

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 39

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

TUESDAY, 11 AUGUST 2009

1. Meeting of Assembly

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Speaker's Statement - Chamber Seating Plan

The Speaker advised members that he had approved an amended seating arrangement for the Opposition and the member for North West.

3. Speaker's Statement - Complaint regarding the Premier and the Hon Michelle Roberts

The Speaker advised members that he is tabling a letter dated 29 June 2009 from the Commissioner of the Corruption and Crime Commission, the Hon L.W. Roberts-Smith, forwarding a complaint regarding the Premier and the member for Midland in relation to a residential property called 'The Cliffe' in Peppermint Grove. The Speaker advised he is also tabling a copy of his response dated 6 July 2009 to the Commissioner.

The Speaker said the Commissioner had advised in his letter that as the Commission cannot investigate these allegations without breaking parliamentary privilege, it had decided to take no further action but to forward them to the Speaker.

The Speaker's view was that section 152(4)(d) only allows for disclosure to either House of Parliament or to the Joint Standing Committee on the Corruption and Crime Commission and, consequently, the appropriate course of action for the Speaker was to table the letter in the House. It was for the House to decide what action, if any, should be taken in the matter.

Paper

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

By the Speaker –

Correspondence, Corruption and Crime Commission, Hon Colin Barnett and Hon Michelle Roberts, “The Cliffe” - Allegation Concerning the Hon Colin Barnett, MLA and the Hon Michelle Roberts, MLA, 6 July 2009 (1132).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the changes made to Parliamentary Secretaries which came into effect on 11 August 2009.

Paper

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

By the Premier –

Ministers’ Representation in the Other House - Ministers’ Representation in the Other House: Allocation of Portfolios as at 11 August 2009 (1133).

The Premier on his recent official visit to China from 19 to 26 July 2009, where he visited Zhejiang Province, which has a sister state relationship with Western Australia.

Paper

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

By the Premier –

Official Visit to China by the Premier - Premier; Minister for State Development’s Visit to China from 19 July 2009 to 26 July 2009 (1134).

The Treasurer on the current ceiling placed on Full Time Equivalent (FTE) employees working in the public sector.

The Leader of the House on the amended sitting dates for 2009, resulting in the Legislative Assembly sitting for an additional week from 8 to 10 September 2009.

Paper

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

By the Leader of the House –

Legislative Assembly 2009 Sitting Dates - Parliament of Western Australia Sitting Dates 2009 (1135).

5. Questions

Questions without Notice were taken.

Questions on Notice Nos 1111 to 1178 were asked.

Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of a delegation of ten members from the National Parliament of the Democratic Republic of Timor-Leste, led by His Excellency Manuel Tilman, President of the Committee on Economy Finance and Anti-Corruption.

Questions on Notice Nos 945, 954, 969, 970, 977, 984, 988 to 990, 994 to 997, 1001, 1005, 1007, 1017, 1023 to 1026, 1028, 1030 to 1041, 1044, 1046, 1049, 1051, 1052, 1054, 1056 to 1062, 1064 to 1091, 1096 to 1098, 1103, 1104, 1106, 1108 and 1109 were answered.

Paper tabled by the Minister for Water; Mental Health –

Question on Notice No. 1081 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Water; Mental Health (1112).

Question on Notice No. 989 - Employee Category Breakdown of 2009–2010 Budget Target (1115).

Question on Notice No. 988 - Employee Category Breakdown of 2009–2010 Budget Target for Specialised Mental Health Employees (1116).

Question on Notice No. 984 - Individual Projects and Costings for Estimated Expenditure in 2009–2010 for the Water Corporation (1117).

Question on Notice No. 977 - Integrated Water Supply Scheme Water Usage in 1999–2000 and 2008–2009 (1118).

Paper tabled by the Premier; Minister for State Development –

Question on Notice No. 1057 - Reviews, Boards, Committees and Taskforces created by Government since 23 September 2008 (1111).

Question on Notice No. 1068 - Mobile Phone Allocation to Staff Members in the Office of the Premier; Minister for State Development (1131).

Question on Notice No. 1091 - Details of End of Term-of-Government Contract Payments in 2001 (1128).

Paper tabled by the Treasurer; Minister for Commerce; Science and Innovation; Housing and Works –

Question on Notice No. 1074 - Mobile Phone Allocation to Staff Members in the Office of the Treasurer; Minister for Commerce; Science and Innovation; Housing and Works (1119).

Paper tabled by the Minister representing the Minister for Energy –

Question on Notice No. 1078 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Energy (1121).

Paper tabled by the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development; Minister Assisting the Minister for Transport –

Question on Notice No. 1071 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development; Minister Assisting the Minister for Transport (1124).

Paper tabled by the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering; Women's Interests –

Question on Notice No. 1080 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Child Protection; Community Services; Seniors and Volunteering; Women's Interests (1129).

Paper tabled by Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education –

Question on Notice No. 1083 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education (1130).

Paper tabled by Minister representing the Minister for Environment; Youth –

Question on Notice No. 1084 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Environment; Youth (1123).

Paper tabled by Minister for Police; Emergency Services; Road Safety –

Question on Notice No. 1075 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Police; Emergency Services; Road Safety (1122).

Paper tabled by Minister representing the Minister for Mines and Petroleum; Fisheries; Electoral Affairs –

Question on Notice No. 1070 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Mines and Petroleum; Fisheries; Electoral Affairs (1125).

Paper tabled by Minister for Education; Tourism –

Question on Notice No. 1072 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Education; Tourism (1126).

Paper tabled by Deputy Premier; Minister for Health; Indigenous Affairs –

Question on Notice No. 1069 - Mobile Phone Allocation to Staff Members in the Office of the Deputy Premier; Minister for Health; Indigenous Affairs (1127).

Paper tabled by Attorney General; Minister for Corrective Services –

Question on Notice No. 1079 - Mobile Phone Allocation to Staff Members in the Office of the Attorney General; Minister for Corrective Services (1120).

Paper tabled by Minister for Planning; Culture and the Arts –

Question on Notice No. 1077 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Planning; Culture and the Arts (1114).

Paper tabled by Parliamentary Secretary representing the Minister for Transport; Disability Services –

Question on Notice No. 1073 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Transport; Disability Services (1113).

Paper tabled by Minister for Sport and Recreation; Racing and Gaming; Minister Assisting the Minister for Health –

Question on Notice No. 1076 - Mobile Phone Allocation to Staff Members in the Office of the Minister for Sport and Recreation; Racing and Gaming; Minister Assisting the Minister for Health (1110).

Questions on Notice Nos 944, 946 to 953, 955 to 968, 971 to 976, 978 to 981, 983, 985 to 987, 991 to 993, 998, 999, 1002 to 1004, 1006, 1008 to 1016, 1018 to 1022, 1027, 1029, 1042, 1043, 1047, 1048, 1050, 1053, 1063, 1092 to 1095, 1099 to 1102, 1105, 1107 and 1110 were answered on 3 August 2009.

Paper tabled by the Minister for Heritage –

Question on Notice No. 957 - Details of heritage grants approved or rejected by the Minister for Heritage and details of any representation from the Member for Cottesloe regarding the Cottesloe Beach Pylon (1018).

Paper tabled by the Minister for Culture and the Arts –

Question on Notice No. 971 – Register of all land and buildings included in the Minister for Arts' portfolio (1019).

Paper tabled by the Minister for Police –

Question on Notice No. 975 – Details for the number of sworn police officers serving in Western Australia Police from January 2001 to June 2009 (1020).

6. 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] - Second Public Sector Performance Report 2009, Report No.7 - June 2009 (1021).

By the Clerk –

Synergy - Statement of Corporate Intent 2009–2010 (Received by the Clerk of the Legislative Assembly and deemed tabled 21 July 2009) (1017).

Aerial Spraying Control Act 1966 - Regulations (Aerial Spraying Control Amendment Regulations 2009 G.G. 26/06/2009) (1022).

Agriculture and Related Resources Protection Act 1976 - Regulations (Agriculture and Related Resources Protection (Declared Animals) Amendment Regulations 2009 G.G. 26/06/2009) (1023).

Architects Act 2004 - Regulations (Architects Amendment Regulations 2009 G.G. 30/06/2009) (1024).

Associations Incorporation Act 1987 - Regulations (Associations Incorporation Amendment Regulations 2009 G.G. 23/06/2009) (1025).

Beekeepers Act 1963 - Regulations (Beekeepers Amendment Regulations 2009 G.G. 26/06/2009) (1026).

Builders' Registration Act 1939 - Regulations (Builders' Registration Amendment Regulations (No. 2) 2009 G.G. 23/06/2009) (1027).

Builders' Registration Act 1939 - Regulations (Builders' Registration Amendment Regulations 2009 G.G. 23/06/2009) (1028).

Companies (Co-operative) Act 1943 - Regulations (Companies (Co-operative) (Fees) Regulations 2009 G.G. 23/06/2009) (1029).

Corruption and Crime Commission of Western Australia - Surveillance Devices Act 1998 - Annual Report 2008–2009 (1030).

Criminal Procedure Act 2004 - Regulations (Criminal Procedure Amendment Regulations (No. 4) 2009 G.G. 26/06/2009) (1031).

Criminal Procedure Act 2004 - Regulations (Criminal Procedure Amendment Regulations (No. 5) 2009 G.G. 23/06/2009) (1032).

Debt Collectors Licensing Act 1964 - Regulations (Debt Collectors Licensing Amendment Regulations 2009 G.G. 23/06/2009) (1033).

East Perth Redevelopment Act 1991 - Ministerial Approval under Section 19(2)(a) of the Act to a Transaction greater than \$1 million (.Proposed Sale of Lot 403 William Street, Northbridge), dated 16 July 2009 (1034).

Electoral Act 1907 - Rules (Electoral Amendment Rules 2009 G.G. 03/07/2009) (1035).

Electricity Act 1945 - Regulations (Electricity (Licensing) Amendment Regulations (No. 3) 2009 G.G. 30/06/2009) (1036).

Electricity Act 1945 - Regulations (Electricity (Licensing) Amendment Regulations (No. 4) 2009 G.G. 23/06/2009) (1037).

Employment Agents Act 1976 - Regulations (Employment Agents Amendment Regulations 2009 G.G. 23/06/2009) (1038).

Energy Coordination Act 1994 - Regulations (Energy Coordination (Gas Tariffs) Amendment Regulations 2009 G.G. 30/06/2009) (1039).

Exotic Diseases of Animals Act 1993 - Regulations (Exotic Diseases (General) Amendment Regulations 2009 G.G. 26/06/2009) (1040).

Fines, Penalties and Infringement Notices Enforcement Act 1994 - Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2009 G.G. 23/06/2009) (1041).

Firearms Act 1973 - Regulations (Firearms Amendment Regulations (No. 3) 2009 G.G. 17/07/2009) (1042).

Fish Resources Management Act 1994 - Management Plans (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment 2009 (915) G.G. 17/07/2009) (1043).

Fish Resources Management Act 1994 - Orders (Prohibition on Fishing (Point Quobba) Revocation Order 2009 [880] G.G. 03/07/2009) (1044).

Fish Resources Management Act 1994 - Regulations (Fish Resources Management Amendment Regulations (No. 10) 2009 G.G. 03/07/2009) (1045).

Gas Standards Act 1972 - Regulations (Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations 2009 G.G. 23/06/2009) (1046).

Genetically Modified Crops Free Areas Act 2003 - Orders (Genetically Modified Crops Free Areas Exemption Order (No. 4) 2009 G.G. 14/07/2009) (1047).

Hairdressers Registration Board of Western Australia - Annual Report 2008 (1048).

Health Act 1911 - Local Laws (City of Melville Local Laws Relating to Eating Houses - Health (Eating Houses) Local Laws 2001 G.G. 23/06/2009) (1049).

Health Act 1911 - Local Laws (Town of Claremont Health Amendment Local Laws 2009 G.G. 23/06/2009) (1050).

Hospitals and Health Services Act 1927 - Regulations (Hospitals (Services Charges) Amendment Regulations (No. 4) 2009 G.G. 23/06/2009) (1051).

Industrial Relations Act 1979 - Regulations (Industrial Relations Commission Amendment Regulations 2009 G.G. 10/07/2009) (1052).

Jetties Act 1926 - Regulations (Jetties Amendment Regulations 2009 G.G. 23/06/2009) (1053).

Joint Standing Committee on the Corruption and Crime Commission - Government Response to Report No. 2: Report on the Relationship between the Parliamentary Inspector and the Commissioner of the Corruption and Crime Commission (1054).

Land Administration Act 1997 - Proposal No.12/2007 under Sections 42(4),44(1) or 45(4) of the Act in relation to the Proposed Amalgamation of a Portion of Class 'A' Reserve 8176 with Reserve 37458 - Shire of Broome, dated 31 July 2009 (1055).

Land Administration Act 1997 - Regulations (Land Administration Amendment Regulations 2009 G.G. 23/06/2009) (1056).

Land Surveyors Licensing Board of Western Australia - Annual Report 2008 (1057).

Land Valuers Licensing Act 1978 - Regulations (Land Valuers Licensing Amendment Regulations 2009 G.G. 23/06/2009) (1058).

Landgate - Statement of Corporate Intent 2009–2010 (1059).

Limited Partnerships Act 1909 - Rules (Limited Partnerships Amendment Rules 2009 G.G. 23/06/2009) (1060).

Local Government Act 1995 - Local Laws (City of Albany Standing Orders Local Law 2009 G.G. 24/06/2009) (1061).

Local Government Act 1995 - Local Laws (City of Kalgoorlie-Boulder Parking and Parking Facilities Local Law 2009 G.G. 16/07/2009) (1062).

Local Government Act 1995 - Local Laws (City of Perth Repeal Local Law 2009 G.G. 10/07/2009) (1063).

Local Government Act 1995 - Local Laws (Shire of Northam Parking and Parking Facilities Amendment Local Law 2009 G.G. 30/06/2009) (1064).

Local Government Act 1995 - Local Laws (Town of Cottesloe Parking and Parking Facilities Local Laws 2009 G.G. 10/07/2009) (1065).

Misuse of Drugs Act 1981 - Regulations (Misuse of Drugs Amendment Regulations 2009 G.G. 23/06/2009) (1066).

Motor Vehicle (Third Party Insurance) Act 1943 - Regulations (Motor Vehicle (Third Party Insurance) Regulations 2009 G.G. 26/06/2009) (1067).

Motor Vehicle Dealers Act 1973 - Regulations (Motor Vehicle Dealers (Licensing) Amendment Regulations 2009 G.G. 23/06/2009) (1068).

Motor Vehicle Repairers Act 2003 - Regulations (Motor Vehicle Repairers Amendment Regulations (No. 2) 2009 G.G. 23/06/2009) (1069).

Occupational Safety and Health Act 1984 - Regulations (Occupational Safety and Health Amendment Regulations (No. 6) 2009 G.G. 23/06/2009) (1070).

Occupational Therapists Act 2005 - Regulations (Occupational Therapists Amendment Regulations (No. 2) 2009 G.G. 23/06/2009) (1071).

Osteopaths Act 2005 - Regulations (Osteopaths Amendment Regulations 2009 G.G. 23/06/2009) (1072).

Painters' Registration Act 1961 - Rules (Painters' Registration Board Amendment Rules 2009 G.G. 23/06/2009) (1073).

Perth Parking Management Act 1999 - Regulations (Perth Parking Management Amendment Regulations (No. 2) 2009 G.G. 30/06/2009) (1074).

Perth Parking Management Act 1999 - Regulations (Perth Parking Management Amendment Regulations 2009 G.G. 23/06/2009) (1075).

Petroleum (Submerged Lands) Act 1982 - Regulations (Petroleum (Submerged Lands) Amendment Regulations 2009 G.G. 23/06/2009) (1076).

Petroleum (Submerged Lands) Act 1982 - Regulations (Petroleum (Submerged Lands) Registration Fees Amendment Regulations 2009 G.G. 23/06/2009) (1077).

Petroleum and Geothermal Energy Resources (Registration Fees) Act 1967 - Regulations (Petroleum (Registration Fees) Amendment Regulations 2009 G.G. 23/06/2009) (1078).

Petroleum and Geothermal Energy Resources Act 1967 - Regulations (Petroleum Amendment Regulations 2009 G.G. 23/06/2009) (1079).

Petroleum Pipelines Act 1969 - Regulations (Petroleum Pipelines Amendment Regulations (No. 2) 2009 G.G. 23/06/2009) (1080).

Plant Diseases Act 1914 - Regulations (Plant Diseases Amendment Regulations (No. 2) 2009 G.G. 26/06/2009) (1081).

Police (Medical and Other Expenses for Former Officers) Act 2008 - Regulations (Police (Medical and Other Expenses for Former Officers) Regulations 2009 G.G. 23/06/2009) (1082).

Police Act 1892 - Regulations (Firearms Amendment Regulations 2009 G.G. 23/06/2009) (1083).

Port Authorities Act 1999 - Regulations (Port Authorities Amendment Regulations 2009 G.G. 23/06/2009) (1084).

Professional Standards Council of Western Australia - Annual Report 2007–2008 (1085).

Public Trustee Act 1941 - Notices (Public Trustee's Scale of Fees 2009-10 G.G. 25/06/2009) (1086).

- Railways (Access) Act 1998 - Codes (Railways (Access) Amendment Code 2009 G.G. 23/06/2009) (1087).
- Rates and Charges (Rebates and Deferments) Act 1992 - Regulations (Rates and Charges (Rebates and Deferments) Amendment Regulations 2009 G.G. 26/06/2009) (1088).
- Real Estate and Business Agents Act 1978 - Regulations (Real Estate and Business Agents (General) Amendment Regulations (No. 4) 2009 G.G. 23/06/2009) (1089).
- Retail Trading Hours Act 1987 - Regulations (Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations 2009 G.G. 14/07/2009) (1090).
- Rights in Water and Irrigation Act 1914 - Regulations (Rights in Water and Irrigation Amendment Regulations 2009 G.G. 23/06/2009) (1091).
- Rottneest Island Authority Act 1987 - Regulations (Rottneest Island Amendment Regulations 2009 G.G. 03/07/2009) (1092).
- Seeds Act 1981 - Regulations (Seeds Amendment Regulations 2009 G.G. 26/06/2009) (1093).
- Settlement Agents Act 1981 - Regulations (Settlement Agents Amendment Regulations 2009 G.G. 23/06/2009) (1094).
- Shipping and Pilotage Act 1967 - Regulations (Ports and Harbours Amendment Regulations (No. 2) 2009 G.G. 23/06/2009) (1095).
- Stock (Identification and Movement) Act 1970 - Regulations (Stock (Identification and Movement) Amendment Regulations (No. 2) 2009 G.G. 26/06/2009) (1096).
- Stock Diseases (Regulations) Act 1968 - Regulations (Enzootic Diseases Amendment Regulations (No. 2) 2009 G.G. 26/06/2009) (1097).
- Stock Diseases (Regulations) Act 1968 - Regulations (Enzootic Diseases Amendment Regulations 2009 G.G. 23/06/2009) (1098).
- Supreme Court Act 1935 - Rules (Supreme Court Amendment Rules (No. 2) 2009 - PRINTER'S CORRECTION G.G. 07/07/2009) (1099).
- Supreme Court Act 1935 - Rules (Supreme Court Amendment Rules (No. 2) 2009 G.G. 03/07/2009) (1100).
- Terrorism (Preventive Detention) Act 2006 - Quarterly Report for Quarter Ending 30 June 2009 (1101).
- Trade Measurement Act 2006 - Regulations (Trade Measurement Amendment Regulations (No. 3) 2009 G.G. 23/06/2009) (1102).
- Transport Co-ordination Act 1966 - Regulations (Transport (Country Taxi-car) Amendment Regulations 2009 G.G. 30/06/2009) (1103).
- Transport Co-ordination Act 1966 - Regulations (Transport Co-ordination Amendment Regulations 2009 G.G. 30/06/2009) (1104).
- Travel Agents Act 1985 - Regulations (Travel Agents Amendment Regulations 2009 G.G. 23/06/2009) (1105).
- Verve Energy - Statement of Corporate Intent 2009–2010 (1106).
- Vocational Education and Training Act 1996 - Regulations (Vocational Education and Training (Colleges) Amendment Regulations 2009 G.G. 26/06/2009) (1107).
- Waste Avoidance and Resource Recovery Act 2007 - Local Laws (Shire of Broomehill-Tambellup Waste Services Local Law 2009 G.G. 07/07/2009) (1108).
- Water Agencies (Powers) Act 1984 - By-laws (Water Agencies Amendment By-laws 2009 G.G. 19/06/2009) (1109).

7. Petition

In-fill Sewerage Program - Mr F.M. Logan presented a petition from 107 persons requesting that the Government honour previous commitments made to complete the Spearwood in-fill sewerage program by 2010 (P. 91).

8. Notices of Motion

9. Notices of Motion Lapsed

The Speaker advised that Private Members' Notices of Motion Nos 2, 3 and 4 had lapsed and, unless the members indicated otherwise, would be removed from the Notice Paper.

10. Community Development and Justice Standing Committee – Inquiry Reporting Date

The Speaker advised members that the Community Development and Justice Standing Committee had resolved to extend the reporting date for its *Inquiry into the Adequacy of Services to Meet the Developmental Needs of Western Australia's Children* to 13 August 2009.

11. Economics and Industry Standing Committee – Inquiry Reporting Date

The Speaker advised that the Economics and Industry Standing Committee had resolved to extend the reporting date for its *Inquiry into the Provision, Use and Regulation of Caravan Parks (and Camping Grounds) in Western Australia* to 15 October 2009.

12. Matter of Public Interest - Redress Western Australia Scheme

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 this House urges the Government to support the original Redress WA Scheme and ensure the benefits available to victims not be reduced.

Debate ensued.

Mr A.J. Simpson moved,

To delete all words after "House" and substitute the following –

“supports the fair and equitable distribution of the funds allocated for the original Redress WA Scheme to all eligible applicants.”.

On the question, That the words be deleted,

Question put.

The Assembly divided.

Ayes (31)

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 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 W.R. Marmion
 Mr P.T. Miles

Ms A.R. Mitchell
 Dr M.D. Nahan
 Mr C.C. Porter
 Mr D.T. Redman
 Mr A.J. Simpson
 Mr M.W. Sutherland
 Mr T.K. Waldron
 Dr J.M. Woollard
 Mr J.E. McGrath (*Teller*)

Noes (26)

Ms L.L. Baker
 Ms A.S. Carles
 Mr A.J. Carpenter
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr J.N. Hyde
 Mr W.J. Johnston
 Mr J.C. Kobelke
 Mr F.M. Logan

Ms A.J.G. MacTiernan
 Mr M. McGowan
 Mrs C.A. Martin
 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 A.J. Waddell
 Mr P.B. Watson
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mr D.A. Templeman (*Teller*)

Question thus 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 and passed.

13. Messages from the Governor

Message No. 34 from His Excellency the Governor was reported assenting to the following bills –

Parliamentary Commissioner Amendment Bill 2009, Act No. 10 of 2009.

Transfer of Incorporation (HBF and HIF) Bill 2009, Act No. 11 of 2009.

Appropriation (Consolidated Account) Recurrent 2009-10 Bill 2009, Act No. 12 of 2009.

Appropriation (Consolidated Account) Capital 2009-10 Bill 2009, Act No. 13 of 2009.

Loan Bill 2009, Act No. 14 of 2009.

Messages from His Excellency the Governor were reported recommending the purpose of the appropriations for the following bills –

Road Traffic Amendment (Hoons) Bill 2009 (Message No. 55).

Waste Avoidance and Resource Recovery Amendment Bill 2009 (Message No. 56).

14. Messages from the Legislative Council

Messages from the Legislative Council were reported returning the following bills without amendment -

24 June 2009

Transfer of Incorporation (HBF and HIF) Bill 2009(Message No. 26).

25 June 2009

Appropriation (Consolidated Account) Recurrent 2009-10 Bill 2009(Message No. 27).

Appropriation (Consolidated Account) Capital 2009-10 Bill 2009(Message No. 28).

Loan Bill 2009(Message No. 29).

15. Messages from the Legislative Council National Gas Access (WA) Bill 2008

Message No. 30 dated 25 June 2009 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that that it has agreed to the *National Gas Access (WA) Bill 2008* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the National Gas Access (WA) Bill 2008

No. 1

Page 16, after line 10 — To insert —

(1A) The national provisions do not affect the continuance or operation of an exempt contract.

No. 2

Page 16, line 12 — To insert after “apply” —

to a contract other than an exempt contract

No. 3

Page 16, lines 16 to 20 — To delete the lines and insert —

exempt contract —

- (a) means a contract in respect of which a declaration under the *Gas Corporation Act 1994* Schedule 5 clause 6 was in force immediately before the coming into operation of the *Dampier to Bunbury Pipeline Act 1997* Schedule 4 clause 17(4); and
- (b) includes a contract entered into —
 - (i) in substitution for a contract referred to in paragraph (a) or any provision of such a contract; or
 - (ii) by way of amendment of a contract referred to in paragraph (a) or subparagraph (i);

national provisions means the National Gas Access (Western Australia) Law, the Rules made under that Law, and the National Gas Access (Western Australia) Regulations;

relevant national provisions means any of the national provisions having the same purpose as a provision of the Gas Code, as defined in the National Gas Access (Western Australia) Law section 2.

No. 4

Page 18, line 10 — To delete “a review to be carried out” and insert —

a person, other than an officer of a department or body for which the Minister is responsible, to carry out a review

No. 5

Page 18, after line 26 — To insert —

- (2A) The person carrying out the review is to prepare and give to the Minister a report based on the review within sufficient time to enable the Minister to comply with subsection (3).

No. 6

Page 18, lines 27 to 31 — To delete the lines and insert —

- (3) The Minister is to prepare a response to the report and, as soon as is practicable after the response is prepared, and in any event not more than 12 months after the review day described in subsection (2), cause the report and the response to be laid before each House of Parliament.

Ordered, That consideration in detail of Legislative Council message No. 30 be made an Order of the Day for the next sitting of the Assembly.

16. Road Traffic Amendment (Hoons) Bill 2009

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

Debate resumed.

Minister for Police was granted leave to continue his remarks at the next sitting of the Assembly.

17. Royalties for Regions Bill 2009

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

Debate resumed.

The Deputy Premier moved, That the debate be adjourned.

Question put and passed.

18. Adjournment

The Deputy Premier moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 9.53 p.m. until Wednesday, 12 August 2009 at 12.00 noon.

Members present during any part of the day's proceedings - All the members except Mr M.P. Murray.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly