

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 37

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 17 JUNE 2009

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

In-fill Sewerage Program - Mr F.M. Logan presented a petition from 453 persons requesting that the Government honour previous commitments made to complete the Spearwood in-fill sewerage program by 2010 (P. 80).

Shack Site Coastal Communities in Western Australia - Ms A.R. Mitchell presented a petition from 111 persons requesting that Shack Site communities be preserved so Western Australians have affordable coastal holiday destinations for future generations (P. 81).

Roundabout Installation in Malaga - Ms R. Saffioti presented a petition from 854 persons requesting that a roundabout at the intersection of Truganina and Camboon Roads, Malaga be installed in the interests of reducing motor vehicle accidents (P. 82).

3. Paper

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

By the Speaker –

Auditor General of Western Australia, Office of the - Maintaining the State Road Network, Report 6, June 2009 (994).

4. Notice of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Police on the construction of a new Perth police complex in Northbridge, located on the corner of Roe, Fitzgerald and James Streets which will accommodate approximately 500 police officers and staff.

The Minister for Agriculture and Food on a new organisational structure for the Department of Agriculture and Food.

The Minister for Culture and the Arts on the launch of an Australian movie *3 Acts of Murder* which aired on the ABC on Sunday, 14 June 2009.

6. Suspension of Standing Orders – Government Business

The Leader of the House, pursuant to notice, moved,

That, up to and including 18 June 2009, so much of the Standing Orders be suspended as is necessary to enable Bills to proceed through all stages in one day and to enable messages from the Legislative Council to be taken into consideration on the day on which they are received.

Debate ensued.

Question put and passed.

7. Retail Trading Hours Amendment Bill 2009

The Premier, pursuant to notice, moved,

That a bill for “An Act to amend the *Retail Trading Hours Act 1987*.” be introduced and read a first time.

Question put and passed.

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

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

Mr M. McGowan moved, That the debate be adjourned.

Question put and passed.

8. Road Traffic Amendment (Hoons) Bill 2009

The Minister for Police, pursuant to notice, moved,

That a bill for “An Act to amend the *Road Traffic Act 1974* and, in consequence, to amend the *Road Safety Council Act 2002*.” be introduced and read a first time.

Question put and passed.

The Minister for Police presented an explanatory memorandum and bill read a first time.

The Minister for Police moved, That the bill be now read a second time.

Ms M.M. Quirk moved, That the debate be adjourned.

Question put and passed.

9. Royalties for Regions Bill 2009

The Minister for Regional Development, pursuant to notice, moved,

That a bill for “An Act to –

- provide for the operation of the Royalties for Regions Fund; and
- establish the Western Australian Regional Development Trust,

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

Question put and passed.

The Minister for Regional Development presented an explanatory memorandum and bill read a first time.

The Minister for Regional Development moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

10. Transfer of Incorporation (HBF and HIF) Bill 2009

The Minister for Commerce, pursuant to notice, moved,

That a bill for “An Act to provide for the registration of each of the following –

- the HBF Health Funds Inc.;
- the Health Insurance Fund of W.A. (Inc.),

as a public company limited by guarantee under the *Corporations Act 2001* (Commonwealth), and for related purposes.” be introduced and read a first time.

Question put and passed.

The Minister for Commerce presented an explanatory memorandum and bill read a first time.

The Minister for Commerce moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

11. Cross-border Justice Amendment Bill 2009

The Attorney General, pursuant to notice, moved,

That a bill for “An Act to amend the *Cross-border Justice Act 2008*.” be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and bill read a first time.

The Attorney General moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

12. Busselton Water Board (Supply of Water to Dunsborough) Bill 2009

The Minister for Water, pursuant to notice, moved,

That a bill for “An Act to facilitate the supply of water to the Dunsborough area by –

- enabling the Busselton Water Board to supply water to the Water Corporation; and
- extending the application of the *Water Boards Act 1904* in respect of that supply, and for related purposes.” be introduced and read a first time.

Question put and passed.

The Minister for Water presented an explanatory memorandum and bill read a first time.

The Minister for Water moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

13. Revenue Laws Amendment (Taxation) Bill 2009

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 W.J. Johnston speaking) and adjourned until a later stage of the sitting.

14. Questions

Questions without Notice were taken.

Questions on Notice Nos 1057 to 1085 were asked.

15. Additional Information under Standing Order No. 82A

In accordance with Standing Order No. 82A, the Minister for Health provided additional information relating to Question without Notice No. 545 from Mr R.H. Cook regarding the appointment of Mr Hayden Lowe as Chair of the Aboriginal Cultural Material Committee.

16. Personal Explanation

Mr J.N. Hyde made a personal explanation on the Government's proposed budget for a new museum.

17. Variation to the Order of Business

Ordered, That Government Business Order of the Day for the second reading of the Transfer of Incorporation (HBF and HIF) Bill 2009 and Government Business Order of the Day No. 1 be next considered.

18. Transfer of Incorporation (HBF and HIF) 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.

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

The Minister for Commerce 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.

19. Revenue Laws Amendment (Taxation) 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 17 agreed to.

Title agreed to.

Consideration in detail concluded.

The Treasurer 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.

20. Speaker's Statement - Smoking Within the Parliament House Precinct

The Speaker advised members that he had met with the President of the Legislative Council to discuss the issue of smoking within Parliament House, and there was a consensus to implement a total ban on smoking with immediate effect. This prohibition would apply to members, staff and visitors whilst both in Parliament House and also within 10 metres of any entrance.

21. Variation to the Order of Business

Ordered, That Private Members' Business Notices of Motion Nos 15 and 16 be next considered.

22. Closure of Grain Rail Network Lines

Ms A.J.G. MacTiernan, pursuant to notice, moved,

That this House condemns the Barnett Government's inaction which has led to the closure this week of four lines of the grain rail network and calls upon the Government to take immediate action to reopen these lines and to match the Federal Government's \$135 million budget allocation for the Rail Rescue Package from the \$281 million unallocated Royalties to Regions money.

Debate ensued.

Question put.

The Assembly divided.

Ayes (27)

Ms L.L. Baker
Ms A.S. Carles
Mr A.J. Carpenter
Mr V.A. Catania
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
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
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*)

Noes (30)

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
 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*)

Question thus negatived.

23. “Towards Zero” Road Safety Strategy

Ms M.M. Quirk, pursuant to notice, moved,

That this House condemns the Minister for Road Safety for his failure to take any measures to stem the tide of fatalities and serious critical injuries on Western Australian roads and to implement and fund the “Towards Zero” road safety strategy targeted specifically at reducing the levels of road trauma suffered by Western Australians.

Debate ensued.

Debate interrupted by the Chair (Mr D.A. Templeman speaking) and adjourned until a later stage of the sitting.

24. Notice of Motion After the Time Prescribed

Minister for Water was granted leave to present a late notice of motion.

25. Message from the Governor

Message No. 49 from His Excellency the Governor was reported recommending the purpose of the appropriation for the Royalties for Regions Bill 2009.

26. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 7.01 p.m. until Thursday, 18 June 2009 at 9.00 a.m.

Members present during any part of the day's proceedings - All the members except Mrs C.A. Martin.

PETER J. McHUGH
 Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
 Speaker of the Legislative Assembly