

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS**No. 97****FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT**

THURSDAY, 12 AUGUST 2010**1. Meeting of Assembly**

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

The Speaker took the Chair.

Prayers were read.

2. Petition

Bentley Hospital – Mr B.S. Wyatt presented a petition from 70 persons requesting that the Department of Health continue to provide obstetric, neonatal, paediatric, endoscopy, colonoscopy, general medical in-patient care and elective surgery services at Bentley Hospital (P. 311).

3. Papers

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

By the Speaker –

Auditor General, Office of the [OAG] – Annual Report 2009–2010 (2403).

By the Clerk –

Conservation and Land Management Act 1984 – Lease No. 2270/100 between the Department of Environment and Conservation and Hypermarket Pty Ltd for the construction and operation of an Eco-Tourism Facility on a portion of Dirk Hartog Island National Park (2404).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the celebrations marking the 20th anniversary in 2010 of the Western Australian–East Java Sister State/Province Agreement.

The Minister for Health on the performance of building company Cooper and Oxley in relation to their work on the Rockingham Hospital Oncology Ward.

The Minister for Agriculture and Food on the new Biosecurity Industry Funding Schemes which took effect on 1 July 2010.

5. Grievances

The Speaker called for grievances which were then made.

6. Joint Standing Committee on Delegated Legislation

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

Delegated Legislation, Joint Standing Committee on – Shire of Dardanup Standing Orders
Local Law 2009, Report 41 (2405).

Mr J.M. Francis and Ms J.M. Freeman spoke on the report.

7. Retail Trading Hours Amendment (Armadale Tourism Precinct) Bill 2010

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

CONSIDERATION IN DETAIL

Clause 1.

The Minister for Commerce had moved,

Page 2, line 3 — To delete “*Tourism*” and substitute:

“ *Special Trading* ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

The Minister for Commerce moved,

Page 2, line 14 — To delete “*tourism*” and substitute:

“ *special trading* ”.

Page 2, lines 17 to 21 — To delete the lines and substitute:

“

(2) In section 12A(4) in the definition of *special trading precinct* after “means the” insert:

Armadale special trading precinct,

”.

Amendments put and passed.

Clause, as amended, 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.

8. Retail Trading Hours Amendment (Midland Tourism Precinct) Bill 2010

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

Debate resumed.

On the question, That the bill be read a second time,

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

9. Members’ Statements

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

10. Questions

Questions without Notice were taken.

Questions on Notice Nos 3732 and 3733 were asked.

11. Procedure and Privileges Committee

Mr M.W. Sutherland, as Deputy Speaker, presented the following report which was ordered to lie upon the Table of the House –

Procedure and Privileges Committee – Minor Adjustments to the Standing Orders, Report No. 9 (2406).

Mr M.W. Sutherland and Mr M. McGowan spoke on the report, and Mr J.J.M. Bowler and Dr J.M. Woollard, by leave, also spoke on the report.

12. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 3 be next considered.

13. Cannabis Law Reform Bill 2009

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 6 agreed to.

Clause 7.

Mr R.H. Cook moved,

Page 11, line 15 – To delete “ in ” and substitute:

“ exclusively for ”.

Amendment put and negatived.

Mr R.H. Cook moved,

Page 11, lines 20 to 25 – To delete the lines and substitute:

“

(2)(a) A person selling, offering to sell, or authorising a person to sell cannabis smoking paraphernalia must ensure that the cannabis smoking paraphernalia, packaging or advertising and/or promotional material is not displayed in the premises or able to be viewed from outside the premises in which it is sold.

(b) If a person is charged with an offence under subsection (2)(a) it is a defence to prove that the display was made to a specific customer at the customer’s request.

”.

Amendment put and negatived.

Clause agreed to.

Clauses 8 to 13 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 Police 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.

14. Variation to the Order of Business

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

15. Retail Trading Hours Amendment (Midland Tourism Precinct) Bill 2010

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

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clause 1.

The Minister for Commerce moved,

Page 2, line 2 — To delete “*Tourism*” and substitute:

“ *Special Trading* ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

The Minister for Commerce moved,

Page 2, line 14 — To delete “*tourism*” and substitute:

“ *special trading* ”.

Page 2, lines 17 to 21 — To delete the lines and substitute:

“

- (2) In section 12A(4) in the definition of *special trading precinct* delete “Joondalup special trading precinct” and insert:

Joondalup special trading precinct, Midland special trading precinct

”.

Amendments put and passed.

Clause, as amended, 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.

16. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 5.39 p.m. until Tuesday, 17 August 2010 at 2.00 p.m.

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

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly