

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 149

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

TUESDAY, 14 JUNE 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 Attorney General on the Prostitution Green Bill 2011.

Paper

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

By the Attorney General –

Attorney General, Department of – Prostitution Bill 2011, Draft Bill for Public Comment (3476).

The Minister for Corrective Services on amendments to the *Inspector of Custodial Services Act 2003*.

The Minister for Racing and Gaming on the Government's response to the recommendations of the Report by the Education and Health Standing Committee on Alcohol Restrictions in the Kimberley.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 5633 to 5696 were asked.

Questions on Notice Nos 5299, 5307 to 5309, 5311, 5314, 5318, 5619 and 5622 were answered.

Papers tabled by the Minister for Environment; Water –

Question on Notice No. 5308 – Ministerial Appeal Determination, Appeal Against Report and Recommendation of the Environmental Protection Authority – Bluewaters Power Station Expansion, Phase III and IV, Collie (Report 1349) and Coolimba Power Station Project, Eneabba (Report 1350) (3474).

Question on Notice No. 5314 – Funding commitments to the Department of Water from the Commonwealth under the National Water Initiative since January 2005 (3475).

4. Personal Explanation

Minister for Tourism made a personal explanation about his referral to a '2011 One Movement for Music' event during debate on a motion regarding the One Movement for Music event on 25 May 2011.

5. Petitions

Intersection of Caves Road and Cape Naturaliste Road – Mr T.R. Buswell presented a petition from 526 persons requesting that the Government provide immediate funding and any other resources required in order to make the intersection of Caves Road and Cape Naturaliste Road safe (P. 413).

Road Trauma Victim Support Service – Ms M.M. Quirk presented a petition from 24 persons requesting the establishment of a road trauma victim support service for all Western Australians (P. 414).

6. 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. 2132/97 between the Department of Environment and Conservation and Simcoa Operations Pty Ltd for the purpose of processing of timber residue at two locations within State Forest No. 14 – Dwellingup (3438).

Dividing Fences Act 1961 – Local Laws (Shire of Esperance Fencing Amendment Local Law 2011 G.G. 03/06/2011) (3439).

Fair Trading Act 2010 – Notices (Consumer Protection Notice No. 21 of 2011 – Safety Standard: Child Restraint Systems For Use In Motor Vehicles G.G. 24/05/2011) (3440).

Firearms Act 1973 – Regulations (Firearms Amendment Regulations (No. 2) 2011 G.G. 10/06/2011) (3441).

Government of Western Australia – Quarterly Financial Results Report 2010-11, March 2011 (3442).

Health Act 1911 – Local Laws (Shire of Esperance Health Amendment Local Law 2011 G.G. 03/06/2011) (3443).

Health Act 1911 – Regulations (Health (Poultry Manure) Amendment Regulations 2011 G.G. 24/05/2011) (3444).

Hospitals and Health Services Act 1927 – Regulations (Hospitals (Services Charges) Amendment Regulations (No. 2) 2011 G.G. 03/06/2011) (3445).

Hospitals and Health Services Act 1927 – Regulations (Hospitals (Services Charges) Amendment Regulations (No. 4) 2011 G.G. 03/06/2011) (3446).

Housing Act 1980 – Regulations (Housing Amendment Regulations 2011 G.G. 27/05/2011) (3447).

Legal Profession Act 2008 – Regulations (Legal Profession Amendment Regulations (No. 3) 2011 G.G. 03/06/2011) (3448).

Liquor Control Act 1988 – Regulations (Liquor Control (Looma Restricted Area) Regulations 2011 G.G. 27/05/2011) (3449).

Liquor Control Act 1988 – Regulations (Liquor Control (Pandanus Park Restricted Area) Regulations 2011 G.G. 27/05/2011) (3450).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 3) 2011 G.G. 03/06/2011) (3451).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations (No. 7) 2011 G.G. 27/05/2011) (3452).

Liquor Control Act 1988 – Regulations (Liquor Control Amendment Regulations 2011 G.G. 27/05/2011) (3453).

Local Government Act 1995 – Local Laws (City of Gosnells Local Government Property Amendment Local Law 2011 G.G. 27/05/2011) (3454).

Local Government Act 1995 – Local Laws (Correction – City of Gosnells Local Government Property Amendment Local Law 2011 G.G. 31/05/2011) (3455).

Local Government Act 1995 – Local Laws (Shire of Merredin Waste Local Law 2011 G.G. 25/05/2011) (3456).

Local Government Act 1995 – Local Laws (Town of Bassendean Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010 G.G. 07/06/2011) (3457).

Local Government Act 1995 – Local Laws (Town of Bassendean Parking and Parking Facilities Local Law 2010 G.G. 07/06/2011) (3458).

Lotteries Commission Act 1990 – Rules (Lotteries Commission (Powerball) Amendment Rules 2011 G.G. 03/06/2011) (3459).

Lotteries Commission Act 1990 – Rules (Lotteries Commission (Oz Lotto) Amendment Rules 2011 G.G. 03/06/2011) (3460).

Motor Vehicle Drivers Instructors Act 1963 – Regulations (Motor Vehicle Drivers Instructors Amendment Regulations 2011 G.G. 07/06/2011) (3461).

Painters' Registration Board – Annual Report 2010 (3462).

Pawnbrokers and Second-hand Dealers Act 1994 – Regulations (Pawnbrokers and Second-hand Dealers Amendment Regulations 2011 G.G. 10/06/2011) (3463).

Perth Market Act 1926 – By-laws (Perth Market Amendment By-laws 2010 G.G. 31/05/2011) (3464).

Petroleum (Submerged Lands) Act 1982 – Regulations (Petroleum (Submerged Lands) Amendment Regulations 2011 G.G. 24/05/2011) (3465).

Petroleum and Geothermal Energy Resources Act 1967 – Regulations (Petroleum and Geothermal Energy Resources Amendment Regulations 2011 G.G. 24/05/2011) (3466).

Police Act 1892 – Regulations (Police (Fees) Amendment Regulations 2011 G.G. 10/06/2011) (3467).

Queen Elizabeth II Medical Centre Act 1966 – Statutory Review of the Operation and Effectiveness of the Act (3468).

Residential Tenancies Act 1987 – Regulations (Residential Tenancies Amendment Regulations 2011 G.G. 24/05/2011) (3469).

Security and Related Activities (Control) Act 1996 – Regulations (Security and Related Activities (Control) Amendment Regulations (No. 3) 2011 G.G. 10/06/2011) (3470).

Stock Diseases (Regulations) Act 1968 – Regulations (Enzootic Diseases Amendment Regulations (No. 2) 2011 G.G. 03/06/2011) (3471).

Taxi Act 1994 – Regulations (Taxi Amendment Regulations 2011 G.G. 07/06/2011) (3472).

Veterinary Surgeons Act 1960 – Regulations (Veterinary Surgeons Amendment Regulations 2011 G.G. 24/05/2011) (3473).

7. Notices of Motion

8. Removal of Orders of the Day

The Speaker advised members that the Order of the Day that appeared on the last Notice Paper as Private Member's Business No. 1, Schools of Isolated and Distance Education Courses for Years 11 and 12 Students, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

9. Matter of Public Interest – Government Fees and Charges

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

At least five members having risen in support,

Mr E.S. Ripper moved,

That the House condemns the Barnett Government for its excessive increases in fees and charges thereby putting huge pressure on local government rates.

Debate ensued.

Paper

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

By the Minister for Local Government –

Local Government, Department for – Average Rate per Residential Rate Assessment 2009–10 (3477).

Question put.

The Assembly divided.

Ayes (25)

Ms L.L. Baker

Dr A.D. Buti

Ms A.S. Carles

Mr R.H. Cook

Ms J.M. Freeman

Mr J.N. Hyde

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

Mr T.G. Stephens

Mr C.J. Tallentire

Mr P.C. Tinley

Mr A.J. Waddell

Mr P.B. Watson

Mr M.P. Whitely

Mr B.S. Wyatt

Ms R. Saffioti (*Teller*)

Noes (27)

Mr P. Abetz

Mr F.A. Alban

Mr C.J. Barnett

Mr I.C. Blayney

Mr I.M. Britza

Mr T.R. Buswell

Mr G.M. Castrilli

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

Mrs L.M. Harvey

Mr A.P. Jacob

Dr G.G. Jacobs

Mr R.F. Johnson

Mr A. Krsticevic

Mr P.T. Miles

Dr M.D. Nahan

Mr C.C. Porter

Mr D.T. Redman

Mr A.J. Simpson

Mr M.W. Sutherland

Mr T.K. Waldron

Mr J.E. McGrath (*Teller*)

Question thus negated.

10. Messages from the Governor

Messages from His Excellency the Deputy of the Lieutenant Governor and Administrator and His Excellency the Lieutenant Governor and Administrator were reported assenting to the following bills –

No. 17 – 25 May 2011

Road Traffic Amendment (Alcohol and Drug Related Offences) Bill 2010, Act No. 14 of 2011.

Criminal Investigation (Identifying People) Amendment Bill 2011, Act No. 15 of 2011.

Building Services (Complaint Resolution and Administration) Bill 2010, Act No. 16 of 2011.

Building Services Levy Bill 2010, Act No. 17 of 2011.

No. 18 – 2 June 2011

Road Traffic Legislation Amendment (Information) Bill 2010, Act No. 18 of 2011.

11. Appropriation (Consolidated Account) Recurrent 2011-12 Bill 2011
Appropriation (Consolidated Account) Capital 2011-12 Bill 2011

The Order of the Day for the presentation of the reports and minutes of Estimates Committees A and B was read.

Papers

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

By the Deputy Speaker –

Estimates Committee A – Report and Minutes (3478).

Estimates Committee B – Report and Minutes (3479).

Question proposed, That the report of Estimates Committee A be adopted.

The report of Estimates Committee A was as follows –

The Estimates Committee has considered and recommended the Appropriations for the following Divisions of the Estimates of Expenditure under the *Appropriation (Consolidated Account) Recurrent 2011-12 Bill 2011* and the *Appropriation (Consolidated Account) Capital 2011-12 Bill 2011* –

Division Nos 1 and 2;
 3 (except Office of Native Title);
 4 to 12;
 40 to 42;
 45 to 51;
 53 to 55;
 56 (except Service 7);
 57 and 58; and
 68 to 75.

and agreed to the clauses, schedules and titles of the Bills without amendment.

Debate ensued.

Question put and passed.

Question proposed, That the report of Estimates Committee B be adopted.

The report of Estimates Committee B was as follows –

The Estimates Committee has considered and recommended the Appropriations for the following Divisions of the Estimates of Expenditure under the *Appropriation (Consolidated Account) Recurrent 2011-12 Bill 2011* and the *Appropriation (Consolidated Account) Capital 2011-12 Bill 2011* –

Division Nos 13 to 26;
 27 (incl. Office of Native Title);
 28 to 39;
 43 and 44;
 52;
 56 (Service 7); and
 59 to 67.

Debate ensued.

Question put and passed.

The Treasurer moved, That the Appropriation (Consolidated Account) Recurrent 2011-12 Bill 2011 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. Appropriation (Consolidated Account) Capital 2011-12 Bill 2011

The Order of the Day for the third reading of the bill having been read, the Treasurer 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.

13. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.48 p.m. until Wednesday, 15 June at 12.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr W.R. Marmion, Mrs C.A. Martin, Mr D.A. Templeman and Dr J.M. Woollard.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly