

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 170

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

TUESDAY, 27 SEPTEMBER 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. Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of an eight-member delegation from the Maldives Parliament.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the Wheatstone LNG Project.

The Premier on the reporting of figures in the Ombudsman's 2010–2011 Annual Report relating to child deaths in Western Australia.

The Minister for Environment on the Western Australian Government's Environmental Offsets Policy.

The Minister for Racing and Gaming on the Government response to the recommendations of the Education and Health Standing Committee Report No. 10, *Alcohol: Reducing the Harm and Curbing the Culture of Excess*.

Paper

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

By the Minister for Racing and Gaming –

Education and Health Standing Committee – Government Response to Committee Recommendations, Report No. 10, *Alcohol: Reducing the Harm and Curbing the Culture of Excess* (3975).

4. Questions

Questions without Notice were taken.

Questions on Notice Nos 6210 to 6217 were asked.

Questions on Notice Nos 5992, 6009, 6031 to 6033, 6044, 6065, 6069, 6080, 6084 and 6095 were answered.

Paper tabled by the Minister for Police –

Question on Notice No. 5992 – List of towns and suburbs in which clandestine drug labs have been found for the years 2009, 2010 and 2011 (3976).

5. Petitions

Bus Services in the Shire of Murray – Mr M.J. Cowper presented a petition from 145 persons requesting that the Legislative Assembly support their campaign for the Government to provide a regular bus service between Pinjarra and Mandurah (P. 468).

Container Deposit Scheme – Mr M.P. Murray presented a petition from 20 persons requesting that the Legislative Assembly call upon the Barnett Government to immediately introduce a Western Australian Container Deposit Scheme, similar to the system that operates in South Australia (P. 469).

Moore River Estuary Development – Ms A.S. Carles presented a petition from 58 persons requesting that the Legislative Assembly support the recommendation that the land adjoining the proposed Wilbinga Conservation Park be protected from future development (P. 470).

Community Facilities in Golden Bay – Mr P. Papalia presented a petition from 80 persons requesting that the Legislative Assembly call on the Barnett Government to use profit from the proposed housing development at Golden Bay to fund community facilities (P. 471).

Moore River Estuary Development – Ms L.L. Baker presented a petition from 117 persons requesting that the Legislative Assembly support the recommendation that the land adjoining the proposed Wilbinga Conservation Park be protected from future development (P. 472).

First Choice Liquor Superstore Maylands – Ms L.L. Baker presented a petition from 57 persons requesting that the Legislative Assembly ensure that Liquorland is not granted a liquor licence for the proposed First Choice Liquor Superstore in Maylands and also that it investigate the potential of heavily discounted liquor sold by these types of stores to influence violence in the community (P. 473).

Parking on the Midland Train Line – Ms L.L. Baker presented a petition from 32 persons requesting that the Legislative Assembly ensure that the Barnett Government builds adequate car parking on the Midland Train Line (P. 474).

6. Papers

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

By the Clerk –

Agricultural Produce Commission – Annual Report 2010–2011 (3908).

Agriculture Protection Board of Western Australia – Annual Report 2010–2011 (3909).

Armada Redevelopment Authority – Annual Report 2010–2011 (3910).

Art Gallery of Western Australia – Annual Report 2010–2011 (3911).

Botanic Gardens and Parks Authority – Annual Report 2010–2011 (3912).

Busselton Water Board – Annual Report 2010–2011 (3913).

Chemistry Centre of Western Australia [Chemcentre] – Annual Report 2010–2011 (3914).

Child Protection, Department for – Annual Report 2010–2011 (3915).

Coal Industry Superannuation Board – Annual Report 2010–2011 (3916).

Conservation and Land Management Act 1984 – Lease No. 1976/97 Between the Department of Environment and Conservation and West Coast Radio Pty Ltd for the Purpose of Telecommunications Facility Within a Portion of State Forest No. 23 (3917).

Corrective Services, Department of – Annual Report 2010–2011 (3918).

Culture and the Arts, Department of – Annual Report 2010–2011 (3919).
 Disability Services Commission – Annual Report 2010–2011 (3920).
 Drug and Alcohol Office – Annual Report 2010–2011 (3921).
 East Perth Redevelopment Authority – Annual Report 2010–2011 (3922).
 Education and Health Standing Committee – Government Response to Report No. 8: Alcohol Restrictions in the Kimberley (3923).
 Fisheries, Department of – Annual Report 2010–2011 (3924).
 Food Act 2008 – Regulations (Food Amendment Regulations 2011 G.G. 20/09/2011) (3925).
 Gaming and Wagering Commission of Western Australia – Annual Report 2010–2011 (3926).
 Gascoyne Development Commission – Annual Report 2010–2011 (3927).
 Goldfields-Esperance Development Commission – Annual Report 2010–2011 (3928).
 Great Southern Development Commission – Annual Report 2010–2011 (3929).
 Health and Disability Services Complaints Office – Annual Report 2010–2011 (3930).
 Keep Australia Beautiful Council (WA) – Annual Report 2010–2011 (3931).
 Kimberley Development Commission – Annual Report 2010–2011 (3932).
 Landcorp – Annual Report 2010–2011 (3933).
 Landgate – Annual Report 2010–2011 (3934).
 Liquor Commission of Western Australia – Annual Report 2010–2011 (3935).
 Local Government Act 1995 – Local Laws (Shire of Bridgetown-Greenbushes Standing Orders Amendment Local Law 2011 G.G. 23/09/2011) (3936).
 Local Government Act 1995 – Local Laws (Town of Cambridge Animals Amendment Local Law 2011 G.G. 23/09/2011) (3937).
 Meat Industry Authority – Annual Report 2010–2011 (3938).
 Mental Health Commission – Annual Report 2010–2011 (3939).
 Midland Redevelopment Authority – Annual Report 2010–2011 (3940).
 Mid West Development Commission – Annual Report 2010–2011 (3941).
 Minerals and Energy Research Institute of Western Australia – Annual Report 2010–2011 (3942).
 Mines and Petroleum, Department of – Annual Report 2010–2011 (3943).
 Mines Safety and Inspection Act 1994 – Regulations (Mines Safety and Inspection Amendment Regulations 2011 G.G. 20/09/2011) (3944).
 Museum, Western Australian – Annual Report 2010–2011 (3945).
 National Trust of Australia (WA) – Annual Report 2010–2011 (3946).
 Peel Development Commission – Annual Report 2010–2011 (3947).
 Perth Market Authority – Annual Report 2010–2011 (3948).
 Perth Theatre Trust – Annual Report 2010–2011 (3949).
 Pilbara Development Commission – Annual Report 2010–2011 (3950).
 Planning, Department of & Planning Commission, Western Australian – Annual Report 2010–2011 (3951).
 Potato Marketing Corporation of Western Australia- Annual Report 2010–2011 (3952).
 Quadriplegic Centre Board of Management – Annual Report 2010–2011 (3953).
 Racing, Gaming and Liquor, Department of – Annual Report 2010–2011 (3954).
 Racing Penalties Appeal Tribunal of Western Australia – Annual Report 2010–2011 (3955).
 Railways (Access) Act 1998 – Codes (Railways (Access) Amendment Code 2011 G.G. 20/09/2011) (3956).
 Reproductive Technology Council – Annual Report 2010–2011 (3957).
 Screenwest – Annual Report 2010–2011 (3958).

Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009 – Regulations (Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011 G.G. 23/09/2011) (3959).

Southwest Development Commission – Annual Report 2010–2011 (3960).

Sport and Recreation, Department of – Annual Report 2010–2011 (3961).

State Library of Western Australia – Annual Report 2010–2011 (3962).

State Trading Concerns Act 1916 – Regulations (State Trading Concerns (Authorisation) Amendment Regulations 2011 G.G. 23/09/2011) (3963).

Subiaco Redevelopment Authority – Annual Report 2010–2011 (3964).

Swan Bells Foundation Inc. – Annual Report 2010–2011 (3965).

VenuesWest – Annual Report 2010–2011 (3966).

Veterinary Surgeons' Board – Annual Report 2010–2011 (3967).

Waste Avoidance and Resource Recovery Act 2007 – Regulations (Waste Avoidance and Resource Recovery Amendment Regulations (No. 2) 2011 G.G. 23/09/2011) (3968).

Water Corporation – Annual Report 2010–2011 (3969).

Western Australian Electoral Commission – Annual Report 2010–2011 (3970).

Western Australian Institute of Sport – Annual Report 2010–2011 (3971).

Western Australian Regional Development Trust – Annual Report 2010–2011 (3972).

Wheatbelt Development Commission – Annual Report 2010–2011 (3973).

Zoological Parks Authority – Annual Report 2010–2011 (3974).

7. Notices of Motion

8. Notices of Motion Lapsed

The Speaker advised members that Private Members' Business Notice of Motion No. 2, Minister for Tourism, notice of which was given on 12 October 2010 and renewed for a further 30 sitting days on 12 April 2011, would be removed from the next Notice Paper.

He also advised that Private Members' Business Notice of Motion No. 3, Economics and Industry Standing Committee Recommendations, notice of which was given on 12 April 2011, had lapsed and would be removed from the Notice Paper unless written notification was provided to the Clerk requiring that the notice be continued.

9. Removal of Orders of the Day

The Speaker advised members that the Orders of the Day that appeared on the last Notice Paper as Private Members' Business Order of the Day No. 1, Appointment of a Select Committee into Increases to State Debt Since 2000, and Private Members' Business Order of the Day No. 2, Acts Amendment (Safety and Human Rights of Persons in Custody) Bill 2009, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

10. Matter of Public Interest – Perth Sports Stadium

The Speaker informed the Assembly that he was in receipt of a notice from Mr R.H. Cook that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr R.H. Cook moved,

That the House condemns the Premier for selecting the most expensive site for the new Perth Sports Stadium and for his failure to be honest with the people of Western Australia about the full cost of the stadium.

Debate ensued.

The Minister for Transport moved,

To delete all words after “House” and insert—

“

commends the State Government’s decision to build a world class sports stadium at the Burswood site.

”.

On the question, That the words be deleted,

The Assembly divided.

Ayes (28)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr J.J.M. Bowler
Mr I.M. Britza
Mr T.R. Buswell
Mr V.A. Catania
Dr E. Constable
Mr M.J. Cowper

Mr J.H.D. Day
Mr J.M. Francis
Mr B.J. Grylls
Dr K.D. Hames
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
Mr A. Krsticevic
Mr J.E. McGrath
Mr W.R. Marmion

Mr P.T. Miles
Ms A.R. Mitchell
Dr M.D. Nahan
Mr D.T. Redman
Mr M.W. Sutherland
Mr T.K. Waldron
Dr J.M. Woollard
Mr A.J. Simpson (*Teller*)

Noes (24)

Ms L.L. Baker
Dr A.D. Buti
Ms A.S. Carles
Mr R.H. Cook
Ms J.M. Freeman
Mr W.J. Johnston
Mr J.C. Kobelke
Mr F.M. Logan

Mr M. McGowan
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk
Mr E.S. Ripper
Mrs M.H. Roberts

Ms R. Saffioti
Mr T.G. Stephens
Mr C.J. Tallentire
Mr P.C. Tinley
Mr A.J. Waddell
Mr M.P. Whitely
Mr B.S. Wyatt
Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That the words be inserted,

The Assembly divided.

Ayes (28)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr J.J.M. Bowler
Mr I.M. Britza
Mr T.R. Buswell
Mr V.A. Catania
Dr E. Constable
Mr M.J. Cowper

Mr J.H.D. Day
Mr J.M. Francis
Mr B.J. Grylls
Dr K.D. Hames
Mr A.P. Jacob
Dr G.G. Jacobs
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Mr J.E. McGrath
Mr W.R. Marmion

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Ms R. Saffioti
 Mr T.G. Stephens
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr A.J. Waddell
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That the motion, as amended, be agreed to,
 The Assembly divided.

Ayes (28)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr J.J.M. Bowler
 Mr I.M. Britza
 Mr T.R. Buswell
 Mr V.A. Catania
 Dr E. Constable
 Mr M.J. Cowper

Mr J.H.D. Day
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Noes (24)

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Ms R. Saffioti
 Mr T.G. Stephens
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr A.J. Waddell
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Question thus passed.

11. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 3, 4, 1 and 2 be next considered.

12. Personal Property Securities (Commonwealth Laws) Bill 2011

Personal Property Securities (Consequential Repeals and Amendments) Bill 2011

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

Cognate Debate

Leave was granted to debate the Personal Property Securities (Consequential Repeals and Amendments) Bill 2011 in conjunction with the Personal Property Securities (Commonwealth Laws) Bill 2011.

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 Transport moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

13. Personal Property Securities (Consequential Repeals and Amendments) Bill 2011

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

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 Transport moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

14. Fish Resources Management 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 74 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. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.29 p.m. until Wednesday, 28 September 2011 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr G.M. Castrilli, Mrs L.M. Harvey, Mr J.N. Hyde, Mrs C.A. Martin and Mr C.C. Porter.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly