

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 234

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

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WEDNESDAY, 24 OCTOBER 2012

### 1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Petition

Carpark Facilities Cockburn Central Railway Station – Mr F.M. Logan presented a petition from 705 persons requesting that the Legislative Assembly calls upon the State Government to commit to building a new overpass road bridge joining an upgraded North Lake Road to Armadale Road, and a new rail station with car parking at Russell Road (P. 663).

### 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 – Implementation of the National Partnership Agreement on Homelessness in Western Australia, Report No. 13, October 2012 (5480).

By the Clerk –

Albany Port Authority – Statement of Corporate Intent 2012–2013 (5481).

Conservation and Land Management Act 1984 – Lease No. 2115 between the Department of Environment and Conservation and APEX Holiday Centre Inc. for part of Crown Reserve 48968, Point Peron Road, Peron (5482).

Conservation and Land Management Act 1984 – Lease No. 2116 between the Department of Environment and Conservation and Australian Post-Tel Institute (Western Australia) Incorporated for Part of Crown Reserve 48968, Point Peron Road, Peron (5483).

Conservation and Land Management Act 1984 – Lease No. 2119 between the Department of Environment and Conservation and L & S Recreation Centre Inc. for part of Crown Reserve 48968, Point Peron Road, Peron (5484).

Conservation and Land Management Act 1984 – Lease No. 2120 between the Department of Environment and Conservation and Point Peron Aquatic, Youth and Family Association for part of Crown Reserve 48968, Point Peron Road, Peron (5485).

Conservation and Land Management Act 1984 – Lease No. 2122 between the Department of Environment and Conservation and the Returned & Services League of Australia WA Branch Incorporated for part of Crown Reserve 48968, Point Peron Road, Peron (5486).

Conservation and Land Management Act 1984 – Lease No. 2123 between the Department of Environment and Conservation and the Maritime Union of Australia for part of Crown Reserve 48968, Point Peron Road, Peron (5487).

Conservation and Land Management Act 1984 – Lease No. 2125 between the Department of Environment and Conservation and the Maritime Union of Australia for part of Crown Reserve 48968, Point Peron Road, Peron (5488).

Corruption and Crime Commission, Joint Standing Committee on the – Government Response to Report No. 27 – The Discontinuance of Contempt Proceedings Against Members of the Coffin Cheaters Motorcycle Club (5489).

Esperance Port Authority – Statement of Corporate Intent 2011–2012 (5490).

Fair Trading Act 2010 – Standards (Competition and Consumer (Tobacco) Information Standard 2011 G.G. 15/10/2012) (5491).

Fish Resources Management Act 1994 – Management Plans (CORRECTION – West Coast Rock Lobster Managed Fishery Management Plan 2012 G.G. 19/10/2012) (5492).

Fish Resources Management Act 1994 – Management Plans (West Coast Rock Lobster Managed Fishery Management Plan 2012 [1078] G.G. 17/10/2012) (5493).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 10) 2012 G.G. 17/10/2012) (5494).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 8) 2012 G.G. 19/10/2012) (5495).

Local Government Act 1995 – Local Laws (Shire of Capel Local Government Property Amendment Local Law 2012 G.G. 19/10/2012) (5496).

Local Government Act 1995 – Local Laws (Shire of Murray Fencing Local Law 2012 G.G. 16/10/2012) (5497).

Local Government Act 1995 – Local Laws (Shire of Murray Repeal Local Law 2012 G.G. 16/10/2012) (5498).

Racing and Wagering Western Australia – Annual Report 2011–2012 (5499).

Road Safety Council – Annual Report 2011–2012 (5500).

#### **4. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the 70<sup>th</sup> Anniversary of the Second Battle of El Alamein.

The Minister for Environment on the Department of Environment and Conservation's Science Division research activity report.

The Minister for Sport and Recreation on James Sullivan winning the National Volunteer of the Year Award at the National Rugby League's One Community Awards.

#### **5. Private Members' Business**

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

That so much of Standing Orders be suspended as is necessary to enable Private Members' Business to have priority from 4.00 p.m. to 8.00 p.m. on Wednesday, 24 October 2012.

Question put and passed.

#### **6. Road Traffic (Miscellaneous Amendments) Bill 2012**

The Minister for Police, pursuant to notice, moved,

That a bill for "An Act to amend —

- the *Road Traffic Act 1974*; and

- the *Road Traffic (Administration) Act 2008*.”

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.

## **7. Building Amendment Bill 2012**

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.

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

## **8. Questions**

Questions without Notice were taken.

## **9. Personal Explanation**

Mr W.J. Johnston made a personal explanation regarding proposals for a third runway at Perth Airport.

## **10. Variation to the Order of Business**

Ordered, That Government Business Order of the Day No. 2 be next considered.

## **11. Dangerous Sexual Offenders Amendment Bill 2012**

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

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### *Urgent Bill*

The Minister for Corrective Services moved, That the Dangerous Sexual Offenders Amendment Bill 2012 be considered an urgent bill.

Question put and passed.

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Debate resumed.

Debate interrupted by the Chair (Minister for Corrective Services speaking) and adjourned until a later stage of this day's sitting.

## **12. Variation to the Order of Business**

Ordered, That Private Members' Business Orders of the Day Nos 8 and 18 be next considered.

## **13. Skilled Jobs (Benefits from the Boom) Bill 2012**

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 (25)

Ms L.L. Baker  
 Dr A.D. Buti  
 Ms A.S. Carles  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan  
 Mrs C.A. Martin

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  
 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 (26)

Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 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 A. Krsticevic  
 Mr W.R. Marmion  
 Mr J.E. McGrath

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

Question thus negatived.

Bill thus defeated.

#### 14. Criminal Code Amendment (Domestic Violence) Bill 2012

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 (18)

Dr A.D. Buti  
 Ms A.S. Carles  
 Ms J.M. Freeman  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan

Mrs C.A. Martin  
 Mr M. McGowan  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Ms M.M. Quirk

Mr C.J. Tallentire  
 Mr P.C. Tinley  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Mr D.A. Templeman (*Teller*)

## Noes (22)

Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr J.J.M. Bowler  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
 Mr M.J. Cowper  
 Mr J.H.D. Day

Mr J.M. Francis  
 Mr B.J. Grylls  
 Dr K.D. Hames  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 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 M.W. Sutherland  
 Mr T.K. Waldron  
 Mr A.J. Simpson (*Teller*)

Question thus negatived.

Bill thus defeated.

**15. Variation to the Order of Business**

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

**16. Building Amendment Bill 2012**

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

*CONSIDERATION IN DETAIL*

Clauses 1 to 38 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Parliamentary Secretary representing the Minister for Small Business moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time and passed.

**17. Variation to the Order of Business**

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

**18. Browse (Land) Agreement Bill 2012**

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

Debate resumed.

The Premier was granted leave to continue his remarks in reply at the next sitting of the Assembly.

**19. Adjournment**

The Premier moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 10.25 p.m. until Thursday, 25 October 2012 at 9.00 a.m.

*Members present during any part of the day's proceedings – All the members except Mr J.N. Hyde.*

**PETER J. McHUGH**  
Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**  
Speaker of the Legislative Assembly