

ECONOMICS AND INDUSTRY STANDING COMMITTEE — FRANCHISING BILL 2010 INQUIRY

Appointment of Member for Southern River — Alteration of Motion

MR D.A. TEMPLEMAN (Mandurah) [12.15 pm]: I seek leave to move the motion in my name in an amended form.

The SPEAKER: Is leave granted?

Mr R.F. Johnson: In this instance, I will say yes. I will not be unreasonable like someone else over there.

Leave granted.

Appointment of Member for Southern River — Motion

Mr D.A. TEMPLEMAN: It is very kind of the Leader of the House. I thank him for his forbearance.

Mr R.F. Johnson: It would have been nice if you had given me a bit of warning.

Several members interjected.

The SPEAKER: Thank you, members.

Mr D.A. TEMPLEMAN: Once again, I thank the Leader of the House for his forbearance. I am sure he will see that the amendment is very minor. I move —

That the Legislative Assembly appoints the member for Southern River to the Economics and Industry Standing Committee for the purpose only and for the duration of that committee's inquiry into the Franchising Bill 2010.

As I mentioned last week when we had a somewhat interesting and heated debate in this place about the treatment of the member for Southern River's Franchising Bill 2010, I foreshadowed that this motion would be put to the house this week and that I would be seeking support from members of the government and, of course, members of the opposition and Independent members of this place to ensure that the member for Southern River, who has brought to this house a bill that he has a particular interest in and a particular concern for, would have an opportunity to have that bill debated in the house. The house, through the government's obstinacy last week, refused to allow the debate of the member's bill in this place. Instead, it jettisoned the bill off to the Economics and Industry Standing Committee. Once the house had made that decision and that decision was voted upon, it was my view that to ensure the Economics and Industry Standing Committee was fully informed and fully availed of the issues that the member for Southern River was bringing to this place through his Franchising Bill 2010, he should be given the opportunity to actively participate in the analysis of that bill through the inquiry of the Economics and Industry Standing Committee.

The motion, as amended slightly, simply clarifies that this is an appointment to the Economics and Industry Standing Committee of the member for Southern River for the purpose only and for the duration of that committee's inquiry. This would mean that the member for Southern River, a government member, would be able to actively participate as a full member of the committee for the duration of that inquiry. Members need to be aware that the Economics and Industry Standing Committee is chaired by the member for Riverton and has the members for Scarborough, Collie-Preston, Cannington and South Perth as current members. It is a committee that is already government dominated, with three Liberal members and two Labor members. With the appointment of the member for Southern River, a government member, there would be no effect on the numbers in terms of opposition versus government. I would expect that there would be no problem for the government to allow one of its own members, the member who is pursuing the issues around franchising in Western Australia, to be added to that committee for the duration of the inquiry. If the government opposes this motion, it will put the member for Southern River in a very precarious position. I note that the member is not in the house, but I know that he is in the Parliament because I have seen him in the corridors. I know that he has had some discussions with the Leader of the House about how they might deal with this particular motion. The member for Southern River has probably made a lot of promises to people who have come to him, as is their right, about the issue which he has great concern about and which is outlined in the Franchising Bill that he has proposed to Parliament. If this motion is not supported, it would certainly be a slap in the face to one of the government's own members that it does not have trust in him to participate effectively as a member of that committee with full entitlements for the duration of the inquiry.

Mr J.H.D. Day interjected.

Mr D.A. TEMPLEMAN: What is wrong, Minister for Planning? I am not sure of the minister's interjection, but I am happy to take it.

Mr J.H.D. Day: I said that he wouldn't have got anywhere near this far if he was on the Labor side.

Mr D.A. TEMPLEMAN: I find that quite an interesting comment, minister, because it is members on the minister's side of the house who are leading us to think that the government will not support this motion. Is the minister going to support this motion? He is not sure, is he? He is looking for some guidance. Is the minister going to support the motion as moved?

Several members interjected.

Mr D.A. TEMPLEMAN: Perhaps if the Leader of the House simply gives me an indication that he will support the motion, I am happy to curtail —

Mr R.F. Johnson: When you sit down, I will certainly respond.

Mr D.A. TEMPLEMAN: Leader of the House, it is a reasonable question to ask in the house.

Mr R.F. Johnson: It would've been reasonable if you'd given me a copy of your amended motion before you got up and spoke about it.

Mr D.A. TEMPLEMAN: The Leader of the House had notice of it yesterday.

Mr R.F. Johnson: No, not of your amended motion, I didn't.

Mr D.A. TEMPLEMAN: Has the Leader of the House looked at the amended motion? The wording has simply been improved, quite frankly.

Mr R.F. Johnson: If you'd had the courtesy to show me that —

Mr D.A. TEMPLEMAN: The Leader of the House had notice. I gave notice yesterday. He was in the house when I gave notice. All the Leader of the House needs to do now is indicate across the chamber to me that he will support the motion and I will not take up any more time of the house.

Mr R.F. Johnson: I will not indicate by way of interjection; I will get up and respond to your motion.

Mr D.A. TEMPLEMAN: Is the Leader of the House going to support the motion?

Mr R.F. Johnson: You'll find out. I'll tell you. You don't need to spend a lot of time on it.

Mr D.A. TEMPLEMAN: No, we do not need to spend a lot of time on this, because I think it is quite matter of fact. It is quite a simple motion. The government's own member has brought to this house a very important piece of legislation that he believes this house should have the opportunity to debate. The government stopped him from having the opportunity to debate the issue and jettisoned the bill off to a committee, which is ably led by the member for Riverton and has some excellent members. I sat on the committee as a co-opted member for its caravan inquiry. It has very good members. It is a very effective and hardworking committee. I have absolute confidence in all the members of that committee. However, I would be astounded if the Leader of the House were giving some sort of indication that one of the government's own members, who brought the bill to this place, will not be given the opportunity to participate. Certainly, why should he not, under the standing orders relating to committees, participate as a fully entitled and appointed member of the committee for the duration of the inquiry? I see no problem with that. It is not as though we are appointing a Labor member with full voting rights to this committee, thus creating a three-three ratio of members. We are simply appointing another government member to an already government-dominated committee for the purpose of this inquiry. I have full confidence in the Economics and Industry Standing Committee. I know that it is currently participating in a very important gas inquiry, which of course it will need to complete. That inquiry would have priority; I understand that. Certainly, this Parliament has moved a motion to send the Franchising Bill 2010, sponsored by the member for Southern River, to that committee. That committee will decide when that bill might be considered. I would hope, for the sake of the member for Southern River, that the bill will be given priority after the committee concludes its current inquiry into the gas issue. The member for Southern River has an intimate interest in this issue. He has sponsored the bill. He has brought it to the attention of the house. Why would we not give him the opportunity to actively participate in the committee's inquiry? I am sure that members of that committee would have no problem with that. I am sure that the member for Collie—Preston would have no problem with that.

Mr M.P. Murray: I have no problem. I just wonder what the chair thinks.

Mr J.E. McGrath: Last week you said that we were going to bury it!

Mr D.A. TEMPLEMAN: The government has semi-buried it by sending it off to the committee because it did not want us to debate the bill in the house at the time. All I am asking is: why can this committee not co-opt the very person who has introduced the bill in the house? The government has tied one hand behind his back; it should not tie both hands behind his back. The member for Southern River can scissor kick over the Bar very well; we know that. He will be like the Black Knight in *Monty Python and the Holy Grail*. The government will slice off his arm, slice off his other arm and then slice off his leg and then his other leg, and he will be left there saying, "Come on; give me a chance to have a say on this." That is all we are doing. All we are saying is give the poor man a chance to have a say. Last week the member for Vasse said that we could drive trucks through this

bill. Maybe we can drive a truck through the bill and maybe it has more holes than the *Titanic*. But surely we should have the chance to debate the bill in the house. The government cut that out last week. It said that we would not be able to debate the bill in the house and instead it moved to send it to a committee. All we are saying is please save the poor member for Southern River from any more embarrassment and give him a chance to have a say. That is all we are saying.

Mr M.P. Murray interjected.

Mr D.A. TEMPLEMAN: I hope his preselection has not been threatened. I have not heard that. The member might say that; he may mix in different circles from those I mix in. Maybe it has been threatened. It is very interesting that the member for Southern River is not in the chamber. I saw the Leader of the House talking to him in the corridor. I hope the Leader of the House was not telling him not to come into the chamber. Surely the Leader of the House would not have done that. Surely the Leader of the House did not say to the member for Southern River, “Whatever you do, don’t come into the chamber while this motion is being debated because it will be even more embarrassing for you. We crushed you last week and we’re going to crush you again because we’re not going to support the motion of the member for Mandurah.” All I want from the Leader of the House is an indication that the government will support the motion that I have moved. Surely the wording is not difficult for the government to stomach. Surely, in the spirit of Christmas, the Leader of the House will not be a scrooge today and will consider this motion in the spirit in which it is intended—that is, to allow one of the government’s own anointed ones a chance to participate in the discussion on, and analysis of, his bill. The member for Southern River is a tenacious man; he has fought all the way. He was caught like a rabbit in the footlights a few weeks ago and he had to scissor kick over the Bar because he suddenly realised that he should not be in the chamber. He thought, “How do I get out of this place? Quick, quick, quick!” As the bells were ringing for the last time, he scissor kicked over the Bar and almost pole vaulted into the Speaker’s gallery to take refuge. As we know, he is a very tall man. He darted down and kept as low as possible so that his fellow government members could not see him. He could not hide. Members cannot hide in this place. I have tried to do it a number of times in this place, as you know very well, Mr Speaker. I have tried to hide from you many times, but you seek me out. You find me all the time. You may not see me, but you hear me! I am sure that the member for Southern River, being absent from the chamber, is listening. I actually reckon he is sitting in his room and watching me. I am talking to you, member for Southern River! I am fighting for you! This is what I am doing. Member for Southern River, wherever you may be in the building, I am here and I am on your side! I am trying to make sure that you have a chance, member for Southern River, to have your say on this bill!

Mr R.F. Johnson interjected.

Mr D.A. TEMPLEMAN: I will conclude now with a simple plea to the Leader of the House: give the member for Southern River, wherever he may be—we seek him here, we seek him there—the opportunity to actively participate through the Economics and Industry Standing Committee in the analysis of and debate on his bill that he brought to this Parliament. Give him that opportunity and let us make sure that this standing committee process is open and transparent, and that he has an active role in the analysis of that bill.

Adjournment of Debate

MR R.F. JOHNSON (Hillarys — Leader of the House) [12.31 pm] — without notice: I move —

That the debate be adjourned to a later stage of this day’s sitting.

MR M. MCGOWAN (Rockingham) [12.31 pm]: Mr Speaker —

Mr R.F. Johnson: It’s not debateable.

The SPEAKER: Unless it is a point of order, it is not debateable.

Question put and a division taken with the following result —

Extract from Hansard

[ASSEMBLY — Wednesday, 24 November 2010]

p9470a-9473a

Mr David Templeman; Mr Rob Johnson; Mr Mark McGowan; Speaker

Ayes (29)

Mr P. Abetz
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
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
Ms A.R. Mitchell
Dr M.D. Nahan
Mr C.C. Porter

Mr D.T. Redman
Mr M.W. Sutherland
Mr T.K. Waldron
Dr J.M. Woollard
Mr J.E. McGrath (*Teller*)

Noes (22)

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
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia

Mr J.R. Quigley
Ms M.M. Quirk
Mr E.S. Ripper
Ms R. Saffioti
Mr T.G. Stephens
Mr C.J. Tallentire

Mr A.J. Waddell
Mr M.P. Whitely
Mr B.S. Wyatt
Mr D.A. Templeman (*Teller*)

Pairs

Mr F.A. Alban
Mr P.T. Miles

Mrs C.A. Martin
Mr P.B. Watson

Question thus passed.

Debate thus adjourned until a later stage of the sitting.

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