

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 162

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

WEDNESDAY, 26 SEPTEMBER 2007

1. Meeting of Assembly

The Assembly met at 12 noon pursuant to adjournment.

The Deputy Speaker took the Chair.

Prayers were read.

2. Petitions

Como Primary School - Mr J.E. McGrath presented a petition from 213 persons requesting that the State Government provide the necessary funds for an undercover assembly area at the Como Primary School (P. 253).

South Perth Primary School - Mr J.E. McGrath presented a petition from 109 persons requesting that the State Government provide the necessary funds for an undercover assembly area at the South Perth Primary School (P. 254).

3. Joint Standing Committee on the Corruption and Crime Commission - Reporting Date

The Deputy Speaker advised members that the Speaker had received a letter dated 25 September 2007 from the Chairman of the Joint Standing Committee on the Corruption and Crime Commission, advising that the Committee will now report to the Legislative Assembly on its Inquiry into Legislative Amendments to the *Corruption and Crime Commission Act 2003* by 18 October 2007.

4. Papers

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

By the Deputy Speaker –

Auditor General, Office of the - Fourth Public Sector Performance Report, Report No. 9, September 2007 (3142).

Corruption and Crime Commission of Western Australia - Annual Report 2006-2007 (3143).

Legislative Council, Department of the - Financial Statements for the Year Ended 30 June 2007 (3144).

Parliamentary Services Department - Annual Report 2006-2007 (3145).

By the Clerk –

Building and Construction Industry Training Fund - Annual Report 2006-2007 (3146).

Coal Industry Superannuation Board - Annual Report 2006-2007 (3147).

Goldfields Esperance Development Commission - Annual Report 2006-2007 (3148).

Insurance Commission of Western Australia - Annual Report 2006-2007 (3149).

Rottneest Island Authority - Lease Agreement for Quokka Arms Hotel Rottneest Island, between the Rottneest Island Authority (Landlord) and Garret Hospitality Pty Ltd (Tenant) (3150).

Mid West Development Commission - Annual Report 2006-2007 (3151).

Minerals and Energy Research Institute of Western Australia - Annual Report 2006-2007 (3152).

Racing Penalties Appeal Tribunal of Western Australia - Annual Report 2006-2007 (3153).

5. Notices of Motion

6. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Treasurer on the tabling of the 2006-2007 Annual Report on State Finances in accordance with the Government Financial Responsibility Act 2000.

Paper

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

By the Treasurer -

Government of Western Australia, The - 2006-2007 Annual Report on State Finances (3154).

The Treasurer on the decision not to support the Iron Ore (Murchison) Agreement Authorisation Act 1973.

The Minister for Employment Protection on the industrial disputes statistics for the June quarter 2007.

The Minister for Indigenous Affairs on the 2007 East Kimberley Aboriginal Achievement Awards held in Kununurra on Saturday, 22 September 2007.

7. Indigenous Conservation Title Bill 2007

The Deputy Premier, pursuant to notice, moved,

That a bill for “An Act —

- to cancel Reserve No. 34606 (Gibson Desert Nature Reserve) and Reserve No. 34607 (Rudall River National Park); and
- to provide for the transfer of an estate in fee simple in each of the former reserves; and
- to provide for each of the former reserves, other than particular areas, to be managed as a national park or nature reserve and for those particular areas to be used as Aboriginal community living areas; and
- to make a consequential amendment to the *Land Administration Act 1997*; and

for related purposes.” be introduced and read a first time.

Question put and passed.

The Deputy Premier presented an explanatory memorandum and bill read a first time.

The Deputy Premier moved, That the bill be now read a second time.

Mr A.J. Simpson moved, That the debate be adjourned.

Question put and passed.

8. Professional Combat Sports Amendment Bill 2007

Mr T.R. Sprigg, pursuant to notice, moved,

That a bill for “An Act to provide for the Minister to give directions in writing to the Professional Combat Sports Commission with respect to the exercise by the Commission of its powers generally or with respect to a particular matter.” be introduced and read a first time.

Question put and passed.

Mr T.R. Sprigg presented an explanatory memorandum and bill read a first time.

Ordered, That the second reading of the bill be made an Order of the Day for a later stage of the sitting.

9. Prostitution Amendment Bill 2007

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

Debate resumed.

Question put.

The Assembly divided.

Ayes (26)

Mr P.W. Andrews
Dr J.M. Edwards
Mrs J. Hughes
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Mr F.M. Logan
Ms A.J.G. MacTiernan
Mr J.A. McGinty

Mr M. McGowan
Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk

Ms J.A. Radisich
Mr E.S. Ripper
Mrs M.H. Roberts
Mr T.G. Stephens
Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr S.R. Hill (*Teller*)

Noes (20)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper
Mr J.H.D. Day

Ms K. Hodson-Thomas
Dr G.G. Jacobs
Mr R.F. Johnson
Mr J.E. McGrath
Mr P.D. Omodei
Mr D.T. Redman
Mr A.J. Simpson

Mr G. Snook
Dr S.C. Thomas
Mr M.W. Trenorden
Ms S.E. Walker
Dr J.M. Woollard
Mr T.R. Sprigg (*Teller*)

Question thus passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clause 1.

Ms S.E. Walker moved,

Page 2, line 3 - To delete "*Prostitution*" and substitute -

" *Commercial Sexual Use* ".

Amendment put.

The Assembly divided.

Ayes (21)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper
Mr J.H.D. Day

Dr K.D. Hames
Ms K. Hodson-Thomas
Dr G.G. Jacobs
Mr R.F. Johnson
Mr J.E. McGrath
Mr P.D. Omodei
Mr D.T. Redman

Mr A.J. Simpson
Mr G. Snook
Dr S.C. Thomas
Mr M.W. Trenorden
Ms S.E. Walker
Dr J.M. Woollard
Mr T.R. Sprigg (*Teller*)

Noes (28)

Mr P.W. Andrews
Mr A.J. Carpenter
Mr J.B. D'Orazio
Dr J.M. Edwards
Mrs D.J. Guise
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Mr F.M. Logan
Ms A.J.G. MacTiernan

Mr J.A. McGinty
Mr M. McGowan
Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O'Gorman
Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk

Ms J.A. Radisich
Mr E.S. Ripper
Mrs M.H. Roberts
Mr T.G. Stephens
Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr S.R. Hill (*Teller*)

Amendment thus negatived.

Ms S.E. Walker moved,

Page 2, line 3 - To insert after "*Prostitution*" -

" *(including the decriminalisation of brothels and commercial sexual services of young people)* ".

Amendment put.

Debate interrupted by the Chair (Dr G.G. Jacobs speaking) and adjourned until a later stage of the sitting.

10. Questions

Questions without Notice were taken.

Question on Notice Nos 2718 to 2732 were asked.

Questions on Notice Nos 2613, 2615, 2619, 2630, 2632, 2639, 2663, 2666, 2671 and 2673 were answered.

11. Variation to the Order of Business

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

12. Prostitution Amendment Bill 2007

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

Clause 1.

Ms S.E. Walker had moved,

Page 2, line 3 - To insert after "*Prostitution*" -

“ (including the decriminalisation of brothels and commercial sexual services of young people) ”.

Amendment put.

The Assembly divided.

Ayes (22)

Mr C.J. Barnett	Ms K. Hodson-Thomas	Dr S.C. Thomas
Mr D.F. Barron-Sullivan	Dr G.G. Jacobs	Mr M.W. Trenorden
Mr M.J. Birney	Mr R.F. Johnson	Ms S.E. Walker
Mr T.R. Buswell	Mr J.E. McGrath	Mr G.A. Woodhams
Mr G.M. Castrilli	Mr P.D. Omodei	Dr J.M. Woollard
Dr E. Constable	Mr D.T. Redman	Mr T.R. Sprigg (<i>Teller</i>)
Mr J.H.D. Day	Mr A.J. Simpson	
Dr K.D. Hames	Mr G. Snook	

Noes (28)

Mr P.W. Andrews	Mr J.A. McGinty	Ms J.A. Radisich
Mr A.J. Carpenter	Mr M. McGowan	Mr E.S. Ripper
Dr J.M. Edwards	Ms S.M. McHale	Mrs M.H. Roberts
Mrs D.J. Guise	Mr A.D. McRae	Mr T.G. Stephens
Mrs J. Hughes	Mrs C.A. Martin	Mr D.A. Templeman
Mr J.N. Hyde	Mr M.P. Murray	Mr P.B. Watson
Mr J.C. Kobelke	Mr A.P. O’Gorman	Mr M.P. Whitely
Mr R.C. Kucera	Mr P. Papalia	Mr S.R. Hill (<i>Teller</i>)
Mr F.M. Logan	Mr J.R. Quigley	
Ms A.J.G. MacTiernan	Ms M.M. Quirk	

Amendment thus negatived.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Dr E. Constable moved,

Page 3, lines 5 and 6 – To delete all words after “by” and substitute –

“

deleting “*Prostitution Act*” and inserting instead —

“ *Sex Services Act* ”.

”.

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

13. Variation to the Order of Business

Ordered, That the Private Members’ Business Order of the Day for the second reading of the Professional Combat Sports Amendment Bill 2007 and Private Members’ Business Orders of the Day Nos 18 and 14 be next considered.

14. Professional Combat Sports Amendment Bill 2007

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

Debate resumed.

Urgent Bill

Mr C.J. Barnett, on behalf of Mr T.R. Sprigg, moved, That the *Professional Combat Sports Amendment Bill 2007* be considered an urgent bill.

Debate ensued.

Question put.

The Assembly divided.

Ayes (24)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper
Mr J.H.D. Day

Mr B.J. Grylls
Dr K.D. Hames
Ms K. Hodson-Thomas
Dr G.G. Jacobs
Mr R.F. Johnson
Mr J.E. McGrath
Mr P.D. Omodei
Mr D.T. Redman

Mr A.J. Simpson
Mr G. Snook
Dr S.C. Thomas
Mr M.W. Trenorden
Ms S.E. Walker
Mr G.A. Woodhams
Dr J.M. Woollard
Mr T.R. Sprigg (*Teller*)

Noes (27)

Mr P.W. Andrews
Mr A.J. Carpenter
Dr J.M. Edwards
Mrs D.J. Guise
Mrs J. Hughes
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Mr F.M. Logan

Ms A.J.G. MacTiernan
Mr J.A. McGinty
Mr M. McGowan
Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr P. Papalia
Mr J.R. Quigley

Ms M.M. Quirk
Ms J.A. Radisich
Mr E.S. Ripper
Mrs M.H. Roberts
Mr T.G. Stephens
Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr S.R. Hill (*Teller*)

Question thus negatived.

The Minister for Police and Emergency Services moved, That the debate be adjourned.

Question put and passed.

15. Waste Water Treatment Facilities in Hopetoun

The Order of the Day having been read for the resumption of debate on the motion moved by Dr G.G. Jacobs,

That this House calls on the Government to provide adequate waste water treatment facilities to allow much needed commercial and residential development to take place in Hopetoun.

Debate resumed.

The Minister for Water Resources moved, To delete all words after “House” and substitute –
“

calls on the Howard Federal Government to make a more reasonable contribution to the cost of infrastructure that is essential for continuing resource developments in Western Australia and particularly towards the wastewater treatment facilities being funded by the State Government to allow much needed commercial and residential development in Hopetoun.

”.

Debate ensued.

On the question, That the words be deleted,

Question put and passed.

On the question, That the words be inserted,

Question put and passed.

On the question, That the motion, as amended, be agreed to,

Question put.

The Assembly divided.

Ayes (26)

Mr P.W. Andrews
Mr A.J. Carpenter
Dr J.M. Edwards
Mrs D.J. Guise
Mrs J. Hughes
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Mr F.M. Logan

Ms A.J.G. MacTiernan
Mr M. McGowan
Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia
Mr J.R. Quigley

Ms M.M. Quirk
Ms J.A. Radisich
Mrs M.H. Roberts
Mr T.G. Stephens
Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr S.R. Hill (*Teller*)

Noes (19)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper

Mr J.H.D. Day
Ms K. Hodson-Thomas
Dr G.G. Jacobs
Mr R.F. Johnson
Mr J.E. McGrath
Mr D.T. Redman
Mr A.J. Simpson

Mr G. Snook
Mr M.W. Trenorden
Ms S.E. Walker
Dr J.M. Woollard
Mr T.R. Sprigg (*Teller*)

Question thus passed.

16. Misuse of Drugs (Methylamphetamine) Amendment Bill 2007

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

Mr M.J. Cowper moved, That the bill be now read a second time.

Debate ensued.

Debate interrupted by the Chair (Mr M.J. Cowper speaking) and adjourned until a later stage of the sitting.

17. Adjournment

The Minister for the Environment moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 7.00 p.m. until Thursday, 27 September 2007 at 9.00 a.m.

Members present during any part of the day's proceedings - All the members except Mr J.J.M. Bowler, Mr F. Riebeling, Mr T.K. Waldron and Mr B.S. Wyatt.

PETER J. McHUGH

Clerk of the Legislative Assembly

DIANNE GUISE

Deputy Speaker of the Legislative Assembly