

WESTERN AUSTRALIA

## LEGISLATIVE ASSEMBLY

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### VOTES AND PROCEEDINGS

No. 111

#### FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

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**WEDNESDAY, 13 OCTOBER 2010**

##### **1. Meeting of Assembly**

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

##### **2. Papers**

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

By the Speaker –

Auditor General, Office of the [OAG] – Report No. 9: ICT Procurement in Health and Training (2757).

By the Clerk –

Community Development and Justice Standing Committee – Government Response to Report No. 4, ‘Making our Prisons Work’ An Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies – Interim Report (2750).

Education and Health Standing Committee – Government Response to Report No. 6, Destined to Fail: Western Australia’s Health System (2751).

Geraldton Port Authority – Annual Report 2009–2010 (2752).

Local Government Standards Panel – Annual Report 2009–2010 (2753).

Mentally Impaired Review Board – Annual Report 2009–2010 (2754).

Prisoners Review Board – Annual Report 2009–2010 (2755).

Supervised Release Review Board – Annual Report 2009–2010 (2756).

##### **3. Notices of Motion**

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

Brief Ministerial Statements were made by –

The Minister for Tourism on the launch of Tourism Western Australia’s 2010–2011 Domestic Marketing Campaign.

The Minister for Agriculture and Food on the value of the intellectual property of InterGrain, of which the Western Australian Government is a major shareholder.

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*Paper*

The following paper was presented and ordered to lie upon the Table of the House –  
By the Minister for Agriculture and Food –

Auditor General, Office of the – Section 82 *Financial Management Act 2006* Notification  
(2762).

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The Minister for Mental Health on Mental Health Week and the Mental Health Law Centre.

### **5. Franchising Bill 2010**

Mr P. Abetz, pursuant to notice, moved,

That a bill for “An Act to regulate the conduct of people who are about to enter or who are parties to franchise agreements and for related matters.” be introduced and read a first time.

Question put and passed.

Mr P. Abetz presented an explanatory memorandum and bill read a first time.

Ordered, That the second reading of the bill be made an Order of the Day for a later stage of the day’s sitting.

### **6. Liquor Control 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.

Ordered, That the consideration in detail of the bill be made an Order of the Day for a later stage of the day’s sitting.

### **7. Approvals and Related Reforms (No. 1) (Environment) Bill 2009**

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

#### *CONSIDERATION IN DETAIL*

Clauses 1 to 3 agreed to.

Clause 4.

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

### **8. Questions**

Questions without Notice were taken.

Questions on Notice Nos 4136 to 4139 were asked.

Questions on Notice Nos 3818, 3839, 3856, 3873, 3890, 3904, 3907, 3924, 3954, 3993, 4063 and 4074 were answered.

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Papers tabled by the Minister for Water; Mental Health –

Question on Notice No. 3907 – Details of contact between Mr Paul Everingham, or representatives of his company, and ministerial office staff since 1 September 2009 (2758).

Question on Notice No. 3839 – Details of contact between Mr Dean Smith, or representatives of Enhance Corporate Pty Ltd, and ministerial office staff since 23 September 2008 (2759).

Question on Notice No. 3873 – Details of contact between Mr Barry MacKinnon and ministerial office staff since 23 September 2008 (2760).

Paper tabled by the Minister representing the Minister for Energy; Training and Workforce Development –

Question on Notice No. 3904 – Details of contact between Mr Paul Everingham, or representatives of his company, and ministerial office staff since 1 September 2009 (2761).

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

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

## **10. Approvals and Related Reforms (No. 1) (Environment) Bill 2009**

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

### *CONSIDERATION IN DETAIL*

Clause 4.

Question put.

The Assembly divided.

	<i>Ayes (27)</i>	
Mr P. Abetz	Mr J.H.D. Day	Mr P.T. Miles
Mr F.A. Alban	Mr J.M. Francis	Ms A.R. Mitchell
Mr I.C. Blayney	Mr B.J. Grylls	Dr M.D. Nahan
Mr J.J.M. Bowler	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
Dr E. Constable	Mr A. Krsticevic	Mr T.K. Waldron
Mr M.J. Cowper	Mr W.R. Marmion	Mr J.E. McGrath ( <i>Teller</i> )

	<i>Noes (25)</i>	
Ms L.L. Baker	Mr M. McGowan	Mr C.J. Tallentire
Dr A.D. Buti	Mr M.P. Murray	Mr P.C. Tinley
Ms A.S. Carles	Mr A.P. O'Gorman	Mr A.J. Waddell
Mr R.H. Cook	Mr P. Papalia	Mr P.B. Watson
Ms J.M. Freeman	Mr J.R. Quigley	Mr M.P. Whitely
Mr J.N. Hyde	Mr E.S. Ripper	Mr B.S. Wyatt
Mr W.J. Johnston	Mrs M.H. Roberts	Mr D.A. Templeman ( <i>Teller</i> )
Mr J.C. Kobelke	Ms R. Saffioti	
Mr F.M. Logan	Mr T.G. Stephens	

Clause thus passed.

Clauses 5 to 17 agreed to.

Title agreed to.

Consideration in detail concluded.

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

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

Debate ensued.

Question put.

The Assembly divided.

## Ayes (28)

Mr P. Abetz	Mr J.M. Francis	Ms A.R. Mitchell
Mr F.A. Alban	Mr B.J. Grylls	Dr M.D. Naham
Mr I.C. Blayney	Dr K.D. Hames	Mr C.C. Porter
Mr J.J.M. Bowler	Mrs L.M. Harvey	Mr D.T. Redman
Mr T.R. Buswell	Mr A.P. Jacob	Mr A.J. Simpson
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr M.W. Sutherland
Mr V.A. Catania	Mr R.F. Johnson	Mr T.K. Waldron
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Mr J.N. Hyde	Mr E.S. Ripper	Mr B.S. Wyatt
Mr W.J. Johnston	Mrs M.H. Roberts	Mr D.A. Templeman ( <i>Teller</i> )
Mr J.C. Kobelke	Ms R. Saffioti	
Mr F.M. Logan	Mr T.G. Stephens	

Question thus passed.

Bill read a third time and passed.

### 11. Variation to the Order of Business

Ordered, That Private Members' Business Order of the Day for the second reading of the Franchising Bill 2010 and Private Members' Business Notices of Motion Nos 7 and 6 be next considered.

### 12. Franchising Bill 2010

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

Mr P. Abetz 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. Maintenance of Homeswest Properties

Mr P.C. Tinley, pursuant to notice, moved,

That the House condemns the Barnett Government for its many failures in the area of housing, especially in the area of maintenance of Homeswest properties.

Debate ensued.

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*Paper*

The following paper was presented and ordered to lie upon the Table of the House –  
By the Minister for Housing –

Housing, Department of – Compliant Job Orders by Priority (2763).

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Debate interrupted by the Chair (Mrs L.M. Harvey speaking) and adjourned until a later stage of the sitting.

**14. Notice of Motion after the Time Prescribed**

Mr T.G. Stephens was granted leave to give a late notice of motion.

**15. 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, 14 October 2010 at 9.00 a.m.

*Members present during any part of the day's proceedings – All the members except Mr I.M. Britza, Mrs C.A. Martin and Ms M.M. Quirk.*

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**

Speaker of the Legislative Assembly