A. Templeman (<i>Teller</i>)
Mr J.C. Kobelke	Mrs M.H. Roberts	

Noes (26)

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

The votes being equal, the Speaker cast his vote with the noes.

Question thus negatived.

16. Referral to Committee – Heritage of Western Australia Act 1990

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

- (1) That a bipartisan Select Committee of four members be established to review the *Heritage of Western Australia Act 1990* with the view to considering:
 - (a) the effectiveness of the operations of the Heritage Council;
 - (b) the need for the continuation of the functions of the Heritage Council; and
 - (c) any other matters relevant to the operation and effectiveness of the Act.
- (2) That, in accordance with Standing Order 277, the responsible Minister be directed to respond to the Committee's recommendations.
- (3) That the Committee report to the Legislative Assembly by 16 June 2011.

Debate ensued.

Debate interrupted by the Chair (Mr J.N. Hyde speaking) and adjourned until a later stage of the sitting.

17. Variation to the Order of Business

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

18. Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010

Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010

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

The Treasurer was granted leave to continue his remarks at the next sitting of the Assembly.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 11.19 p.m. until Thursday, 18 November 2010 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Mrs C.A. Martin and Mr P.B. Watson.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly