

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 135

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 23 MARCH 2011

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Widening the Mitchell Freeway between Hepburn Avenue and Hodges Drive – Mr A.P. Jacob presented a petition from 500 persons requesting that the Mitchell Freeway between Hepburn Avenue and Hodges Drive be widened to three lanes (P. 377).

East-West Bus Service – Dr A.D. Buti presented a petition from 284 persons requesting that a permanent East-West bus service to the Cockburn and Murdoch Train Stations and Fremantle be funded (P. 378).

Communal Barbeque at the Girrawheen Department of Housing Complex – Ms M.M. Quirk presented a petition from 11 persons requesting that the communal barbeque at the Department of Housing complex at 28 Denston Way, Girrawheen be left in place (P. 379).

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 – Raising the Bar: Implementing key provisions of the Liquor Control Act in licensed premises, Report 1, March 2011 (3216).

Auditor General, Office of the – Opinion on Ministerial Notification: Ministerial decision to not provide information to Parliament in relation to the theatre production of *The Graduate*, Report 2, March 2011 (3217).

By the Clerk –

Land Administration Act 1997 – Proposal No. 7/2011 under section 45(2)(a), 45(2)(d) and 45(4) of the Act for the realignment of Chester Pass Road by amendment to Class A Reserve 14792, Stirling Range National Park (3218).

4. Removal of Orders of the Day

The Speaker advised members that the Orders of the Day that appeared on the last Notice Paper as Nos 1 and 2 under Private Members' Business, Logging of Native Forests under the Existing Management Plan in South West Region of Western Australia and Perth Theatre Trust Amendment Bill 2009, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

The Speaker further advised, for members' information, that a bill removed under this Standing Order may be restored by motion to the point it had reached prior to its removal.

5. Notice of Motion Lapsed

The Speaker advised that Private Members' Notice of Motion No. 2 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

6. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Planning on Greater Bunbury Region Scheme Amendments 0010/41, 0011/41 and 0012/41 Marlston North, Koombana North and Koombana South.

Papers

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

By the Minister for Planning –

Greater Bunbury Region Scheme Amendment – Greater Bunbury Region Scheme Amendment 0010/41, Bunbury Waterfront, Marlston North: Report on Submissions and Hearings; Transcript of Hearings (3219).

Greater Bunbury Region Scheme Amendment – Greater Bunbury Region Scheme Amendment 0010/41, Bunbury Waterfront, Marlston North: Volume 1, Submissions 1–88 (3220).

Greater Bunbury Region Scheme Amendment – Greater Bunbury Region Scheme Amendment 0010/41, Bunbury Waterfront, Marlston North: Volume 2, Submissions 89–190 and Late Submission (3221).

Greater Bunbury Region Scheme Amendment – Greater Bunbury Region Scheme Amendment 0010/41, Bunbury Waterfront, Marlston North: Map 12/2 (3222).

Greater Bunbury Region Scheme Amendment – Greater Bunbury Region Scheme Amendment 0011/41, Bunbury Waterfront, Koombana North: Report on Submissions and Hearings; Transcript of Hearings (3223).

Greater Bunbury Region Scheme Amendment – Greater Bunbury Region Scheme Amendment 0011/41, Bunbury Waterfront, Koombana North: Volume 1, Submissions 1–94 (3224).

Greater Bunbury Region Scheme Amendment – Greater Bunbury Region Scheme Amendment 0011/41, Bunbury Waterfront, Koombana North: Volume 2, Submissions 95–210 and Late Submission (3225).

Greater Bunbury Region Scheme Amendment – Greater Bunbury Region Scheme Amendment 0011/41, Bunbury Waterfront, Koombana North: Map 12/3 (3226).

The Minister for Corrective Services on the investigation of Department of Corrective Services processes relating to Mr Marlon Noble.

The Minister for Sport and Recreation on his official visit to Hong Kong, Macau and Singapore.

Paper

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

By the Minister for Sport and Recreation; Racing and Gaming –
 Sport and Recreation; Racing and Gaming, Minister for – Hong Kong-Macau-Singapore from
 25 October 2010 to 31 October 2010 (3227).

7. Distinguished Visitors

The Speaker noted the presence in the Speaker's Gallery of students from Japan involved with the Rotary Youth Exchange.

8. Criminal Investigation (Identifying People) Amendment Bill 2011

The Minister for Police, pursuant to notice, moved,

That a bill for "An Act to amend the *Criminal Investigation (Identifying People) 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.

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

Question put and passed.

9. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 21, 2, 3, 4 and 5 be next considered.

10. Road Traffic Legislation Amendment (Information) Bill 2010

The Minister for Transport, pursuant to notice, moved,

That a bill for "An Act to amend —

- the *Road Traffic Act 1974*; and
- the *Road Traffic (Administration) Act 2008*; and
- the *Road Traffic (Authorisation to Drive) Act 2008*,
 in relation to the disclosure of certain classes of information, the provision of photographs and signatures for use on learner's permits, and for related purposes." be introduced and read a first time.

Question put and passed.

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

The Minister for Transport 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. Building Services (Complaint Resolution and Administration) Bill 2010

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

CONSIDERATION IN DETAIL

Clauses 1 and 2 agreed to.

Clause 3.

The Minister for Transport moved,

Page 3, after line 10 —To insert:

“

(g) the *Local Government (Miscellaneous Provisions) Act 1960* Parts VIII, IX and XV;

”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 4 to 45 agreed to.

Clause 46.

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

12. Questions

Questions without Notice were taken.

Papers

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

By the Minister for Environment –

Environment and Conservation, Department of – Quarterly Performance Report: Industry Regulation, 1 October to 31 December 2010 (3228).

Environment and Conservation, Department of – Quarterly Performance Report: Native Vegetation Conservation Program, 1 October to 31 December 2010 (3229).

Questions on Notice Nos 4899 to 4917 were asked.

Questions on Notice Nos 4727 to 4739, 4741 to 4744 and 4797 were answered.

13. Suspension of Standing Orders

Mr M. McGowan, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That the Premier be condemned for misleading the people and Parliament of Western Australia in relation to the full cost of his new office at Hale House.

Debate ensued.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (30)

Mr P. Abetz

Mr F.A. Alban

Mr C.J. Barnett

Mr I.C. Blayney

Mr I.M. Britza

Mr T.R. Buswell

Ms A.S. Carles

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

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
Mr J.J.M. Bowler
Dr A.D. Buti
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
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia
Ms M.M. Quirk
Mr E.S. Ripper
Mrs M.H. Roberts
Ms R. Saffioti

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
Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That so much of Standing Orders be suspended,

Question put.

The Assembly divided.

Ayes (25)

Ms L.L. Baker
Dr A.D. Buti
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

Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia
Ms M.M. Quirk
Mr E.S. Ripper
Mrs M.H. Roberts
Ms R. Saffioti
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
Mr D.A. Templeman (*Teller*)

Noes (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
Ms A.S. Carles
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
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.

14. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 2, 3 and 4 be next considered.

15. Building Services (Complaint Resolution and Administration) Bill 2010

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

CONSIDERATION IN DETAIL

Clauses 46 to 48 agreed to.

Clause 49.

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

16. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 7 and Private Members' Business Order of the Day No. 9 be next considered.

17. Back on Track Strategy

Mr R.H. Cook, pursuant to notice, moved,

That the Government immediately commit to implementing the Back on Track strategy and commit to funding this strategy in the 2011–2012 budget.

Debate ensued.

The Parliamentary Secretary representing the Minister for Youth moved,

To delete all words after "Government" with the view to inserting the following words –

“ confirm its support for the Back on Track Trail Bike Strategy. ”.

Debate ensued.

Amendment put and passed.

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

Question put and passed.

18. Notice of Motion after the Time Prescribed

The Leader of the House was granted leave to give a late notice of motion.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 6.50 p.m. until Thursday, 24 March 2011 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly