

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 115

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 21 OCTOBER 2010

1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Paper

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

By the Speaker –

Corruption and Crime Commission of Western Australia – Special Report by the Corruption and Crime Commission on its Reporting Function with Respect to Misconduct Under Part 5 of the *Corruption and Crime Commission Act 2003* (WA) (2789).

3. Notices of Motion

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on his recent official trip to Singapore, following an invitation from the Singapore Minister for Foreign Affairs.

The Minister for Health on the adjustments to the targets for Royal Perth Hospital, Sir Charles Gairdner Hospital and Fremantle Hospital under the Four Hour Rule Program.

The Minister for Commerce on the outcome of legal action against Mr Salvatore Tomarchio by the Commissioner for Consumer Protection.

5. Grievances

The Speaker called for grievances which were then made.

6. Distinguished Visitors

The Acting Speaker noted the presence in the Speaker's Gallery of the members of the Public Accounts Committee of the Western Provincial Council of Sri Lanka.

7. Procedure and Privileges Committee

Mr M.W. Sutherland, as Deputy Speaker, presented the following report which was ordered to lie upon the Table of the House –

Procedure and Privileges Committee – Report on a Local Government Adversely Referred to in the Legislative Assembly — City of Melville, Report No. 11 (2290).

Mr M.W. Sutherland and Mr M. McGowan spoke on the report.

Mr M.W. Sutherland moved, That the report be adopted.

Question put and passed.

8. Commercial Tenancy (Retail Shops) Amendment Bill 2009

Mr F.M. Logan, pursuant to notice, moved,

That the Commercial Tenancy (Retail Shops) Amendment Bill 2009 be restored to the point it reached prior to its removal from the Notice Paper on Tuesday, 19 October 2010.

Question put and passed.

9. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 3, 2 and 1 be next considered.

10. Perry Lakes Redevelopment Amendment Bill 2010

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 Planning 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.

11. Criminal Code Amendment (Infringement Notices) Bill 2010

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 (Dr J.M. Woppard speaking) and adjourned until a later stage of the sitting.

12. Members' Statements

The Deputy Speaker called for members' statements which were then made.

13. Questions

Questions without Notice were taken.

Questions on Notice Nos 4233 and 4234 were asked.

Questions on Notice Nos 4003, 4005 to 4007, 4013 and 4065 were answered.

14. Suspension of Standing Orders

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

- (1) That this House calls on the Minister to table all documents relating to the gift of 28.5 million worth of water to Harvey Water, and for the Minister to fully explain the value Western Australian taxpayers will receive from that gift.
- (2) That the Minister explain to the House the impact on Gnangara aquifer and South West Yarragadee aquifer water drawdown from this decision to give Logue Brook dam water away.

Debate ensued.

Mr J.E. McGrath moved, That the question be put.

Question put.

The Assembly divided.

Ayes (27)

Mr P. Abetz	Mr B.J. Grylls	Ms A.R. Mitchell
Mr F.A. Alban	Dr K.D. Hames	Dr M.D. Nahan
Mr I.C. Blayney	Mrs L.M. Harvey	Mr C.C. Porter
Mr T.R. Buswell	Mr A.P. Jacob	Mr D.T. Redman
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr A.J. Simpson
Mr V.A. Catania	Mr R.F. Johnson	Mr M.W. Sutherland
Mr M.J. Cowper	Mr A. Krsticevic	Mr T.K. Waldron
Mr J.H.D. Day	Mr W.R. Marmion	Dr J.M. Woollard
Mr J.M. Francis	Mr P.T. Miles	Mr J.E. McGrath (<i>Teller</i>)

Noes (22)

Dr A.D. Buti	Mr A.P. O'Gorman	Mr P.C. Tinley
Ms A.S. Carles	Mr P. Papalia	Mr A.J. Waddell
Mr R.H. Cook	Ms M.M. Quirk	Mr P.B. Watson
Mr W.J. Johnston	Mr E.S. Ripper	Mr M.P. Whitely
Mr J.C. Kobelke	Mrs M.H. Roberts	Mr B.S. Wyatt
Mr F.M. Logan	Ms R. Saffioti	Mr D.A. Templeman (<i>Teller</i>)
Mr M. McGowan	Mr T.G. Stephens	
Mr M.P. Murray	Mr C.J. Tallentire	

Question thus passed.

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

Question put.

The Assembly divided.

Ayes (22)

Dr A.D. Buti	Mr A.P. O'Gorman	Mr P.C. Tinley
Ms A.S. Carles	Mr P. Papalia	Mr A.J. Waddell
Mr R.H. Cook	Ms M.M. Quirk	Mr P.B. Watson
Mr W.J. Johnston	Mr E.S. Ripper	Mr M.P. Whitely
Mr J.C. Kobelke	Mrs M.H. Roberts	Mr B.S. Wyatt
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Mr J.H.D. Day	Mr W.R. Marmion	Dr J.M. Woollard
Mr J.M. Francis	Mr P.T. Miles	Mr J.E. McGrath (<i>Teller</i>)

Question thus negatived.

15. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 1 and 2 be next considered.

16. Liquor Control Amendment Bill 2010

The Order of the Day for the third reading of the bill having been read, the Minister for Racing and Gaming 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.

17. Agriculture and Related Resources Protection Amendment Bill 2010

Message No. 116 dated 20 October 2010 from the Legislative Council was reported agreeing to the bill without amendment.

18. Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts

Message No. 118 dated 21 October from the Legislative Council was reported agreeing to the following resolution –

That the Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts be disestablished as it has completed its review of those Acts and reported on 14 October 2010.

19. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 9 November 2010 at 2.00 p.m.

Question put and passed.

20. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 5.10 p.m. until Tuesday, 9 November 2010 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr I.M. Britza, Dr E. Constable, Mr J.N. Hyde and Mrs C.A. Martin.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly