

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 199

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 29 MARCH 2012

1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

2. Petitions

Belmont Ski Area – Ms L.L. Baker presented a petition from 103 persons requesting that the Legislative Assembly ensures that the Barnett Government closes the Belmont Ski Area (P. 568).

Prostitution Bill 2011 – Mr P. Abetz presented a petition from 1,005 persons requesting that the Legislative Assembly either heavily amend the Western Australian Prostitution Bill 2011 such that brothels are not legalised in Western Australia, or reject the bill completely (P. 569).

Container Deposit Scheme – Mr D.A. Templeman presented a petition from 77 persons requesting that the Legislative Assembly takes full and comprehensive action to ensure the passing of the Container Deposit and Recovery Scheme Bill 2011 (P. 570).

3. Papers

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

By the Clerk –

Forest Products Commission of Western Australia – Half Year Report, 31 December 2011 (4661).

Public Accounts Committee – Minutes, 16 February – 20 December 2011 (4662).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Transport on the Transperth Rail Safety Campaign.

The Minister for Sport and Recreation on the 2012–2013 major grants round of the Community Sports and Recreation Facilities Fund.

5. Grievances

The Speaker called for grievances which were then made.

6. Joint Standing Committee on the Corruption and Crime Commission

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

Corruption and Crime Commission, Joint Standing Committee on the – Exceptional Powers Revocation, Report No. 26 (4663).

Mr J.N. Hyde spoke on the report.

7. Joint Standing Committee on the Commissioner for Children and Young People

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

Commissioner for Children and Young People, Joint Standing Committee on the – Amendment of Finding 5 and Finding 6 from Report No. 8, Report No. 9 (4664).

Ms A.R. Mitchell and Mr M.P. Whitely spoke on the report.

8. Western Australia Day (Renaming) Bill 2011

Message No. 207 dated 28 March 2012 from the Legislative Council was reported agreeing to the bill without amendment.

9. Variation to the Order of Business

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

10. Gas Services Information 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.

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

The Minister for Transport, on behalf of the Minister for Planning, moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

11. Business Names (Commonwealth Powers) 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.

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.

12. Retail Trading Hours Amendment Bill 2012

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 A.J. Waddell speaking) and adjourned until a later stage of the sitting.

13. Members' Statements

The Acting Speaker called for members' statements which were then made.

14. Speaker's Statement – Questions Without Notice on Wednesday, 28 March 2012

The Speaker advised members that he would give further consideration to issues raised by members on both sides of the House during Questions without Notice on the previous day.

15. Questions

Questions without Notice were taken.

Questions on Notice Nos 7668 to 7774 were asked.

Questions on Notice Nos 7212, 7239, 7280, 7328, 7337, 7355, 7357 to 7361, 7392 and 7427 were answered.

16. Matter of Public Interest – NIB Stadium Heads of Agreement

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

At least five members having risen in support,

Mr B.S. Wyatt moved,

That the House calls on the Government to:

- (1) release all information on the renegotiation of the NIB Stadium Heads of Agreement, including information held by the Minister for Sport and Recreation's and Premier's offices and agencies;
- (2) explain the circumstances behind the renegotiation of the Heads of Agreement; and
- (3) explain the role of Liberal Party lobbyists in influencing the outcome.

Debate ensued.

Question put.

The Assembly divided.

Ayes (23)

Ms L.L. Baker	Mr M. McGowan	Mr C.J. Tallentire
Dr A.D. Buti	Mr M.P. Murray	Mr P.C. Tinley
Ms A.S. Carles	Mr P. Papalia	Mr A.J. Waddell
Mr R.H. Cook	Mr J.R. Quigley	Mr P.B. Watson
Mr J.N. Hyde	Ms M.M. Quirk	Mr M.P. Whitely
Mr W.J. Johnston	Mr E.S. Ripper	Mr B.S. Wyatt
Mr F.M. Logan	Mrs M.H. Roberts	Ms R. Saffioti (<i>Teller</i>)
Mrs C.A. Martin	Mr T.G. Stephens	

Noes (25)

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

Question thus negatived.

17. Road Traffic (Vehicles) Bill 2011

Message No. 208 dated 29 March 2012 from the Legislative Council was reported agreeing to the bill without amendment.

18. Speaker's Statement – Question Without Notice No. 156 – Tabling of Paper

The Speaker advised members that he had approved the tabling of the paper referred to by the Minister for Housing during Questions without Notice.

Paper

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

By the Minister for Transport –

Minister for Transport – Email to the Minister for Transport Regarding Public Housing Policy (4665).

19. Variation to the Order of Business

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

20. Retail Trading Hours Amendment Bill 2012

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 3 agreed to.

Clause 4.

Mr M. McGowan moved,

Page 2, line 15 — To insert after “5 p.m.” the following:

“ and all of Easter Sunday ”.

Amendment put.

The Assembly divided.

Ayes (18)

Ms L.L. Baker
Dr A.D. Buti
Mr V.A. Catania
Mr J.N. Hyde
Mr F.M. Logan
Mrs C.A. Martin

Mr M. McGowan
Mr J.R. Quigley
Ms M.M. Quirk
Mr E.S. Ripper
Mrs M.H. Roberts
Mr C.J. Tallentire

Mr P.C. Tinley
Mr A.J. Waddell
Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Mr W.J. Johnston (*Teller*)

Noes (20)

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

Mr J.M. Francis
Mr B.J. Grylls
Mrs L.M. Harvey
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
Mr A. Krsticevic

Mr J.E. McGrath
Mr P.T. Miles
Ms A.R. Mitchell
Dr M.D. Nahan
Mr D.T. Redman
Mr A.J. Simpson (*Teller*)

Amendment thus negatived.

Clause agreed to.

Clause 5 agreed to.

Clause 6.

Mr W.J. Johnston moved,

Page 3, line 21 — To insert after “(25 December)”:

“ Western Australia Day ”.

Amendment put and negatived.

Clause agreed to.

Clause 7 agreed to.

Title agreed to.

Consideration in detail concluded.

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.

Debate ensued.

Question put.

The Assembly divided.

Ayes (31)

Mr F.A. Alban	Mr A.P. Jacob	Dr M.D. Nahan
Ms L.L. Baker	Dr G.G. Jacobs	Mr J.R. Quigley
Mr C.J. Barnett	Mr R.F. Johnson	Ms M.M. Quirk
Mr I.C. Blayney	Mr W.J. Johnston	Mr E.S. Ripper
Mr I.M. Britza	Mr A. Krsticevic	Mrs M.H. Roberts
Mr T.R. Buswell	Mr F.M. Logan	Mr P.C. Tinley
Dr A.D. Buti	Mrs C.A. Martin	Mr A.J. Waddell
Dr E. Constable	Mr M. McGowan	Mr B.S. Wyatt
Mr J.M. Francis	Mr J.E. McGrath	Mr A.J. Simpson (<i>Teller</i>)
Mrs L.M. Harvey	Mr P.T. Miles	
Mr J.N. Hyde	Ms A.R. Mitchell	

Noes (3)

Mr B.J. Grylls	Mr D.T. Redman	Mr V.A. Catania (<i>Teller</i>)
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Question thus passed.

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

21. Road Traffic Legislation Amendment Bill 2011

Message No. 209 dated 29 March 2012 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Road Traffic Legislation Amendment Bill 2011* 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 Road Traffic Legislation Amendment Bill 2011

No. 1

Page 11, line 17 — To delete “102D” and insert —

Ordered, That consideration in detail of Legislative Council Message No. 209 be made an Order of the Day for the next sitting of the Assembly.

22. Adoption Amendment Bill 2011

Message No. 210 dated 29 March 2012 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the *Adoption Act 1994*.”

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

23. Reserves (Wanjarri Nature Reserve) Bill 2011

Message No. 211 dated 29 March 2012 from the Legislative Council was reported agreeing to the bill without amendment.

24. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 1 May 2012 at 2.00 p.m.

Question put and passed.

25. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 6.40 p.m. until Tuesday, 1 May 2012 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr G.M. Castrilli, Mr J.H.D. Day, Mr W.R. Marmion and Mr A.P. O'Gorman.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly