

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 140

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

TUESDAY, 12 APRIL 2011

1. Meeting of Assembly

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Tourism on the World Junior Water Polo Championships to be held in Perth in December 2012.

The Minister for Regional Development on the Community Resource Centre Trainee Support Program.

The Minister for Education on the Aboriginal Tutorial Assistance Scheme.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 4752 to 4754, 4800, 4809, 4811, 4814, 4842, 4845, 4846, 4848, 4898 and 4909 were answered.

Paper

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

By the Treasurer –

Treasury and Finance, Department of – Asset Investment Program and Asset Sales: Total Public Sector (3299).

4. Petition

Bus Service between Pinjarra and Mandurah Train Stations – Mr M.J. Cowper presented a petition from 40 persons requesting that a regular bus service between Pinjarra and Mandurah be provided (P. 392).

5. Papers

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

By the Clerk –

Conservation and Land Management Act 1984 – Lease No. 2308/97 Between the Department of Environment and Conservation and Mr Trevor and Mrs Suzanne Bottomley for a Dam Site for Domestic Use in a Portion of State Forest No. 20 Near Greenbushes Townsite (3281).

Conservation and Land Management Act 1984 – Lease No. 1709/97 Between the Department of Environment and Conservation and the Shire of Mundaring for a Shooting Range in a Portion of State Forest No. 15 Near Sawyers Valley (3298).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 11 of 2011 – Permanent ban on children's products containing more than 1% Diethylhexyl Phthalate (DEHP) G.G. 07/04/2011) (3282).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 12 of 2011 – Permanent ban on combustible candle holders G.G. 07/04/2011) (3283).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 13 of 2011 – Permanent ban on inflatable toys, novelties and furniture containing beads G.G. 07/04/2011) (3284).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 14 of 2011 – Permanent ban on miniature motorbikes (monkey bikes) with unsafe design features G.G. 07/04/2011) (3285).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 15 of 2011 – Permanent ban on novelty cigarettes G.G. 07/04/2011) (3286).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 16 of 2011 – Permanent ban on pools and spas with unsafe design features G.G. 07/04/2011) (3287).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 17 of 2011 – Permanent ban on sky lanterns G.G. 07/04/2011) (3288).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 18 of 2011 – Permanent ban on toy-like novelty cigarette lighters G.G. 07/04/2011) (3289).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 19 of 2011 – Permanent ban on undeclared knives or cutters in art, craft and stationery sets G.G. 07/04/2011) (3290).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 20 of 2011 – Permanent ban on yo-yo water balls G.G. 07/04/2011) (3291).

Local Government Act 1995 – Local Laws (City of Mandurah Jetties, Waterways and Marina Local Law 2010 G.G. 04/04/2011) (3292).

Midland Redevelopment Act 1999 – Ministerial Approval to Enter Into a Contract with Pindan Contracting Pty Ltd for the Workshops Block 1 Servicing Contract of Value in Excess of \$1 Million in Accordance with Section 20(3) of the Act (3293).

Perth Parking Management Act 1999 – Regulations (Perth Parking Management Amendment Regulations 2011 G.G. 08/04/2011) (3294).

Retail Trading Hours Act 1987 – Regulations (Retail Trading Hours Amendment Regulations 2011 G.G. 08/04/2011) (3295).

Road Traffic Act 1974 – Regulations (Road Traffic (Blood Sampling and Analysis) Amendment Regulations 2011 G.G. 08/04/2011) (3296).

Weapons Act 1999 – Regulations (Weapons Amendment Regulations 2011 G.G. 08/04/2011) (3297).

6. Notices of Motion

7. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 1, 16, 10 and 15 be next considered.

8. Notice of Motion Lapsed

The Speaker advised that Private Members' Business Notice of Motion No. 3 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

9. Message from the Governor

Message No. 9 from His Excellency the Governor was reported recommending the purpose of the appropriation for the Parliamentary Superannuation Amendment Bill 2011.

10. Building Bill 2010

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clause 59, as amended.

The Minister for Transport moved,

Page 48, after line 24 — To insert:

“

- (5) Despite subsection (2) and section 55(2), the permit authority may decide whether or not to grant or modify the occupancy permit or grant the building approval certificate, and may give the applicant written notice of its decision, after the period applicable under subsection (1), or the time specified under section 55(1), has expired, and the validity of the decision is not affected by the expiry.

”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 60 to 92 agreed to.

Clause 93.

Mr Tallentire moved,

Page 73, line 17 — To delete “building.” and substitute:

“

building; and

- (c) the mandatory disclosure of energy ratings whether or not an occupancy permit is required for the building.

”.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 94 to 132 agreed to.

Clause 133.

The Minister for Transport moved,

Page 101, line 21 — To delete “jurisdiction” and insert:

“ jurisdiction ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 134 to 203 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.

11. Small Business and Retail Shop Legislation Amendment Bill 2011

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 34 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 Small Business 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.

12. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.10 p.m. until Wednesday, 13 April 2011 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr J.H.D. Day, Mrs C.A. Martin and Mr M.P. Whitely.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly